Department of Community Welfare Services
Education Department
Ministry for Conservation
Ministry of Housing
Department of State Development, Decentralization and Tourism
Department of Youth, Sport and Recreation
Town and Country Planning Board.

In addition, many other Government departments and authorities have always maintained substantial activity and staff in decentralized locations.

CITIZENS' COMMISSION ON HUMAN RIGHTS

(Question No. 1690)

Mr ROPER (Brunswick) asked the Minister of Health:

Whether he has received the recommendations of the Second National Conference of the Citizens' Commission on Human Rights; if so, what action is proposed by the Government?

Mr BORTHWICK (Minister of Health) —The answer is:

1. No.
2. The matter will be considered at the appropriate time.

Legislative Council

Tuesday, 11 December 1979

THE PRESIDENT (the Hon. F. S. Grimwade) took the chair at 2.20 p.m. and read the prayer.

ABSENCE OF CLERK-ASSISTANT

The PRESIDENT (the Hon. F. S. Grimwade)—I have to announce that, for medical reasons, the Clerk-Assistant will be absent from the House for the remainder of the spring sittings. During his absence, the Usher of the Black Rod will carry out the duties of the Clerk-Assistant. As a result, honorable members will note that Mr Wayne Tunnecliffe, Clerk of the Papers, is seated at the table, carrying out the duties of the Usher of the Black Rod.

TRANSPORT REGULATION (CAR POOLS) BILL

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

RAILWAYS (BOARD) BILL

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

MINISTRY OF TRANSPORT (AMENDMENT) BILL

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

MARINE (AMENDMENT) BILL

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

HEALTH (PROPRIETARY MEDICINES) BILL

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

ABSENCE OF MINISTER

The Hon. HADDON STOREY (Attorney-General)—I inform the House that the Leader of the House will be absent all day on Ministerial business.

QUESTIONS WITHOUT NOTICE

BEHAVIOUR AT SPORTING EVENTS

The Hon. N. F. STACEY (Chelsea Province)—In view of the recent drunken behaviour at the Melbourne Cricket Ground, will the Attorney-General review the situation as it now exists, following the laying of charges and the outcome of court proceedings, with a view to ensuring that people are able to attend and enjoy the cricket without having their enjoyment upset by loutish behaviour?

The Hon. HADDON STOREY (Attorney-General)—The Government is concerned, as I am sure all honorable members are, about the sort of behavi-

our that interferes with people's enjoyment of the game of cricket or any other game. The Government is alarmed at the behaviour over the week-end. This matter is being examined and the Minister for Police and Emergency Services is having discussions to see what action can be taken to ensure that this type of behaviour does not inconvenience people in the future.

WILLIAMSTOWN RIFLE RANGE

The Hon. JOAN COXSEDGE (Melbourne West Province)—What reassurance can the Minister of Lands give the House that the Williamstown rifle range will not be used for a housing development, especially as recreation land is in short supply in the western suburbs and as the area should be set aside for future generations as a passive recreation area?

The Hon. W. V. HOUGHTON (Minister of Lands)—No representations have been made to me about the use of the Williamstown rifle range for housing purposes. If such representations are made, consideration will have to be given to them. If Mrs Coxsedge will furnish details of any knowledge she has of its being used for this purpose, I shall be pleased to examine the matter.

PENALTIES FOR BEHAVIOUR AT MELBOURNE CRICKET GROUND

The Hon. W. R. BAXTER (North Eastern Province)—Is the Attorney-General aware of widespread disquiet in the community at the outcome of the charges brought against 32 of those charged as a result of their behaviour at the Melbourne Cricket Ground last week-end? Is there any avenue for appeal by the Crown against the leniency of those decisions? If so, has the Government given consideration to lodging such an appeal?

The Hon. HADDON STOREY (Attorney-General)—I am aware that the view has been expressed that the penalty was very lenient. I believe it is the customary penalty for such an offence, particularly having regard to the fact that in most cases the person charged with the offence is released upon bail and forfeits his bail if he does not attend; so that persons charged do suffer some monetary penalty in addition to being discharged with a conviction against their names. The decision of the court highlights the very low maximum penalty which is applicable to these types of offences. I believe that matter ought to be reviewed and I will give attention to it.

LOCAL GOVERNMENT INQUIRY

The Hon. N. B. REID (Bendigo Province)—For some time now, the Board of Review into the Role, Structure and Administration of Local Government has been proceeding. Can the Minister for Local Government inform the House when the final report of the inquiry will be tabled?

The Hon. D. G. CROZIER (Minister for Local Government)—It was my intention to release the report before the end of this year. However, I have to inform the House that that is not possible, despite valiant efforts by members of the board and the Government Printer. I was faced only this morning with the decision whether to release the report in two parts. I decided that it would be in the best interests of all those interested in local government if the report were released, as originally intended, in its entirety with the necessary appendices attached. For mechanical reasons, that will not now be possible until some time in January.

FOSSIL SITE AT YEA

The Hon. E. H. WALKER (Melbourne Province)—Is the Minister for Conservation aware that a fossil site of great value in the Shire of Yea is being mined for road purposes, that the shire engineer was warned in April last year by Dr Spencer-Jones, of the Department of Minerals and Energy, and by Professor Carrick Chambers, Professor of Botany at the University of Melbourne, that the find was 400 million years old and of great value? Even though those letters had been written, work continued and in September this year notes of a meeting of the Yea Shire Council indicated that

the work would continue. Will the Minister take action immediately to see that that excavation is stopped?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I was aware that this archeologically valuable site in Yea was being mined for road-widening purposes. However, my understanding was that the Yea Shire Council had been instructed to cease its activity and had done so. If Mr Walker provides some information that that is not so, and if that information is correct, I will take immediate steps to see that the council complies with the requirements which may be laid down by my department.

EXTENSION OF SHOPPING CENTRES

The Hon. K. I. WRIGHT (North Western Province)—My question without notice to the Acting Leader of the House concerns disquiet in many quarters regarding the development of numerous shopping centres throughout the State. A number of shopping centre developments are awaiting approval and the Myer group has threatened to transfer its operations interstate. Will the Government be intimidated into giving the necessary approval under these circumstances?

The Hon. HADDON STOREY (Attorney-General)—I am sure the Government will not be intimidated in the conduct of the proper town planning processes. I am not able to speak of the particular matters raised as to shopping centres and how they are proceeding through the planning process, but I will draw the attention of the Minister for Planning to the honorable member's comments and ask him to furnish a reply to the honorable member.

VICTORIAN DRUG SERVICE

The Hon. D. N. SALTMARSH (Waverley Province)—Following the report in the newspapers today of the comments made by Sir Colin Woods, the new Federal Police Commissioner in Canberra, relating to the inroads of crime into the area of drugs in Australia, and recognizing the inadequacy of many of the facilities within the Victorian Drug Service, will the Attorney-General raise with the Minister for Police and Emergency Services the possibility of an urgent increase in funds, especially to allow for more effective surveillance techniques within Victoria for the apprehension of drug traffickers?

The Hon. HADDON STOREY (Attorney-General)—I will certainly pass on that request to the Minister for Police and Emergency Services and ask him to give consideration to it.

ROYAL COMMISSION INTO HOUSING COMMISSION

The Hon. D. R. WHITE (Doutta Galla Province)—Will the Attorney-General inform the House whether he has contacted the Royal Commission into the Housing Commission land deals to inform it of the Government's intention to extend the terms of reference of that inquiry to include the Housing Commission sale of land in the Carlton area to a Mr Silberg? If not, when does the Government intend to inform the Royal Commission of the extension of the terms of reference?

The Hon. HADDON STOREY (Attorney-General)—The Government has given to the Royal Commission an informal notification of the proposed extension of terms of reference. The actual detailed amended terms of reference are being prepared and will be placed before the Governor in Council as soon as possible.

PENALTIES FOR BEHAVIOUR AT MELBOURNE CRICKET GROUND

The Hon. D. M. EVANS (North Eastern Province)—I ask the Attorney-General a question following the question asked by my colleague, Mr Baxter, regarding the loutish behaviour at the Melbourne Cricket Ground on Sunday, and possible similar incidents that may occur in the future. In his answer the Attorney-General said that it was the intention of the Government to examine the maximum penalties for such offences. At the same time, will the Government examine the reasonableness of providing a minimum penalty for such anti-social behaviour?

The Hon. HADDON STOREY (Attorney-General)—The penalties to be set will be maximum penalties. As a general principle it is undesirable to set a minimum penalty because it has a tendency to become the set penalty and remove flexibility and discretion from the courts. Whenever a minimum penalty is set by legislation, it tends to produce the result that some people are not properly dealt with because the courts' discretion has been removed. Nonetheless, as there will be a review of these penalties, I will undertake to examine that question also.

ODYSSEY HOUSE

The Hon. R. J. EDDY (Thomastown Province)—Can the Attorney-General inform me what method of auditing the Government intends to adopt in supervising the use of the taxpayers' dollar in respect of Government grants and moneys raised by appeal for the James McGrath Foundation, otherwise known as Odyssey House?

The Hon. HADDON STOREY (Attorney-General)—I will take up this matter with the Treasurer and ensure that the honorable member receives an answer.

CO-ORDINATOR OF URBAN LAND DEVELOPMENT

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I wish to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the Government to suspend the Co-ordinator of Urban Land Development, Mr A. Ashman.

Approval of the proposed discussion was indicated by the required number of members rising in their places, as specified in Standing Order No. 26 (*b*).

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

That the House do now adjourn.

The Labor Party believes it is not its role to usurp the prerogative of the Royal Commission that is currently conducting an investigation into the purchase of certain land by the Victorian Housing Commission, but at least it is entitled to pose questions to the Government as follows: Why is Mr Ashman, in his relationship with the Government, being given preferential treatment when compared with others? Why does the Government, which has suspended other public servants during the process of the inquiry and the Gowans inquiry, sit quietly by in respect of the startling allegations that have been made in the Royal Commission with respect to Mr Ashman? Why have lower echelon public servants been treated somewhat differently from Mr Ashman?

Members of the Labor Party believe the Government had no alternative but to suspend Mr Ashman. The Government established a Royal Commission under considerable pressure from the Opposition side of the House in respect of matters raised by members of the Labor Party both in this place and another. That Royal Commission was given certain power, but it is not possible for the Royal Commission to act immediately with respect to Mr Ashman in the way in which the Labor Party believes the Government should act. It had no hesitation in acting with respect to others, particularly those lower down the line in status in the Public Service.

The Hon. J. A. Taylor—Who, particularly?

The Hon. J. V. C. Guest—Would you suspend him with or without pay?

The Hon. W. A. LANDERYOU—I shall answer the first interjection first. In relation to the Gowans inquiry, Mr Riach, a purchasing officer of the Housing Commission, was suspended. With respect to the current Royal Commission, Mr Hansen, also a purchasing officer, was suspended. There was also the case of Mr Fong, a fairly unimportant public servant who was suspended almost before the ink was dry on *Hansard* in relation to the allegations made against him.

Originally 117 land deals were referred to the Royal Commission. As a result of further allegations in another place, two other land deals were referred to the commission. The Royal Commission has proceeded to only fifteen of those deals.

I do not suggest that Mr Ashman should be suspended without pay. I suggest the Government should remove him from a position of considerable responsibility because his past performance has a dark cloud over it. Indeed, for the benefit of Mr Guest, I point out that the transcript is available in the Library for those who wish to peruse it. I direct attention to page 3596 of the Royal Commission transcript. Having heard the evidence to which I will refer shortly, regarding the sale of land, the purchase price of the land and the work on a holiday home for Mr Ashman and his immediate family, and the price of that construction and the production of a letter which clearly was a conspiracy between Mr Ashman and another to mislead the Royal Commission, and Mr Ashman having been caught out on that conspiracy, the chairman put this to him:

> As a methodical man your natural inclination would be to be precise and state that it was a copy, would that not be so?

Mr Ashman replied:

> On reflection, yes.

The chairman then said:

> It makes it difficult to ascertain the reason for you going to the length of what proved to be a subterfuge to produce a copy of a bill.

Clearly, there was no doubt in the mind of the Royal Commission about what Mr Ashman was up to, that he was attempting, by subterfuge, to mislead the Royal Commission in some way. If that is right, in defence of the Government, he, in his capacity as Deputy Chairman of the Housing Commission of Victoria, misled the Treasurer regarding the purchase price of land at Somerville. I will take the House through that matter shortly.

The evidence is clear, that Mr Ashman received a benefit, as a result of being Deputy Chairman of the Housing Commission, from the construction company, Majestic Constructions Pty Ltd, in the sense that, at the same time as he was negotiating with the company regarding the purchase of land and the construction of 35 houses for the commission, he entered into negotiations and discussions that led to his having work done on his holiday home. The Housing Commission entered into a contract with Majestic Constructions Pty Ltd in 1976.

The facts, as put to me, are that 35 housing lots were involved but the purchase price paid, as has been seen with respect to other so-called purchases on behalf of the people of this State by the Housing Commission, was considerably more than necessary. The Valuer-General valued the Somerville land at $262 000. When the purchase proposal was submitted to the Treasurer during negotiations it became clear to Mr Ashman and others that it was impossible to persuade the Treasurer of the day to agree to a purchase price of $297 500, that being the price that those associated with Majestic Constructions had been prepared to accept and for which Mr Ashman had conspired to pay on behalf of the Housing Commission to Majestic Constructions.

There was a discrepancy of $35 500 between the valuation made by the Valuer-General and the purchase price suggested. But the way in which it has been subsequently put in order to deceive the Treasurer into authorizing the payment of $35 500 was, firstly, that it was an instalment; secondly, it was a deposit on houses to be built and, thirdly, a management fee with respect to the development of that site by that company.

It is clear that Mr Preece of Majestic Constructions Pty Ltd made a package deal with Mr Ashman in his capacity as Deputy Chairman of the Housing Commission of Victoria. The commission paid almost $1 million for those 35 lots and the construction contract associated with the building of the homes on that land. It goes beyond that question, on the evidence assessed by the Royal Commission. Even the purchase price of the houses goes beyond that question when one considers the recommendations of the Housing Commission quantity surveyors about the purchase price. It is clear from that deal alone that the Treasurer was misled, to comment on his part in the affair in the most kindly way.

Considering what Mr Ashman, the former Deputy Chairman of the Housing Commission and present Co-ordinator of Urban Land Development within the Ministry for Planning has recently done, on the evidence put before the Royal Commission, had it been Mr Riach or Mr Fong, he would have been suspended without question.

The question the Opposition is asking this afternoon is: Why is Mr Ashman in some special category? What else does he know that Ministers are prepared to cover up? Why is there stony silence from the front bench about Mr Ashman? The reality is that Mr Ashman has put up a story, and that is what it is, about the foundation work. He is supposed to have shifted 60 cubic metres of soil. Mr Ashman's assessment is far from accurate because another member of his family said it was 20 cubic metres and from the evidence of those engaged on the site there was no visual evidence of recent construction work being done.

It was alleged that Mr Ashman paid $4750 to the builders for work on that holiday home. There is now no doubt that it was agreed by all parties that the building permit issued with respect to that construction had a valuation of $8000. Then, because it was suddenly announced there would be a Royal Commission, Mr Ashman thought of Somerville. What he, therefore, needed was to complete his paper work—this methodical man—and he clearly conspired with Mr Preece to produce a letter which had no other purpose than to overtly mislead the Royal Commission.

Mr Ashman is a senior employee of the Government. It may be suggested that he is in a different situation from the normal public servant because of some contractual situation or it might be suggested that he has some civil rights that go beyond the rights of others, but in the past the Government, without hesitation, suspended those who were associated with similar deals, probably involving less money.

Apart from the allegation concerning a conspiracy to deceive the Treasurer, there is now no doubt in the mind of the Royal Commission that Mr Ashman caused a letter to be fraudulently passed to the commission. It was only when the police seized the relevant typewriter and set about examining the typing—maybe they did not do that—that Mr Preece and Mr Ashman decided to produce yet another version of the event. The letter that was produced to the Royal Commission was clearly typed on a typewriter that was not available when the letter was alleged to have been typed. It was only when the police investigated the use of the typewriter that the real copy of the original letter was suddenly found.

I have no hesitation in asserting that there must be real doubts as to the latter being what it is claimed to be. I have no doubts that there must be doubts in everyone's mind on that matter. One of the less fortunate, but more humorous aspects of the Royal Commission has been that the request for this letter by Mr Ashman to those who were responsible for it came about as the result of a chance meeting along a highway. According to the evidence, the cars passed each other, like ships in the night, along this highway; they noticed each other waving, stopped, got out and then talked about the Royal Commission's need to have this letter. Some of us may be gullible, but my name is Billy, not silly, and I do not believe it.

There is no doubt that was a conspiracy by Mr Ashman, and at least one other person, to mislead the commission. There is now no doubt that Mr Ashman received a substantial benefit from Mr Preece by way of work on his holiday home at Merricks. There is also no doubt that Mr Preece received the Somerville contract of almost $1 million through the efforts of Mr Ashman, while Mr Ashman was acting as Deputy Chairman of the Housing Commission, and that the contract involved deceiving the Minister of Housing and the Treasurer.

I conclude on this point: There is no doubt that Mr Ashman, and at least Mr Preece, had attempted deliberately to mislead the Royal Commission. For those reasons, it appears to members of the Labor Party that the Government has a dual standard. When it

comes to the public servants to whom I referred earlier, the Goverment has no inhibitions, no qualms, and applies no further qualifications; it suspends them from their respective offices. The Government could well say to Mr Ashman that he should use up his leave entitlements, get out of town for a while, out of sight. I believe the Government has treated Mr Ashman considerably differently from how it has chosen to treat other members of the Public Service who were caught out at the Gowan's inquiry, or at the current Royal Commission.

The Government cannot believe the Labor Party will accept the position that Mr Ashman should be treated any differently simply because he holds a senior position, or because there is some contractual arrangement. It is not good enough to suggest that Mr Ashman should continue in office without the same test being applied to him. It cannot be put that he should go on long service leave, use up his sick leave, or whatever, because, if the Government was of the mind to have Mr Ashman use his long service leave, that should have been done prior to his taking up his current position, as the normal industrial law of this State requires of any employer.

Somehow the Government believes Mr Ashman is a special person, but the Labor Party does not accept that. Members of my party are entitled to ask, at least rhetorically, what else does Mr Ashman know that is denied to them and to other members of Parliament? What else has he over the Government? It rarely shows a lead on any matter until it is forced to, and yet in this instance, instead of taking the easy way out—which has been the prerogative of conservative Governments of this State since 1965—it has decided to tough it out, to reject the first proposition put by my party in another place concerning Mr Ashman, and presumably have Mr Ashman use long service leave or whatever, or some other technical point, to try to take the heat off.

The evidence before the Royal Commission is quite clear. Mr Ashman conspired at least with Mr Preece to mislead the commission. He has misled the Treasurer, and presumably the Minister of Housing at the time. In my view, he should not be treated any differently from how the Government has chosen to treat other employees that it has suspended previously.

The Hon. F. J. GRANTER (Minister of Water Supply)—Mr Landeryou moved that the Council adjourn and spoke on the failure of the Government to suspend the Co-ordinator of the Urban Land Development, Mr Ashman. During the course of Mr Landeryou's remarks, he mentioned that Mr Ashman was being treated more favourably than Mr Riach and Mr Hansen had been treated. I do not believe that is so because Mr Riach admitted receiving certain money from people with whom he had had dealings. He was suspended under the Public Service Act, and charges are still pending against him. Therefore, I do not believe that is treating Mr Ashman in a different manner. Mr Ashman is currently giving evidence before the Royal Commission.

The Hon. W. A. Landeryou—Are you going to suspend him after he has finished giving evidence?

The Hon. F. J. GRANTER—That may be after the findings of the Royal Commission, but I give Mr Landeryou credit for saying that he did not wish to make a judgment on Mr Ashman in his argument today. However, I believe Mr Landeryou virtually made a case against Mr Ashman, and it is not fair or correct for a man of 59 years of age to be judged in this manner. He is a family man and has been a public servant of this State for a long while. He should be given the right to defend himself before the Royal Commission in a fitting and proper manner.

The Hon. D. R. White—Riach and Hansen are still appearing before the Royal Commission. Why don't you go down there and have a look?

The Hon. F. J. GRANTER—That is all right. Mr White can have his say later on, and probably will. Any

action to suspend Mr Ashman at this stage would be prejudging the case and would be detrimental to the man for the rest of his life.

Mr Ashman has virtually been tried and found guilty today without having any chance of defending himself. On the evidence that has been submitted to the Royal Commission, things do not look good, but that is only on the evidence so far. If Mr Ashman were suspended, he would not have the right to scrutinize Housing Commission files which no doubt will be available to him to prepare his defence.

The Hon. W. A. Landeryou—What about Mr Riach? Has he got access to the files?

The Hon. F. J. GRANTER—He is in an entirely different situation; he made certain admissions which resulted in his being charged. Mr Ashman has not made these admissions at this stage, and I do not believe any charges have been proved against him. In a country which believes in British justice, he should be given the right to defend himself in a fitting manner. My understanding is that if Mr Ashman were suspended, many rights would be taken from him, and a man of his standing and service should be able to continue preparing his defence.

Mr Landeryou made great play of the evidence that was placed before the Royal Commission on the beach house at Somerville. That house is no doubt something that Mr Ashman endeavoured to build for himself for his retirement. We all endeavour to do these sorts of things, and he made some contacts, and that cannot be dismissed.

The Government has been quite open in every way. Mr Neville Haynes, the Secretary for Planning, wrote to Mr Ashman as soon as he had given evidence on 26 November to the Royal Commission and asked him to reply. Mr Ashman's reply reads as follows:

> In reply to your letter of 27th November, 1979, concerning the construction of extensions to a holiday house, I refer you to my evidence in the transcript as follows:—
>
> pages 2,999—3,003;
>
> 3,009–3,011;
>
> 3,222–3,235.
>
> Enclosed is the final submission on behalf of the Housing Commission on the Somerville transaction (Pages 4, 33–40) and the final submission of Counsel assisting the Royal Commission.
>
> The final submission sets out the salient points clearly. I entered into a contract with Preece for additions to a beach house on 18th February, 1975, for $4,750. Construction continued throughout 1975. Although I had made a number of requests, the account was finally rendered on 6th December, 1976 and paid 8th February, 1977.
>
> Prior to entering this contract I had estimated the approximate cost of the work at $5,000. The final cost in Preece's books was established at $5,100. Much evidence has been called to establish whether the $4,750 was a realistic figure for Preece to quote at the time.
>
> Negotiations for a package deal of house and land for 35 houses occurred between April and August 1976. I, together with other Commissioners and officers, was involved in that transaction.
>
> At the time I approached Preece and asked him to quote on my house he was the only builder in the area whom I knew and who I could rely on. At the time he quoted for the job the price was in line with my own estimate.
>
> Although the account had not been paid by mid 1976, I could see no conflict whatever with my contract with his company and the negotiations concerning the Somerville land. The work on my contract had already been completed and all that remained was to pay the account which was in any event for a fixed price. Accordingly, I did not see how that prior transaction could in any way create for me a conflict of interest, and I can assure you that it in no way influenced my attitude towards the Somerville land.
>
> When I entered into the contract I could not foresee that some 18 months later I would be involved with others in a negotiation with Preece on a house land package, the first of this kind of transaction that he had entered into.
>
> Last Monday the question of the volume of excavations carried out by me was canvassed. I made a rough estimate of some 50–60 cubic yards which has now been found to be an overestimate and evidence will be led to establish a figure of some lesser amount. However, at the time I gave that estimate it was of course only a guess.
>
> The Somerville transaction was reopened yesterday morning and further evidence is to be heard at 2.00 p.m. today.
>
> Mr Hanlon, Q.C., has withheld that portion of his final submission on this aspect until that evidence is heard.
>
> This matter is still being considered by the Royal Commission, and further evidence is being called and submissions made in respect of it. In due course the Commissioners will make their findings on these transactions. It is therefore my strong contention that nothing

should be done in the meantime which would in any way pre-empt the ultimate findings of the Commission.

Mr Landeryou stated that Mr Ashman should not take leave, but I do not agree with that. Mr Ashman should be granted long service leave because I understand that approximately twelve to fourteen months' leave is due to him, and he needs to prepare his defence and put himself in a place where he can defend himself correctly.

The Hon. B. P. Dunn—What do you mean by that?

The Hon. F. J. GRANTER—He should be able to take himself away from his own work or whatever work he is doing at the moment and prepare his own case so that he can present himself properly to the Royal Commission.

The Hon. K. I. Wright—Why didn't you allow him to do that earlier?

The Hon. F. J. GRANTER—I do not believe he applied for leave before. The matter does not come within the jurisdiction of my Ministry, and I cannot really relate the full story of what has gone on between the Minister for Planning and Mr Ashman, but I sincerely believe this man should be granted leave in view of the service he has given.

The Hon. D. R. WHITE (Doutta Galla Province)—On a point of order, Mr President, I wonder whether the Minister is prepared to make available the letter he just read containing the statement of Mr Ashman to the permanent head of the Department of Planning, Mr Haynes?

The Hon. F. J. GRANTER (Minister of Water Supply)—I have no objection to making the letter available.

I am also advised by the Minister for Planning that today Mr Ashman has been granted six months' long service leave. He made this application to the permanent head, which is the proper method. I understand that the Minister for Planning has stated that he appreciates the offer of Mr Ashman to make himself available to the Royal Commission and to the Housing Commission during this time. It is proper that he should and Mr Ashman has acknowledged this.

I am also advised by the Minister of Housing that Mr Ashman has been replaced as Chairman of the Teacher Housing Authority for this period by Mr Bernard Leonard, General Manager, Estates Management and Teacher Housing in the Housing Commission.

I consider there is nothing wrong in the action Mr Ashman has taken in applying for long service leave. Personally, if any member of the House were in a similar position to Mr Ashman, and wished to prepare his defence, he would naturally do the same.

The Hon. W. A. Landeryou—What about Mr Riach; he did not have that opportunity?

The Hon. F. J. GRANTER—I do not know about Mr Riach. I have no information on him, but I hope Mr Riach is looking after himself as any man would if he found himself in that position and had to face charges.

The Hon. D. R. White—I understand Mr Croxford was stood down for three months, and, if I remember further, the Minister of Water Supply was the responsible Minister.

The Hon. F. J. GRANTER—No, not while I was Minister. The Minister of Education was the responsible Minister at the time.

The Hon. B. P. Dunn—Has Mr Ashman been replaced as Co-ordinator of Urban Land Development during his period of long service leave?

The Hon. F. J. GRANTER—I have no information on that, but naturally someone will be acting in that position. Mr Ashman is only on leave and for that reason someone would be appointed to act in the position.

The Hon. W. R. Baxter—What are the responsibilities of that office?

The Hon. F. J. GRANTER—Co-ordinating land management. Honorable members will know there is currently a Bill before the House on urban land development. The Co-ordinator of Urban Land Development is a very important position and the Government views it that way. I assure honorable members that action will be taken on making another appointment, whether it be an acting or permanent appointment. At

this stage Mr Ashman is on leave and that is the current state of the proceedings.

I invite honorable members to reject the motion moved by Mr Landeryou.

The Hon. K. I. WRIGHT (North Western Province)—Mr Landeryou has moved that the House adjourn and he has spoken on the failure of the Government to suspend Mr Ashman, the Co-ordinator of Urban Land Development.

In his address, Mr Landeryou claimed that Mr Ashman had misled the Royal Commission on Housing Commission land deals and he also stated that Mr Ashman had gained a benefit from Majestic Constructions Pty Ltd. At the same time as negotiations were proceeding on a contract for 35 homes, additions to Mr Ashman's holiday home at Merricks had taken or were taking place and there was a substantial cloud over the circumstances of the transaction.

Indeed, Mr Landeryou stated that the Treasurer had been misled with regard to the $35 500 deposit paid on the transaction, because the agreement was made on a price of $297 500 for the land whereas the contract was finally drawn up for $262 000 and the price of the 35 units was to be $700 000; therefore there was a difference of $35 500 to be accounted for.

Mr Landeryou also mentioned that any other officer of the Government would have been suspended and claimed that the Government was guilty of imposing dual standards in this regard.

Honorable members need to ask whether Mr Ashman has been given special consideration. The matter of the removal of soil from the holiday house has been mentioned. Mr Ashman claimed that he and his son had removed 60 cubic metres of soil, but subsequently that figure was amended to 20 cubic metres. It was said that $4750 was the payment for the job whereas the estimated value of the project on the building permit was given as $8000.

Mr Landeryou also mentioned a letter which was passed to the Royal Commission. The police had checked on the typewriter and they had come to the conclusion that that particular typewriter was not available when the letter was written. Mr Landeryou claimed that there must have been a real doubt about the existence of the letter and that that would be the viewpoint of any fair-minded person having to examine all the circumstances.

Mr Landeryou summed up his case by claiming that the Government was using a dual standard and that it should have suspended Mr Ashman in the same way as it suspended the other officers of the Housing Commission.

In his reply the Minister of Water Supply made the point that Mr Riach was in a different category in that Mr Riach had admitted the matter over which he was charged and for which he was suspended under the Public Service Act.

The Minister also stated that if Mr Ashman was suspended, this would be damaging to his character and Mr Ashman would not be able to scrutinize the files to enable him to prepare his defence.

The National Party was interested in the letter which Mr Haynes received from Mr Ashman in reply to his request for an explanation on these matters. The Minister finally read that letter. Mr Ashman made the claim that he gave the job on his holiday home to the only builder in the area whom he thought was capable of doing the job. He did admit that the builder was not paid until mid-1976 and he admitted the mistake in the amount of soil that had been removed.

Finally the Minister stated that Mr Ashman was to take long service leave whilst remaining available to the Royal Commission. In the view of the National Party, this puts an entirely different complexion on the matter because we believed, on the case presented by Mr Landeryou, that some action should be taken either by Mr Ashman or by the Government, and the National Party was prepared to support the motion that had been moved.

However, the National Party believes the granting of long service leave will achieve a similar result. Therefore, the

National Party will oppose the motion. It believes what is necessary will happen.

The Hon. J. V. C. GUEST (Monash Province)—It is desirable to point out that Mr Ashman, according to the advice of the Crown Solicitor, is not a public servant and is not subject to the Public Service Act. Mr Riach and Mr Hansen were public servants and were subject to that Act. That is a crucial distinction that must be made.

Mr Landeryou has tried to turn this House into a kangaroo court. He has tried to have it both ways. He has tried to say that his only concern was to protect the interests of the State and that he would not have Mr Ashman suspended without pay. Nonetheless, Mr Landeryou's intention to punish Mr Ashman is absolutely clear, because the honorable member went, quite unnecessarily, into a selection of quotations from the transcript of the inquiry of the Royal Commission, which is not a trial. Those selections showed Mr Ashman in the worst possible light and displayed Mr Landerycu's intention to punish.

Mr Landeryou also illustrated his intention to punish because he said that he wanted Mr Ashman suspended. Mr Landeryou does not want the State to enjoy the benefit of Mr Ashman's taking his long service leave and taking himself away from the responsibilities it could, perhaps rightly, be feared he is not fit to bear—if one were to believe some of the allegations made against him. The only justifiable action that could be taken in relation to Mr Ashman at this stage is the minimum necessary in order to protect the interests of the State. He has not been found guilty of anything. He has not admitted that he is guilty of any offence or of any relevant impropriety.

Honorable members have heard evidence to suggest that the Labor Party is still rooted in the nineteenth century when individualism was rampant in times of scarcity and when collective stamping on individualism was perhaps permissible because the organized work force was endeavouring to protect its interests. The Labor Party has attempted to carry those ideas through to a day when the individual is, nominally at least, even in the Labor Party's credo, the prime concern of us all. Despite that, the Labor Party has acted today without the slightest compunction or compassion for the individual and has tried to stamp on his rights. Mr Landeryou, in a kind of aside, mentioned civil rights. He must have felt some shame, but he accorded no civil rights to Mr Ashman here in this House, because he did nothing but quote lengthy and highly tendenticus sections of the transcript from the Royal Commission.

Members of this Chamber should not allow themselves to be set up as a kind of people's court or kangaroo court just for the political advantage the Opposition may seek to gain from a headline and the sensation it hopes to create. We must remember that Mr Ashman was called before the Royal Commission, rightly, as a witness, but from the part of the transcript I have it is clear that he appeared without representation. He went along to assist the Royal Commission. Not surprisingly, he found, as many witnesses find, that as a witness he got himself into some trouble.

If Mr Landeryou or any other member of the Opposition finds himself called to give evidence, apparently to do no more than assist a Royal Commission he should consider spending a large part of his savings on going over with counsel, in a most critical way, the kind of evidence he might have to give, because he will find that his memory does not work as well as a layman might suppose. If he appears as a witness at a commission of inquiry without careful preparation and the assistance of counsel he will find that, all the more if he is conscious of his own rectitude, he will be ill-prepared and his memory will work badly.

I have every confidence that, irrespective of whether Mr Ashman is found to have acted improperly, any later inquiry or hearing in court will show that the facts are very different from the situation as it now appears. The last thing honorable members should do is to attempt to make

a judgment, but that is what the Labor Party has tried to do. The Labor Party objects to dossiers being kept on people against whom convictions have not been recorded. It objects to special branches. It objects to the Australian Security Intelligence Organization. It objects to the keeping of dossiers long after people have been convicted. Yet it has now proved itself willing, in an open forum with absolute privilege to protect it, to damn and convict a man without a trial.

It is desirable to come back to the terms of the motion and recall that the Labor Party was criticizing the Government for having failed to suspend the Co-ordinator of Urban Land Development. Mr Landeryou said that he was moving the motion simply to protect the administration of the State of Victoria and not in an attempt to punish Mr Ashman, to find him guilty of anything or to take away any of his rights. The State of Victoria is amply protected because Mr Ashman is taking his long service leave and will be in no position to cause any harm, if ever he was likely to.

The House divided on the motion (the Hon. W. M. Campbell in the chair).

Ayes ..	..	..	12
Noes ..	..	..	27
Majority motion	against	the ..	15

AYES

Mr Butler	Mr Walker
Mr Eddy	Mr Walton
Mr Kennedy	Mr White
Mr Kent	
Mr Landeryou	*Tellers:*
Mr Mackenzie	Mrs Coxsedge
Mr Trayling	Mr Thomas

NOES

Mr Baxter	Mr Knowles
Mrs Baylor	Mr Lawson
Mr Crozier	Mr Long
Mr Dunn	Mr Radford
Mr Evans	Mr Reid
Dr Foley	Mr Saltmarsh
Mr Granter	Mr Stacey
Mr Guest	Mr Storey
Mr Hamilton	Mr Taylor
Mr Hauser	Mr Ward
Mr Hayward	Mr Wright
Mr Houghton	*Tellers:*
Dr Howard	Mr Bubb
Mr Jenkins	Mr Chamberlain

SHIRE OF OMEO (TOURIST GOLD MINE) BILL

The Hon. D. G. CROZIER (Minister for Local Government)—By leave, moved for leave to bring in a Bill to authorize the granting to the corporation of the Shire of Omeo of an exploration licence and a gold mining lease under the Mines Act 1958 in respect of certain Crown lands reserved for public purposes, to authorize the said corporation to enter into agreements in respect of any such licence or lease and for other purposes.

The motion was agreed to.

The PRESIDENT (the Hon. F. S. Grimwade)—I have examined this measure and, in my view, it is a private Bill.

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

That this Bill be dealt with as a public Bill.

The motion was agreed to.

The Bill was brought in and read a first time.

PAPERS

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

Ombudsman—Report for the quarter ended 30 September 1979.

Victoria Grants Commission—Report for the year ended 31 August 1979.

STATUTE LAW REVISION COMMITTEE

Constitution Act 1975: A Bill of Rights

The Hon. N. B. REID (Bendigo Province) presented a progress report from the Statute Law Revision Committee on the Constitution Act 1975, a Bill of Rights, together with extracts from the proceedings of the committee and minutes of evidence.

It was ordered that they be laid on the table, and that the report and extracts from the proceedings of the committee be printed.

TRANSPORT REGULATION (CAR POOLS) BILL

The Hon D. G. CROZIER (Minister for Local Government)—I move:

That this Bill be now read a second time.

Its purpose is to take a further step in encouraging group travel by permitting people to enter into car-pooling arrangements without the need to hold licences under the Transport Regulation Act.

There are some 1·6 million cars and station wagons registered in Victoria, and over 1 million of these are located in Melbourne. On the average, in Melbourne only 1·4 persons ride in each car and the waste in transport capacity is considerable. Even a marginal increase in group travel must make a real contribution to improving our transport system.

Overseas, particularly in the United States of America, car-pooling schemes have been tried with mixed results, and frankly, we do not know how the people of Victoria will use this new facility. However, the Government is convinced that people must be given the opportunity to avail themselves of car pooling if they wish to do so.

A number of interested groups have been brought together to consider this question of car pooling and I must say that there have been varied views on the subject. The Royal Automobile Club of Victoria has spoken out strongly in favour of car pooling. Others have had doubts as to its potential, and the Victorian Taxi Association has expressed a view that car pooling may take passengers from taxis.

The Bill contains provisions that will allow car pooling for payment but which are aimed at precluding setting up of unlicensed and informal taxi services or commercial passenger services. I now come to the provisions of the Bill.

Clause 2 of the Bill repeals the present section 3 (3) of the principal Act, and provides that a motor car that is not already licensed under the Transport Regulation Act or the Commercial Goods Vehicles Act shall be deemed not to operate for hire or reward for the purposes of any Act or contract of insurance, and is not required to be licensed by reason only of the carriage of passengers or an offer to carry passengers if this is pursuant to a car pooling agreement.

Honorable members will notice that clause 2 also describes a car pooling agreement in terms which are aimed at avoiding people taking advantage of this measure to set up unlicensed and informal taxis or commercial passenger services. Honorable members will also notice that payment must be limited to a share of the cost incurred in making the journey. The maximum number of passengers that may be involved in a car pooling agreement is five persons.

The passage of this measure will not only provide opportunity for people to reduce their transport costs, but also give large employers an incentive to reduce the need for costly car parking spaces by giving incentives to car pooling—one way would be to give priority in parking areas to vehicles used for group travel. Employers could also assist their staff in making car pooling arrangements.

The Minister of Transport has asked the appropriate traffic authorities to examine the possibility of priority in road space for car pool vehicles, possibly in conjunction with buses and taxis. I commend the Bill to the House.

On the motion of the Hon. R. J. EDDY (Thomastown Province), the debate was adjourned.

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

RAILWAYS (BOARD) BILL

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

That this Bill be now read a second time.

The Bill amends the Railways Act 1958 to establish the position of Deputy Chairman of the Victorian Railways Board. As honorable members will know, the Railways Act was amended in 1972 to incorporate the Victorian Railways Board and to enable the appointment of a board consisting of members with business and railway experience. The railway organization has also been restructured under a general manager, who is one of the members of the board,

to streamline various functions and provide specialization in the management of operations.

The Railways Board consists of eight members of whom one is appointed as chairman and works full time. Other members work part time in their capacity as members of the board. The day-to-day running of the railways is now the function of the general manager and senior management staff. The board addresses itself to matters of policy and additional capacity within the board is now required in the policy area.

The Bill creates a new position of member and deputy chairman to enable the board to thoroughly pursue the important task of developing the railways with innovation to meet the ever-changing transport scene. The deputy chairman would be appointed to work on a full-time basis concentrating on innovation and policy. Greater capacity in these areas is appropriate to an undertaking of the size of the Victorian Railways and particularly with the tasks it must perform in the future.

Clause 3 amends the Railways Act to provide that a member of the board appointed by the Governor in Council shall be deputy chairman of the board. The remaining clauses of the Bill make a number of provisions as a consequence of the creation of the position of deputy chairman. Amendments are included to increase the number of members on the board from eight to nine and to make provisions for the new role of the deputy chairman in the proceedings of the board.

The creation of the position of deputy chairman will help the board to meet the challenges which all honorable members will agree are being faced by the railways. This is a critical time for the railways and transport, and the board must be given every assistance to enable VicRail to fulfil its proper role in the transport scene. I commend the Bill to the House.

On the motion of the Hon. R. J. Eddy, for the Hon. E. H. WALKER (Melbourne Province), the debate was adjourned.

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

MINISTRY OF TRANSPORT (AMENDMENT) BILL

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

That this Bill be now read a second time.

The Bill amends the Ministry of Transport Act 1958 to add to the Ministry a new position of Deputy Director of Transport. Over recent years the role and responsibilities of the Ministry of Transport have increased substantially. Transport is not only a major item in the State Budget but it has an essential role in most facets of community activity. Funds are provided each year for capital works to improve road and rail facilities and for new public transport vehicles. A subsidy of more than $200 million a year is provided to supplement fare and freight revenues of VicRail, the Melbourne and Metropolitan Tramways Board and private enterprise route bus services.

The areas of Government involvement in transport are undertaken and managed by seven statutory corporations with a staff of approximately 34 000 persons. Each of these authorities has a function directed mainly towards a particular aspect of transport and it has increasingly been the role of the Ministry to assist in a proper appreciation of the over-all transport scene. The Ministry has gathered together a relatively small staff over recent years and is building the necessary expertise for a proper overview of transport.

The Bill is a step in the reorganization of the Ministry to play a more positive role in assisting the Minister in the co-ordination and integration of the separate components of transport into a total system—a system currently funded to the extent of approximately $900 million a year.

New administrative arrangements have been made with the Treasury under which transport will, within total transport funding, have a larger role in the allocation of available funds between the various transport tasks and modes. This will mean increased responsibility for budgetary control of the transport authorities and working closely with

them to meet Government transport objectives—to fulfil this role the Ministry must be reorganized. This will involve the setting up of a new finance section.

The Bill creates the position of Deputy Director of Transport to head up the new finance section. The addition of the position of Deputy Director of Transport to the establishment of the Ministry is made in clause 2. The existing sub-section of the Act is re-enacted with the inclusion of the new position.

The remaining clauses of the Bill make a number of consequential amendments to insert the position of Deputy Director of Transport in the existing provisions of the Act concerning terms of appointment and functions.

A major change has been made in the role of transport in financial responsibility for making the best use of the funds that can be made available for transport. The provisions of the Bill are directed towards meeting this new challenge. I commend the Bill to the House.

On the motion of the Hon. G. A. S. BUTLER (Thomastown Province), the debate was adjourned.

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

MARINE (AMENDMENT) BILL

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

That this Bill be now read a second time.

The Bill proposes amendments to the Marine Act 1958 and has seven purposes, the main purpose being to enable the adoption and implementation of the Uniform Shipping Laws Code as agreed to by the Marine and Ports Council of Australia (MPCA).

Ministers of the Marine and Ports Council of Australia have agreed to the adoption and implementation of the Uniform Shipping Laws Code which has been prepared over a period of some eight years by the Association of Australian Ports and Marine Authorities (AAPMA) at the request of Ministers of the Australian Transport Advisory Council (ATAC).

Eighteen sections have been compiled to achieve national uniformity in practically all aspects of shipping legislation in Australia relating to the survey and manning of commercial vessels including fishing vessels. It will also enable a person wishing to do so to progress from the lowest to highest level of qualification required for the manning of such vessels. Curricula are in course of preparation by the Education Department and some courses are expected to be available during the 1980 calendar year.

Implementation of some sections of the code will require enabling powers, additional to those presently existing, to be inserted in the Marine Act to make regulations, and additional powers will be required to be included in other sections.

Amendments propose to provide the power for the Marine Board to:

Require new ships to be built to specification;

inspect new ships under construction—at present, power under the Act is limited to survey of existing ships;

specify crew accommodation standards;

give discretionary powers to ship surveyors in certain matters of detail;

revalidate certificates of competency of deck and engine room personnel every five years—under the present legislation certificates issued remain in force indefinitely;

form manning committees to recommend the safety manning of vessels to the board;

enable the safety manning committee to call witnesses;

regulate installation of radio telephony equipment—at present power is limited to use of this equipment.

It is pointed out to honorable members that, during the drafting stages of the Uniform Shipping Laws Code, various documents were circulated to maritime unions, tug and other commercial ship operators, the Victorian Farmers Union and fishermen's co-operatives throughout the State, technical education authorities and colleges, and other Government and statutory authorities.

Where sufficient copies of documents were unavailable, advice was given that the documents could be sighted at the Marine Board offices. The same procedure was used in notifying private ship surveyors, naval architects and boat builders for their information and comment. These procedures were adopted by the other States and the Commonwealth.

A number of meetings were also held with the Australian Fishing Industry Council at its request and further amendments were made to documents so far as they related to the fishing industry. All comments received were considered and appropriate amendments made before the documents were forwarded to the AAPMA Review Committee, the AAPMA Council, advisers to the Marine and Ports Council of Australia and finally the Ministers of MPCA for approval and incorporation in legislation.

The remaining proposed amendments to the Bill are for the following purposes and they are:

For one of the members of the Marine Board to be appointed by the Governor in Council from a panel of names submitted by the Australian Chamber of Shipping in lieu of the Overseas Shipping Representatives Association;

to enable a certificate signed by the Secretary to the Marine Board to be accepted in court as prima facie evidence in respect of manning, certification, licensing or ownership of vessels;

to increase the maximum allowable tonnage duties payable in respect of ships entering Victorian ports;

to increase the maximum allowable rates of pilotage for ships in the ports of Port Phillip, Melbourne, Geelong, Westernport and Portland;

to empower the Minister of Public Works to cancel or revoke wharfage and harbour rates exemption; and

to repeal Part X of the Act relating to the transfer of administrative provisions of the Act to the Commonwealth.

As explanatory notes on each of the clauses accompany this Bill and will thus be available to honorable members when the House is in Committee, I will not elaborate further at this stage but will do so, as required, during that stage. I commend the Bill to the House.

On the motion of the Hon. R. A. MACKENZIE (Geelong Province), the debate was adjourned.

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

HEALTH (PROPRIETARY MEDICINES) BILL

The Hon. W. V. HOUGHTON (Minister for Conservation)—I move:

That this Bill be now read a second time.

Its purpose is to enable the Minister of Health to exercise powers with respect to substances mixtures compounds or products which have been already registered as proprietary medicines or for which registration is sought.

One only has to accept the proposition that a good diet tends to promote health and prevent illness to realize that the distinction is sometimes hard to draw between a preventive medicine and food and drink, which themselves have so many of the qualities of a preventive medicine. But in reality the distinction has to be drawn. Things which upon the best and most recent advice serve only the general purpose of food and drink should not be registered as proprietary medicines and should not be offered to the public as having the special therapeutic value of a medicine. If they have some value as food or drink they should be sold as such and comply with the prescribed standards. Another problem occurs where it is found that more claims than can be justified are made for a proprietary medicine.

At present the system provided in the Health Act is that a decision is made in each individual case before registration, but once it is registered the registration of a proprietary medicine cannot be reviewed, except at intervals of ten years, unless the wholesale dealer has been convicted more than once of one of the offences listed in section 267 of the Health Act 1958. Therefore, a decision which should be made quickly can be delayed for up to ten years.

The present Bill by clause 5 enables the Minister after consultation with the Health Commission to make the declarations set out and gives effect to declarations that are made by inserting into the Health Act 1958 a new section 263B. In sub-section 1 (*a*) of this proposed new section, it is provided that the Minister can make a declaration that any substance, mixture compound or product is not a proprietary medicine. Clause 2, by amending the definition of proprietary medicine contained in the principal Act, gives effect to the declaration. Such a declaration would affect any substance mixture compound or product which fitted the description contained in the declaration.

Proposed section 263B (1) (*b*) (*c*) and (*d*) provide that the Minister may declare that the registration of any proprietary medicine be suspended, varied or cancelled. Sub-section (2) gives effect to such a declaration and clause 6 amends section 267 (1) (*a*) to make it an offence to sell any proprietary medicine of which the registration is suspended. Sub-section (1) (*e*) enables the Minister to declare any substance mixture compound or product to be a food for the purposes of the principal Act and sub-section (3) gives effect to this declaration.

Clauses 3 and 4, respectively, amend sections 263 and 263A of the principal Act and require the decision on the initial registration of a proprietary medicine and its periodic review to be subject to any declaration made by the Minister under proposed section 263B.

The Bill will not affect the Poisons Act 1962, but it amends the Health Act 1958 by enabling the Minister of Health, acting on proper advice, to act with proper speed to place substances mixtures compounds or products in their proper category of food or proprietary medicine. I commend the Bill to the House.

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

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

LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL

The debate (adjourned from 6 December) on the motion of the Hon. D. G. Crozier (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. R. A. MACKENZIE (Geelong Province)—This is a Bill to amend the Local Government Act 1958, the Dandenong Valley Authority Act 1963, and the Drainage of Land Act 1975. The objectives of the amendments proposed in the Bill are to:

Empower the drainage authorities to designate flood levels;

enable regulations to be made under the Uniform Building Regulations with respect to the construction of buildings on lands liable to flooding;

enable local councils, through their administration of building controls under the Uniform Buildings Regulations, to play an effective role in the management of their own areas by implementing policies which achieve the flexibility sought by Governments; and

ensure that building control, in these circumstances, is consistent with the protection of the interests of potential purchasers and the need to minimize claims for compensation from the public purse.

The Bill will alter the Uniform Building Regulations, particularly clauses 1701 and 1702, which have created a few problems. The Act was amended in 1978. When introduced, the Uniform Building Regulations were sound. They provided an over-all means of ascertaining what a minimum flood level should be so that local government had a State-wide standard it could administer and work towards. A lot of thought went into amending the Uniform Building Regulations and the reasonable idea was adopted of setting the flood level at 300 millimetres or 1 foot above the highest known flood level so that in future any building would be required to have a floor level above that height and sewerage inlets and outlets would have to be above that level.

That sounds reasonable and works in 85 per cent or 90 per cent of cases but like all regulations that have to be

policed there are always the odd situations where it is hard to apply the regulations.

For many years I was a plumbing inspector and had to administer the Uniform Building Regulations. There are always the odd circumstances that make it hard to apply the regulations, so the inspector has to use his discretion and apply the regulations with flexibility. It did not take long for several councils to realize the serious ramifications of the amendments.

Many years ago the City of Horsham had trouble with flooding because the city is low lying, so a discussion took place in 1957 about what the designated flood level should be. The meeting took into account that river and irrigation works had taken place. There had been a record flood in 1909 but it was considered that the circumstances had changed since then and the council adopted a flood level of 3 feet or 900 millimetres below the 1909 level, so that, from 1957 onwards, all development in the Horsham area used that flood level. The shire engineer and the people concerned made a decision on a reasonable assumption.

One can imagine what happened when the new regulations which provided that the flood level be 1 foot above the 1909 level, a difference from the then current level of 4 feet, was introduced. The change from the 1957 provisions caused consternation among the people who had already embarked on big building programmes. Almost one-third of Horsham was built in accordance with the 1909 level. so many problems were created. The people of Horsham organized a public meeting and invited members of Parliament. I represented Mr Landeryou as Leader of the Labor Party in this House. Members of the National Party were also present, but no Government members were there.

The Hon. B. P. Dunn—I think they were frightened at that stage.

The Hon. R. A. MACKENZIE—I did not say that. Between 500 and 600 people attended the meeting to discuss the problem. It was apparent that the people were concerned. Before the meeting, I spent a lot of time with the shire engineer and the Mayor of Horsham looking at the problem area and the projects that would be affected. It became apparent to me that this was a case where the law would have to be administered in a flexible manner.

Unfortunately the State Rivers and Water Supply Commission had taken a firm stand, and rightly so, because it had to administer the law as it saw fit as the responsible authority with the final say. The commission adhered to the Uniform Building Regulations, so naturally the problem had to be overcome. Following the public meeting there was a deputation, led by members of the National Party, to the Premier and the Minister. This Bill mainly results from that deputation.

The Labor Party does not oppose this measure because it has a lot of merit. There are times when regulations must be administered with some degree of flexibility. The Labor Party believes that there are places similar to Horsham where the old regulations would create tremendous problems. The Bill also ensures that people purchasing land will not get caught by buying land which is subject to flooding, because when application is made for a permit a certificate is issued which indicates the liabilities of the land. Therefore, people will not buy land without knowing its liabilities. They will know there is a chance of flooding. The Bill also places the onus on the local authorities. That is important.

In Horsham, people were asked to abide by the 1909 flood level despite the fact that much work had been done on the head works, the irrigation system and on the river system above Horsham. Because of river clearing work done beyond the town of Horsham it was obvious the river was different in 1979 from what it had been in 1909. This Bill allows the local authorities to set the flood level and to use local expertise and knowledge. It is a step in the right direction, so the Opposition does not oppose this Bill.

The Hon. K. I. WRIGHT (North Western Province)—The National Party proposes to support the Bill because its members and other people have frequently made representations to the

Minister and the Government in an attempt to overcome the difficulties for local authorities, residents, building and real estate interests in many country towns, particularly those subject to flooding. However, although members of the National Party are anxious for the Bill to be passed rapidly, we are concerned that many people who are extremely interested in the proposed legislation have not had an opportunity of studying it.

I have spoken to representatives of the Municipal Association of Victoria, the Real Estate and Stock Institute of Victoria and the Australian Institute of Valuers, and members of the latter institute have not even seen the Bill. Members of the valuing profession are deeply interested in the measure because in cities like Horsham one-third of the land used for urban development is detrimentally affected.

Members of the Municipal Association of Victoria have had some discussions with the Minister and have seen the Bill.

The Hon. B. A. Chamberlain—Do you want to adjourn the debate until March?

The Hon. K. I. WRIGHT—I have already made it abundantly clear that the National Party wants the passing of the legislation to proceed. I am only outlining my concern that copies of the Bill were not made available earlier. The National Party has no alternative but to proceed along those lines. The present Minister for Local Government has been most diligent and anxious for the proposed legislation to reach this stage and we commend him and his officers.

The Municipal Association of Victoria suggested to the Minister that if the Bill is passed through both Houses this week, perhaps its proclamation as an Act could be delayed, although that would have the same effect as delaying the passage of the Bill.

The Bill provides guidelines in place of the inflexible rules which were previously set down. The phrase "liable to flooding" has always caused difficulties.

That phrase has appeared in various regulations and sections of the legislation, and is almost impossible to define. Most municipalities lean to the point of view, as I do, that the flood that occurs, say, once in 25 years, is the one intended to be dealt with by this proposed legislation, not that which occurs once in 100 years, such as the 1909 flood at Horsham, which is the arbitrary level that was set, or the 1956 flood at Mildura. Strangely, in the latter case, the 1870 flood level was not adopted although the level of that flood was almost a foot higher than that of 1956. That illustrates that there have been some inconsistencies in the declaration of the flood level.

The National Party is delighted that the inflexibility has apparently been removed from the legislation and that the Government has provided guidelines which will be helpful to the municipalities, although any teeth will be in the relevant regulations.

The Bill has four basic objectives: Firstly, to empower the drainage authorities to designate the flood level; secondly, to enable regulations to be made under the Uniform Building Regulations concerning the construction of buildings on land which is liable to flooding; thirdly, to enable local councils through their administration of building controls under the Uniform Building Regulations to play an effective role in overseeing and implementing those policies to the advantage of the municipality, and, fourthly, to ensure that building control in these circumstances is consistent with the protection of potential purchasers and the need to minimize claims for compensation from the public purse. The purchasers of properties subject to flooding will receive a certificate indicating that fact, so if compensation claims arise later the purchaser cannot deny that he already knew about it.

This subject first arose in 1975 when I and others pointed out to the then Minister for Planning, the Honorable A. J. Hunt, that there was a clash between section 205 of the Health Act of 1958 which provides:

> no person shall erect or undertake, begin or carry on the erection of any dwelling of any land liable to flooding from the overflow of waters from any river, creek, stream, water course, lake, lagoon, swamp or marsh.

and regulation No. 1701 of the Urban Building Regulations of 1974. Regulation 1701 provides, *inter alia*:

Land liable to flooding—

(*a*) Except as provided in sub-clause (*b*) hereto, no persons shall construct a building on any land which the Council is satisfied is likely to be subject to flooding from the overflow of waters from any river, creek, stream, water course, lake, lagoon, swamp or marsh.

(*b*) The council may by resolution permit a building to be constructed on any such land provided that—

(1) The surface of the lowest floor and all inlets to a sewerage system are constructed to a level approved by the surveyor, but in any case not lower than 300 mm above the maximum flood level.

That means that on the one hand the council had the opportunity of permitting development to proceed under certain circumstances on land subject to flooding. On the other hand, this was negated by the provisions of section 205 of the Health Act. This was brought to the notice of the Minister for Local Government and the Minister for Planning by me, and on 9 August 1976 the Minister for Local Government, the Honorable A. J. Hunt, stated in a letter to me:

Over the past year or so I have become well aware of the problems involved, not only in respect of building permits but also of planning permits for the subdivision of lowlying lands. I am also aware of the existence of legal opinions—one of which was obtained by my department.

. . . .

While I have not discussed the matter with my colleague the Minister of Health, I am inclined to the view that section 205 could be repealed. There is considerable doubt whether any prosecutions have ever been attempted and in any attempt it would have to be proved to the satisfaction of the court that the relevant site is subject to flooding. When enacted in 1919 building by-law powers merely enabled the regulation of the erection of buildings and no power of prohibition was available. Currently it is possible under both planning and building regulation powers to effect prohibitions.

On 10 August 1976, the Honorable W. V. Houghton, who was then Minister of Health, acknowledged my personal representations on this matter and stated, *inter alia:*

Section 205 of the Health Act.

While the Council has direct responsibilities for the exercise of various powers and duties under this Act, it does not appear that this is so in relation to this section, although it may (but not as an exclusive prerogative) prosecute for an infringement of it.

The meaning of "land liable to flooding" is relevant. One lawyer expressed the opinion, with which I am inclined to concur, that "before land can be said to be 'liable' to flood it must be shown that in conditions which ordinarily prevail or can be ordinarily expected, the land in question can be expected to flood". On this basis land would not be liable to flooding merely because on some occasion it became flooded.

This is in complete opposition to the attitude which has been taken by the Ministry of Water Resources and Water Supply and departments concerned in this matter; they have endeavoured to establish one flood in 100 years as the basis for the height at which buildings may be built.

Towards the end of the letter, the former Minister of Health stated:

Having regard to the representations made to me and the Local Government Department from several sources, I believe it is essential that steps be taken to resolve the general question as to what changes be made to statute law and subordinate legislation with a view to avoiding in the future the most unsatisfactory situation that has eventuated at Werribee. Further, I believe it is essential that every means be explored to ascertain what course or courses of action may be available to overcome to the greatest extent practicable the immediate impasse at Werribee.

Accordingly, I propose to arrange one or more conferences of representatives of the authorities or other parties concerned.

On 5 October 1976 I asked the Minister for Local Government:

(*a*) Who are the representatives on the committee inquiring into conflict between section 205 of the Health Act 1958 and regulation 1701 of the Uniform Building Regulations, concerning liability to flooding?

(*b*) When is it expected a recommendation will be made?

In answer, the Minister outlined what was being done with regard to the conference, and stated, *inter alia*:

I was disappointed to learn in following up the matter to enable this answer, that the conference had not at this stage proceeded to complete the comparatively straightforward question of reconciling the two provisions referred to by the honorable member, and have directed that this conference be promptly reconvened, on this occasion under my personal chairmanship, with a view to completing that particular aspect without delay.

He stated later:

It is not expected that complete answers to all aspects of the problems will be achieved rapidly. However, reforms will be progressively implemented as sensible solutions emerge.

On 19 June, 1978, I again wrote to the Minister for Local Government asking why a delay had occurred in bringing new regulation 1701 of the Uniform Building Regulations into operation as soon as possible. On 28 June 1978 the Minister replied, stating, *inter alia*:

> It is recognized that this is an urgent matter and it is being dealt with as expeditiously as possible.

On 22 August 1978 a press statement was issued by the Premier. It stated:

> The Premier, Mr Hamer, today announced a number of new Government initiatives to deal with the problems of flooding and flood prone land.
>
> "The Government has decided that action is necessary on a number of fronts to deal with problems of flooding," Mr Hamer said.

I shall not read out the other matters raised by the Premier, but the significant phrase in the press release is the second last paragraph, which states:

> "The Government is providing guidelines rather than inflexible rules. Variations will need to be made to suit differing needs and circumstances of different urban and rural communities. Local municipalities should and will be able to play an effective role in the management of their own areas in the closest possible co-operation with the Water Commission.
>
> "The Ministers of Water Supply, Conservation, Local Government, Planning and Health have collaborated in the development of a co-ordinated approach which will ultimately give greater certainty and protection to owners of land which could be subject to occasional flooding," Mr Hamer said.

The most stringent and damaging flood levels have been set in Horsham based on the 1909 Wimmera flood level, which we are assured will never take place again because of works and different developments that have been carried out. Therefore, about 90 blocks valued at between $8000 and $10 000 each—a total value of about $1 million—have suddenly been placed in the flood-prone area.

In addition, builders and home builders have been very badly hit because there is no certainty of what development may occur. Although, in other places, one might have to wait two or three weeks to obtain the services of a plumber, an electrician or some other tradesman, for work on a property at Horsham, one can ring a tradesman and have the work done on the same day. This is caused by the flood level set by the Water Commission.

Naturally enough, the City of Horsham is deeply concerned about this matter and wrote to the leaders of the three political parties pointing out that the council set the flood level at that of 1957, whereas the Water Commission set the level at that of the 1909 flood.

The council went on to say that at present 1320 allotments had buildings constructed in accordance with the levels fixed in relation to the 1909 flood plain and that more than 90 per cent of them could be on flood levels lower than the highest flood level.

A large public meeting was held in Horsham on the initiative of Horsham City Council ably led by the mayor, Councillor Brian Brooke. Mr Mackenzie referred to it and I notice that he was present, along with all honorable members who represent the area, Mr Dunn, Mr Bill McGrath, MLA, and myself. As a result of that meeting there was a deputation to the Premier and submissions were put. Probably one of the main points made was the fact that uniform building regulation No. 1701, in referring to dampness and drainage of site, appears to give the council jurisdiction. It states, *inter alia*:

> (*b*) Where an application for a permit to construct a building is lodged with the Surveyor and the land on which it is proposed to construct the building is land which—
>
> . . . . .
>
> (iii) has been determined by the Council by resolution to be liable to flooding.

That would appear to give the council the right to determine the 1957 level as being the level, and not the 1909 level as set by the Government.

Uniform building regulation No. 1701 (*e*) (i) provides:

> . . . after consultation with the appropriate drainage authority pursuant to the *Drainage of Land Act* 1975 or in relation to land within its district, the *Dandenong Valley* Authority, the surface of the lowest floor together with all inlets to the sewerage system or the top level of any flood proofing measures to be constructed to the level stated in the permit which in no case shall be less than 300 mm above any flood level known or such other flood level designated by the said appropriate drainage authority or the Dandenong Valley Authority as one which could be reasonably anticipated.

The Water Commission was therefore able to step in and designate the highest flood level which has been so detrimental to the people of Horsham.

Following the deputation to the Premier, there were high hopes that there would be the greater flexibility that was mentioned in the press release, but the Water Commission and its officers appear to be adopting a similarly rigid attitude to that which they have adopted all along. Strong representations have been made by all concerned to obtain alleviation, and now this Bill is before the House. The National Party supports the Bill mainly because it will give the councils the flexibility that they did not have before and give the public ample protection in buying flood-prone property.

The Hon. N. B. REID (Bendigo Province)—For at least twelve months I have been involved in discussions on this important Bill which deals with a problem that is of concern to many parts of Victoria, particularly areas around the River Murray, including Echuca which is in the northern part of the province that I represent. Over a period the drainage authority, the State Rivers and Water Supply Commission, has been involved in negotiations following the 1975 floods of the River Murray. At the direction of the Premier, the State Rivers and Water Supply Commission carried out investigations into the flood probabilities of the River Murray in the Echuca region. The City of Echuca is in a unique position because it is affected by three rivers, the Goulburn, the Murray and the Campaspe. The one that probably has the most influence over the area is the Goulburn which can rise quickly and cause flooding problems in the district.

Honorable members will be aware that overseas trends and trends throughout Australia on flood probabilities have been towards the adoption of a 1 per cent probability of flooding. This 1 per cent probability in the Echuca district is below the 1870 flood level which was the record for the area. That city has been trying to come to grips with the requirement that flood protection needed to be introduced in the area and the problem of the extent to which it would interfere with planning requirements in the city.

Probably the most important aspect of the introduction of this Bill was mentioned during the Minister's second-reading speech when he stressed—page 5 of the notes—that the purpose of the Bill is not to prevent building below the 1 per cent flood level but to ensure that any development below such level does not impose an unreasonable risk on an individual or on the community and takes place with the full knowledge of the persons involved. Anyone moving into an area which is situated on a flood plain and intending to build a home—this could occur in Horsham or Peterborough or Echuca or Dandenong Valley or a number of areas of Victoria —could perhaps be misled because rivers like the Murray and the Wimmera River at Horsham appear quite different in the summer from the way they appear during the winter months. Such a person would be perhaps lulled into a false sense of security. From the conditions prevailing in the summer months, that person might be led to believe that the site was not subject to flooding at any time.

As I have said, Echuca is affected by three rivers. It is important that people be safeguarded and that there is no danger of loss of life. I cannot recall any lives being lost through floods in Echuca where the Murray and other rivers rise slowly, but from time to time this flooding causes extensive damage. It is important that people moving into the area know exactly where the flood level is so that they do not build where they will be flooded out. That point mentioned by the Minister in his second-reading speech is extremely important. After all, the whole community must bear the costs of flood damage restitution.

The Bill indemnifies the drainage authority against any loss or damage allegedly sustained as a result of that designation of the 1 per cent flood level. That is also important.

The second objective is to amend the Local Government Act to enable the local building regulations to be amended.

Mr Alan Robertson of the Uniform Building Regulations Committee has been a valuable ally in all this work. The original proposal was put up by the former Minister for Local Government, the Honorable Mr Hunt, some time ago, and amendments to Uniform Building Regulation No. 1701 were mooted. It was difficult to reach a satisfactory conclusion but the present Minister for Local Government has provided a solution to the problem and has given local communities more autonomy on deciding how the flood levels are to be administered. I congratulate the Minister for appreciating the problem and proceeding to deal with it. It will have a big effect in many areas of Victoria, particularly Echuca, and I know the people of Echuca are pleased.

The third objective which the Government believes to be of substantial importance is to provide the councils with the ability to administer in their districts buildings on lands liable to flooding. The Echuca City Council has been concerned about this. It wants to be able to issue permits and be absolved from having any litigation against it if flooding shou'd occur. The proposals that have been put forward will be acceptable to the Echuca City Council. It has been difficult for the council to accept the 1870 level—which was almost 2 feet higher than the 1 per cent probability level. The Echuca City Council regarded that as being excessiveiy high. It would have created a difficult situation if any building had been destroyed by fire in the main shopping area where most of the buildings are at the 1 per cent probability level. It would have meant that a permit for a replacement building would have to specify that it be about 2 feet higher than the shops alongside it. That would have been a ridiculous situation. The Government has perservered with the problem which has not been easy to resolve.

The Hon. B. P. Dunn—It took a bit of encouragement.

The Hon. N. B. REID—I do not think the Government needed much encouragement. It has been working with great perseverence on the problem and I am sure that Mr Wright and Mr Dunn who represent the area of Horsham will be pleased at the positive action being taken through the Bill which will also give local councils the power to set their own levels for buildings in the respective municipalities.

I wish to mention a couple of other people who have been involved in this matter. Probably they have received a fair amount of criticism on the role that they have had to play. One is Mr John Mann, the Director of Water Resources. Mr David Constable and Mr David Dole have also been closely involved in this. Acting as the drainage authorities, they had to determine what the flood levels would be and obviously they had to ensure that every investigation was made to protect the safety of people, their private possessions and their homes, and that the drainage authority Act was administered correctly. Perhaps they appeared to the public to be a little heavy handed but I am sure they had the best motives at all times and endeavoured to find the safest and most effective way of administering the Drainage of Land Act.

I shall mention further matters during the Committee stage. I congratulate the Minister for introducing this Bill.

The Hon. B. P. DUNN (North Western Province)—I believe this is a most important Bill, as do many honorable members. If the Bill is carried in its present form it will allow cities like Horsham to fight their way clear of a stranglehold in which they have been caught for some time. The effects on the City of Horsham, and probably other cities—Echuca has been mentioned—have been absolutely disastrous. Because of the regulations millions of dollars of development has stopped. People who have bought land on which to build houses have been unable to do so.

Builders have faced ruin, workers have faced unemployment, and generally it has been a disaster for those cities, so because of the urgent need to correct the situation the National Party is prepared to debate the Bill this week. It is unfortunate that there has not been more time for honorable members or the councils concerned to

examine the Bill closely. That is one point, but overriding that is the need to deal with the matter quickly and it is on that basis that the debate is being proceeded with today.

The history of the regulations and the flood plain management that caused the problems in Horsham and in other cities has been fairly well canvassed by a number of speakers. Clearly, from the beginning a political decision was needed to correct the situation, and it did take the Government some considerable time to realize the disastrous effects of the regulations and that it was a decision which would have to be taken by the Government, not the departmental people, to reach a solution. In other words, the Government had to realize that a policy change and a legislative requirement were necessary. Although Mr Reid said that the Government was quick to recognize the problem and to act, the people of Horsham may have a different opinion. At a meeting which Mr Mackenzie and the honorable member for Lowan, Mr McGrath, and the Federal member for the Mallee, Mr Fisher, attended in Horsham——

The Hon. J. W. S. Radford—I did not know this was a Federal matter.

The Hon. B. P. DUNN—At least the Federal member was there, unlike members of the Liberal Party. It was rumoured at one stage that Mr Radford was to represent the Government on that night. The National Party sought a speaker from the Government party, but none was to be found in the hall that night. There were 800 people at the meeting, which was widely reported, and they were clear on what they wanted.

The Hon. N. B. Reid—I do not think they were clear.

The Hon. B. P. DUNN—They were clear that they would not accept the 1909 flood level as a future for the development of the City of Horsham.

The Hon. D. G. Crozier—What was the date of the meeting?

The Hon. B. P. DUNN—The meeting was held on 9 August. That meeting decided on a number of moves—to present a petition to the Premier and to have a deputation to him to press the case for a change, seeking more flexibility in the regulations. The Uniform Building Regulations which came into operation on 6 November 1978 were the basis of the problem that existed. Clause 1701 of those regulations, as stated in a communication addressed to Leaders of the three political parties by the Town Clerk of the City of Horsham, requires, *inter alia*, that:

> Where a building is erected in an area which could be subject to flooding, the surface of the lowest floor, together with all inlets to the sewerage system or the top level of any flood proofing measures, shall be constructed to the level stated in the building permit which in no case shall be less than 300 millimetres above any flood level known, or such other flood level designated by the appropriate drainage authority as one which could be reasonably anticipated.

Honorable members are aware that the highest flood level known and accepted at Horsham was the 1909 flood level.

At present, there are 1320 buildings on allotments in the 1909 flood plain—that is, about one-third of the allotments in Horsham are affected by the 1909 flood level. It extends into the main street business area and encompasses more than 1000 allotments. Therefore, 90 per cent of those buildings would have their floor levels lower than the maximum flood which was designated. That was basically the problem. The regulations were interpreted as meaning the highest flood level known, which was the 1909 flood level. The Government had said that it was providing guidelines rather than inflexible rules when it released its flood plain management strategy on 22 August 1978. Those were the words of the Premier in his press statement following that release.

In his foreword to his document on the flood plain management in Victoria the Minister said:

> The Government therefore commends the guidelines as presenting its policy in these matters, but acknowledges that in implementation there must be most careful assessment of the differing needs and problems of different areas, and provision for those differences.
>
> . . . .
>
> There is no doubt that experience in their application will result in amendments and additions being suggested from time to time.

The Hon. F. J. Granter—That is what the Government is doing.

The Hon. B. P. DUNN—That is what the Government is doing after a considerable amount of effort to convince it of that need.

The Hon. D. G. Crozier—You did not have to convince me of it.

The Hon. B. P. DUNN—I am coming to the Minister. Although I have said it took some time to convince the Government of the need for legislative change, there are a few compliments which need to be paid to some people for their handling of the matter and I will come to them a little later on.

After the flood plain level was accepted as the 1909 flood level, the council had to decide what action it would take because building in the city was at a complete standstill. An appeal case was brought by Mr and Mrs Leon Worthy to the Victorian building regulations committee to allow them to go ahead and build on their allotment. The building regulations committee granted them concessions against the 1909 flood level provided that they complied with certain conditions. Those conditions included the storage of sand bags on their property, and that their house may need weir-like fittings for drop planks to cover doors, windows and other openings below the 1909 flood level. Mr Worthy appealed to the referees against the new regulations saying it would have cost him an extra $11 000 to build his house above the flood level, because a considerable amount of fill was required.

The other conditions he had to comply with were these: He had still to observe a specific level for the lowest floor; he must take steps to prevent mud and debris from entering the building and keep out as much water as possible; at the same time, he must maintain the structural stability of the house and its foundations; and the power and telephone fittings must be above the designated flood level, which would be 3 or 4 feet up the wall. The requirement meant that, in some houses, the main power plugs would be 1 metre above the floor. The sanitary plumbing outlets must have an isolating valve to prevent backflow in the case of flooding. The city council must display prominently in the area the 1909 flood level by means of a public sign, "This is the 1909 flood level". I understand also that the level had to be indicated on the house. At a height of 3 feet, there would be a line across the front wall of the house saying, "This is the 1909 flood level". People driving around looking for a new house would see a sign in the street at about the level of their car windows saying, "This is the 1909 flood level".

Desperate efforts were being made to overcome those sorts of provisions because clearly they would have a substantial effect on home owners—not only people building new homes, but also the owners of all 1200-odd allotments on the 1909 flood level could be subject to these provisions because, if people wished to rebuild on those blocks, they would then come under the new regulations.

A deputation to the Premier was sought. I attended that deputation, with Mr Wright and the honorable member for Lowan in another place, Mr McGrath, and members of the Horsham City Council. They put an excellent submission to the Premier on that occasion outlining in detail the effects the regulations were having on the city. They also presented a petition signed by 4276 people. The petition had been sponsored around Horsham and the Apex Club assisted in getting sufficient signatures. The matter was then referred to the Minister of Water Supply and the Minister for Local Government. I am thankful that those Ministers—particularly as the matter fell in the hands of the Minister for Local Government—took up the issue and took a commendable personal interest in it. Since that time, through a long period of negotiations and discussion, the Bill before the House tonight has resulted.

I commend a number of people for their work in relation to this important legislative change. Firstly, I commend the Horsham City Council, people who, led by their mayor, Councillor Brian Brooke, and ably backed by other councillors and their officers, Mr Conn, the

town clerk, and Mr Campbell, the engineer, consistently and commendably fought this case since these regulations were first imposed on the city. Their efforts have been significant in achieving a change, not only for Horsham, but for the State of Victoria, in this matter. The matter was also ably put forward by the honorable member for Lowan, Mr McGrath; and Mr Wright and I were pleased to be able to support him on representations to the Government. I commend the Minister for Local Government for the action he has taken in expediting the necessary action.

The Hon. R. A. Mackenzie—Don't forget the Labor Party.

The Hon. B. P. DUNN—I am not aware of what the Labor Party did. I know that Mr Landeryou and Mr Mackenzie have taken a considerable interest in it and, in fact, met the deputation. Mr Landeryou met the deputation from the City of Horsham and discussed the matter sympathetically with them. I hope the Bill which the Minister has now introduced will achieve the flexibility needed.

It is not an easy Bill to grasp because a lot of its effects will be dealt with by regulation after the Bill is passed and by interpretations by councils and other authorities. With certain provisos and indemnity for councils written into it, it allows development on land where there is a risk of flooding.

Clause 2 provides that the level may be designated on a basis which allows a risk of flooding to exist in the proper use of land. That sort of approach, so long as other safeguards can be applied, is a reasonable one. The 1909 Horsham flood may never recur. It was a flash flood caused by an extremely high rainfall in the catchment area of the Wimmera River. There was a unique set of circumstances and one can only speculate about whether it will happen again.

The Hon. N. B. Reid—But it may occur again.

The Hon. B. P. DUNN—Anything is possible. White men have occupied this country for little more than 150 years. That is a short time and we are not in a position to make predictions about a future that will certainly extend far beyond our lifetimes. There is a possibility that the floods could recur, but one would not expect that to happen very often. Also, development has taken place on the Wimmera River that would, to some degree, alleviate the effects of similar rainfall in the area.

The Bill stipulates that the designation of a flood level must be published in a local newspaper. That is necessary, as is the clause indemnifying the authority against any loss or damage sustained as a consequence of the designation of a flood level or flood levels.

Clauses 4 to 6 are perhaps the most significant clauses of the Bill, in that they will allow the amendment of the Uniform Building Regulations to give effect to the general intent of permitting buildings to be constructed on land that has some risk of flooding. They will also enable councils to designate appropriate flood levels, conditions and safeguards and to establish appropriate information systems. As I understand it, the council will have the right to allow development on land that is subject to flooding and it will be indemnified against claims. Basically, the risk will be accepted by the builder, owner or occupier of the land.

The Bill will also ensure that certificates are available to people who are buying properties or who intend to build on allotments and those certificates will state the specified flood level. If the land is within an area the council has specified, the certificate will indicate that, after consultation with the two Ministers, a permit will be issued. The certificate will also show whether a permit allowing construction of a building at or below a specified flood level has been issued by the council.

One point that should be remembered is that those provisions will affect all housing. They will affect not only buildings to be constructed on new allotments but also all other buildings within the area. Every time a house that is on the floodplain in Horsham changes hands, if such a certificate is requested

it will be presented to the new purchaser and will state that the allotment is subject to a certain degree of flooding.

The Hon. N. B. Reid—That is a reasonable precaution.

The Hon. B. P. DUNN—It is reasonable in that future owners must be protected, but it all depends whether one is on the side of the buyer or the seller. People who own houses in areas that have been designated as flood prone have suffered and will continue to suffer a loss in the value of their properties because in future purchases the certificates may be asked for and they will make it clear to prospective buyers that the allotments are subject to flooding. However, a person buying property should have access to that sort of information.

The Bill is technical, but I hope it will allow sufficient flexibility. We will have to wait and see how some of these matters are interpreted. It is my earnest hope that the measure will allow Horsham and other cities that are in a like position to extricate themselves from the stranglehold and give an impetus to building and development.

Horsham is a great city that is going places. It is developing and moving ahead and in the past decade or two it has had only one major drawback, other than the rural situation of the early 1970s, and that drawback has been the regulations and laws imposed on it by the Government. The Government has perceived the need to examine the situation and the National Party will be watching very closely the way in which the measure and its effects develop. Members of the National Party hope the Minister will seek to make further amendments if they are shown to be required after some experience with the measure.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—On behalf of the Labor Party, I also congratulate Councillor B. J. Brooke, the Mayor of the City of Horsham, his fellow councillors and officers for the spirited, vigorous and enthusiastic way in which they campaigned on this issue and the representations they made to all the major parties. I also congratulate them on their skill and perseverance in providing the details they were required to supply to the various party spokesmen following representations to the Premier and the Government. It goes without saying that I also congratulate the Minister for the speed with which he has moved on this matter.

The Labor Party shares the concern of the National Party about the future and looks forward with great interest to the implementation of the measure. In the event that it is necessary for the Minister to amend the proposed legislation, the Labor Party hopes the Government will be able to act as quickly as it has on this occasion—although, of course, that was not as quickly as the Mayor of the City of Horsham would have liked.

This episode has been a perfect example of the way in which local government in a remote area, having been subjected to bureaucratic decisions made in the big smoke, can get behind the Government and a Minister and ensure that the Government takes action in the interests of the citizens local government represents.

The Hon. D. M. EVANS (North Eastern Province)—The Bill will have a major effect on a number of cities in the province I represent, particularly Benalla, the council of which has expressed considerable concern about the operation of the flood levels it appeared would be set in that city, Wangaratta and Shepparton. It will not have so great an effect on the Rural City of Wodonga because most of the flood-prone land and the floodplains have been purchased by the Development Corporation, and are not available for further development.

I congratulate my Parliamentary colleagues, Mr Wright and Mr Dunn, and the honorable member for Lowan in another place. The honorable member for Lowan, who is a new member, was quick off the mark to perceive the problems in the electorate he represents and to join with the Horsham City Council in dealing with the major problems faced by that city. The honorable member's understanding and quick action deserves commendation.

I welcome the Government's good intentions in this matter. The spirit of the Bill is perhaps best expressed by the remarks made by the Minister in his second-reading speech, when he said:

> I stress that the purpose of this Bill is not to prevent building below the 1 per cent flood level but to ensure that any development below such levels does not impose an unreasonable risk on an individual or on the community and takes place with the full knowledge of the risks involved.

Those are laudable sentiments and, provided that the measure achieves that aim, there is no doubt that every honorable member will welcome it. I am concerned, and this has been indicated by all previous speakers, that there are practical difficulties ahead in meeting the criteria expressed in those remarks.

The simple facts are that a difficult situation has been created by certain Government policies and enactments of Parliament. My opinion is that the 1 per cent flood level is an over-kill. The problem in Horsham is accentuated by the unrealistic level of the 1909 flood. As has been clearly indicated, it is now even less likely than before that a flood of that proportion will occur again, although it may once in 1000 years—one does not know—but the level is far too high. I reiterate that in my view the 1 per cent flood level is also too high. That view is shared by many councils in Victoria, and is certainly the view of some of the councils in the North Eastern Province.

I am concerned at the rush to bring the measure before Parliament and have it passed. Although I recognize and am prepared to go along with the urgency of the Bill, I do so only because of the totally untenable position that has been created in Horsham because of the way in which various Acts are operating at present. If it were not for that untenable position, I would strongly advocate that the Bill should be left on the Notice Paper until the autumn sessional period. I am aware that as yet the date for the commencement of the autumn sessional period has not been set, but I suspect it should begin some time towards the end of February because of the large number of Bills that appear on the Notice Paper. It is now almost half way through December and Christmas is almost upon us. For at least a couple of weeks in the new year not much building or any other activity is likely to take place. Therefore, in practical terms, the hiatus, if Parliament were to meet at the end of February, would not be much more than a month.

I omitted to commend the Minister for Local Government and the members of his staff for dealing with the problem through a sensible and reasonable Bill. As I said, I am concerned to ensure that the measure—and this will be a matter of fallibility and human error rather than a lack of good intention—meets the criteria set out by the Minister in his second-reading speech.

I am also a little concerned that, under the provisions of proposed section 925AA (4) (*a*), the body that sets the flood levels—that is the 1 per cent probability level—appears to be the same body that will advise the Minister administering the Drainage of Land Act and the Minister administering the Dandenong Valley Authority Act 1963—I refer particularly to the Minister of Water Supply, who administers the Drainage of Land Act—the State Rivers and Water Supply Commission. There may be a conflict of interests in that area. That should be recognized and allowed for, otherwise the good intentions of the provision may be eroded by the advice tendered to the Minister by the commission. That must be given due consideration.

The Bill is a sensible means of overcoming a serious difficulty. I commend the Government upon the way it has speedily dealt with the problem. However, because of the need to rush the Bill through the House, the Government may find itself with legislation which will need considerable amendment and wisdom to operate.

The Hon. F. J. CRANTER (Minister of Water Supply)—Mr Mackenzie summarized the Bill well. The measure was drawn up by officers of the Local Government Department, Mr Pentland and Mr Robertson and Messrs Mann, Constable and Campbell of the State Rivers and Water Supply Commission. The Bill results from a co-ordinated effort by

both departments and hopefully it will provide flexibility in the guidelines for building in flood-prone areas.

The Bill has a lot of merit because flooding is a realistic problem that may not have to be faced currently but will have to be faced in the future. Mr Mackenzie is a practical plumber, and he will know the problems that are caused by flooding. Flooding inconveniences people because of damage to sewerage, water and electrical installations. As a boy I attended the Gardenvale State School. I returned home from school one day and discovered that the Elster Creek had flooded my parents' home. Therefore, from personal experience, I know the inconvenience and devastation caused by flooding. In those days, no compensation was paid by the Government from the public purse, whereas today, in many cases, the Government financially assists people who have suffered from flooding.

After a flood has devastated their homes and properties, many people approach me as Minister of Water Supply. They ask me why they were allowed to purchase a property that was likely to be floodprone. I have seen the expressions of sorrow on their faces.

The Hon. W. A. Landeryou—It is not beyond the resources of even your Government to prevent Horsham from being flooded every year.

The Hon. F. J. GRANTER—I will come to that later. Some people purchase homes in summer and when winter arrives their properties are flooded and their furnishings are ruined. Naturally the persons affected do not like that. It is usually those who can least afford to pay, that is, pensioners, who buy cheaper homes and are not advised that there is a possibility of flooding.

The Water Commission is currently carrying out about 60 flood studies. Echuca has been mentioned. Mr Reid, who represents Echuca, has been most vigorous in his representations on behalf of people who have been inconvenienced by the flood levels that have been set. Mr Hann, Mr McDonald and Mr Radford have all made strong representations in the past. Mention has been made that flood levels should be marked. The Bill provides the opportunity for people to obtain that information by way of a certificate.

When I was a member of the Drainage Committee, the committee questioned the Registrar of Titles about the possibility of marking flood levels on titles. The committee was of the unanimous opinion that that should be done. That matter should be examined in the future as a way of providing a safeguard for people who purchase either land or buildings in towns. It does not matter whether those properties are currently floodprone, flood levels should be made known.

Mr Landeryou interjected that the Government could prevent Horsham from being flooded. I do not know whether that is possible. However, it is possible for the Horsham City Council to suggest flood prevention methods to the Water Commission, whether it be by the construction of levee banks or something of that nature. Perhaps floods up to the 1909 levels will not return. However, there is always the likelihood of a major flood like that returning.

The City of Shepparton was mentioned. I can remember in 1974 when Shepparton was flooded and Lake Eildon was not even full. Shepparton was flooded by some of the creeks in the electorate you represent, Mr President, and quite close to your home. Therefore, it is possible that floods will occur even when storages are not full. Today there are many more storages. Once the storages are full, there is no control of flooding.

The Hon. B. P. Dunn—Would the studies not show what the needs are?

The Hon. F. J. GRANTER—A study would show the need to floodproof a town. I do not know whether one could completely floodproof a town. There are 60 studies going on currently. Sale, Traralgon and similar places that have suffered flooding recently, have made application to be included in the study programme. These flood studies will be of immense benefit.

Mr Baxter mentioned the failure of the flood prevention measures and the funding of 80 per cent by the Governments and 20 per cent by local government. The Bill is a step forward in that direction and will benefit Victoria in future.

The Hon. J. W. S. RADFORD (Bendigo Province)—The Bill is a victory for common-sense. Floods have only to be experienced for one to realize what damage can be done. It is unfortunate that the early settlers, for very good reasons, settled close to flood-prone areas, and, as a consequence, many of the river cities have experienced problems in the past owing to buildings and foundations being flooded.

The Bill demonstrates what can be done. The notes on clauses attached to the Bill state that the purpose of the Bill is not to prevent building below the 1 per cent level, but to ensure that any development below such a level does not impose an unreasonable risk on an individual or on the community and that the development takes place with the full knowledge of the risks involved. The Bill should be viewed in the light of that statement.

The flooding problem at Echuca is immense. The 1870 flood level was extremely high. The question arose: What is to be done in 100 years? It is fortunate that that matter has been resolved and, as stated by Mr Reid, the level set is 2 feet below the 1870 flood level. That will protect the City of Echuca for future development.

As the Minister of Water Supply stated, even though catchments can be empty in certain areas, a flash flood will cause damage where one would not expect such damage to be caused. All the preventive work that can be carried out will certainly not prevent future flooding.

The City of Echuca has been well represented by its councillors and officers. Many good ideas were put forward by the mayor, Councillor Brian Wearne, the town clerk, Kevin McCartney and the other councillors and officers. As a result, the Bill is before the House. When I telephoned the Echuca City Council yesterday, the committee that deals with flood levels was meeting. The town clerk informed me that the council was pleased with the Bill, a copy of which I had posted to the council last week. The councillors were of the opinion that, so long as the spirit of the discussions that have taken place were backed up by the Bill, the City of Echuca will be well protected.

I want to clear up one matter. Mr Dunn and some of his colleagues have imagined that I was present at the meeting Mr Dunn referred to at Horsham. So much so, that Mr Wright even wrote me a letter about my "imagined" visit to that meeting. I left the representatives of that area to deal with their problem because I was flat out dealing with the problems in the Bendigo Province.

The Hon. B. P. Dunn—I only raised that matter because I had been informed that you were to represent the Government.

The Hon. J. W. S. RADFORD—I do not know who gave Mr Dunn that information, but I certainly was not there and it was not my intention to be there. I commend the Bill to the House.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 7060)

The Hon. D. G. CROZIER (Minister for Local Government)—I am most conscious at this stage of the sessional period that there is need for some constraint in the comments of any member of the House. However, in view of the very informed debate to which honorable members have listened, one or two comments from me as one of the Ministers responsible for the Bill are pertinent. Although this is a local government Bill it is, as my colleague, the Minister of Water Supply pointed out, very much a joint effort. Indeed, the Bill could not have come before the House in its present form unless co-operation between the departments to which the Minister referred had been given in full measure. I commend the officers of both departments. Clearly this measure has

attracted comprehensive, informed debate from honorable members who obviously have an interest in and considerable knowledge of the subject.

Some criticism did emerge. One was that the Government had taken a long time to respond to this situation. Coupled with that, Mr Wright, Mr Dunn and other honorable members referred to the meeting of 9 August. I cannot say that had I been in the country I would definitely have attended the meeting, although I have always enjoyed going to Horsham and I have a high regard for that city, as have my colleagues. However, I was not in Australia at the time, and if there were any implied criticism for my non-appearance, that was the reason.

The other criticism, which was a muted one, but also implied by Mr Wright and Mr Evans, was that the Bill was being rushed through Parliament. Certainly, the passage of the Bill has been expedited, but the debate has given it ample airing. I recall few measures where a Bill has been expertly dissected almost clause by clause by speakers who have an interest in it, an excellent knowledge of the subject and who are clearly concerned. However, the situation honorable members face will be improved.

I do not intend to traverse this point again, but I cannot emphasize too strongly the need for considerable co-operation between the two departments. What began, as I thought, as a simple change in the building regulations, turned into a joint departmental legislative exercise between two departments. Initially, I discussed the matter with the permanent head of the Local Government Department, Mr George Pentland, who pointed out that under the Local Government Act it was not possible because the power did not exist to simply amend Uniform Building Regulation No. 1701 in the manner proposed. It was then necessary to amend certain sections of the Local Government Act, principally section 925 and also section 926, to create the power. Having decided on this, it was apparent that certain definitions had to be written into the Bill. As a result, the Bill is a somewhat complex legislative measure, but it is obviously well understood by honorable members who have spoken on it. I commend honorable members who have made representations to me—my colleagues, Mr Reid and Mr Radford, with their particular interest in the Echuca area, Mr Dunn, Mr Wright——

The Hon. B. P. Dunn—Mr Hann, in another place, also.

The Hon. D. G. CROZIER—Also Mr Hann in the Echuca area and his colleague Mr McGrath in another place, who was present at the deputation when the mayor and councillors of the City of Horsham put a very effective case. I commend Mr Dunn and the members of the deputation for the way in which the discussion progressed. I mention this mainly to illustrate the point that that sort of consultation is most appropriate and can be effective. That deputation definitely had a bearing on the final draft of the Bill and I certainly give my commendation to the city council, for which I also have a high respect, which did its homework and put, as Mr Dunn has said, a very forcible case.

Having said that, I must reiterate my confidence that the Bill will go a long way towards injecting the flexibility which has been absent perhaps through inadvertence and also through the legal definition of the present Uniform Building Regulation No. 1701. I do not claim, as indeed no one could possibly claim, that any legislation is the last word on any subject and therefore I give honorable members, particularly Mr Evans, an assurance that if, in the light of experience, there is need for further amendment or amendments, naturally the Government will consider the matter. I do not make any apologies for forcing the pace, because to do otherwise would have meant that the situation which has been so well described by Mr Dunn and by other honorable members would have persisted in Horsham and other cities, such as Echuca. This would have locked them into the present inflexible rules with which my colleague, the Minister of Water Supply, and I had come to grips

to inject the degree of flexibility into the regulation, which was not there, and at the same time to recognize the need for a reasonable protection of individuals and communities where such building development may take place.

The Hon. K. I. WRIGHT (North Western Province)—Clause 2 (2) provides:

> In designating a flood level pursuant to sub-section (1) the Authority may designate a level on a basis which allows a risk of flooding to exist in the use of land.

It is reasonable to state that the Bill is a vehicle and that any teeth in the measure will be in the actual regulations. I ask the Minister to indicate the definition of "risk of flooding".

The Hon. D. G. CROZIER (Minister for Local Government)—The tide is starting to come in! As Mr Wright and honorable members realize, clause 2 (2) of the Bill relates to the Dandenong Valley Authority Act 1963 and inserts in it a new section 27B, which permits the drainage authority—in this case the Dandenong Valley Authority—to designate a flood level or flood levels in a particular area.

The Hon. K. I. Wright—The same point applies to section 5 of the Local Government Act.

The Hon. D. G. CROZIER—There is a parallel provision in clause 3 of the Bill whereby under the Drainage of Land Act 1975 the Water Commission, in this case, is permitted to do exactly the same. Before referring to section 5 of the Local Government Act, I shall refer to clause 2 of the Bill which ought to be taken in conjunction with clause 3 for the reasons I have stated. This really has nothing to do directly with the Uniform Building Regulations because it is made clear in the Bill that the drainage authority, of which there are three in the State—the Water Commission, the Melbourne and Metropolitan Board of Works, whose powers are also derived from the Drainage of Land Act, and the Dandenong Valley Authority —will be the responsible authority and part of the responsibility of the authority will be to designate flood levels. So, naturally enough, that authority and responsibility are in no way diminished. These authorities can now give expression to the 1 per cent probability flood level as determined by them and they will not be locked in by perhaps a narrow but certainly correct legal interpretation of the existing regulation No. 1701 in which the words have been appropriately noted in the debate in relation to a flood which "can be reasonably anticipated"—in other words, the flood of record. That is the legal opinion of those words, and this is the nub of the problem. The Local Government Department and certainly the Uniform Building Regulations Committee will not be setting flood levels and while I, as Minister, might have an opinion which I might be prepared to express privately to Mr Wright, it would certainly be inappropriate for me to express it in the Chamber, because my views as an expert rank with those of any other honorable member, although living on a river and having had some experience of that river in flood, I do have certain memories and certain views. However, clause 2 relates to an amendment to the Dandenong Valley Authority Act and clause 3 is a similar amendment to the Drainage of Land Act.

The clause was agreed to.

Clause 3 (Amendment of No. 8811)

The Hon. K. I. WRIGHT (North Western Province)—I refer the Minister to a small point in clause 3 (3) (*a*) which provides.

> Publish in some newspaper circulating generally in the locality notice of that designation.

I suggest to the Minister that it may be more accurate if the wording required publication in a local newspaper because in a country area the *Sun* and the *Age*, which are certainly general, would perhaps be purchased by only 25 per cent of the people whereas there would be a wider readership of a local newspaper.

The Hon. D. G. CROZIER (Minister for Local Government)—My interpretation of those words is not identical with the interpretation given by Mr Wright. His concern is not well-founded because those words are fairly stereotyped and standard and clearly

connote that the sort of local newspaper to which Mr Wright refers would be the one to which clause 3 (3) (*a*) applies. If there were any possible doubt about it, I am quite certain that that deficiency or any similar deficiency could and would be readily corrected by administrative action.

The clause was agreed to, as was clause 4.

Clause 5 (New s. 925AA inserted in No. 6299)

The Hon. D. M. EVANS (North Eastern Province)—I expressed some concern during the general debate on the Bill about clause 5 (4) (*a*) and the advice given to the Minister, which should be very clearly defined as separate from the advice given on the setting of the 1 per cent probability flood level. I would appreciate some comments from the Minister that those two functions will be clearly separated in the minds of the Minister and of the department at the time that advice is given. I should be clear that there is no conflict. It has already been expressed that the way in which the regulations are administered will be effectively a most significant portion of the operation of the Bill.

The Hon. D. G. CROZIER (Minister for Local Government)—Clause 5 (4) (*a*) is quite specific in this regard. It simply provides the added safeguard that the Minister administering the Drainage of Land Act, which is my colleague, the Minister of Water Supply, will be consulted by the Minister for Local Government before a permit is issued in these circumstances. Clearly the Minister of Water Supply will have a view, reinforced by his professional advisers, and clearly the specified flood level, as defined in this Bill and which relates to the designated flood level, will have a bearing on that view. The Minister for Local Government will have a view, and between them, they will be entitled to arrive at a consensus which I am confident will be forthcoming in any case.

The intention is plain. It is to give an added degree of safeguard to the granting of a permit in these circumstances, as delineated in clause 5 (4) which, in my view, is appropriate. It certainly relates to the designated flood level, but does not necessarily mean the designated flood level. As can be seen, this clause specifically is to permit the erection of a building which allows the surface of the lowest floor of that building to be constructed at a level at or below the specified flood level. I do not believe there is likely to be any difficulty with this clause; it is simply a safeguard clause; the potential is there, on occasions, for some difference of opinion, as inevitably there will be between the municipality, as the responsible planning authority, and the drainage authority. That is the sort of conflict that is accepted but, if common sense prevails, a reasonable compromise can be anticipated in those cases.

The Hon. D. M. EVANS (North Eastern Province)—I expect that there will be a number of important factors in making that decision. One may be the degree of development surrounding the stream which is the subject of flooding. The Minister of Water Supply mentioned Elster Creek at Gardenvale. I understand that a good deal of the flood level there would be caused and increased by the degree of urbanization surrounding the drainage areas of that creek. For example, if rain falls on farmland, there is a degree of absorption, but if it falls on sealed roads, the degree of absorption is nil.

The next point that should be taken into account is the speed of the flood water. For example, in an area that is flood prone in steep country, the water would come through at a force, and would not only flood houses and buildings but would create substantial pressures. There would also be a danger to life because of the fast rate of flow of the water. There may not be three or four days' warning as at Shepparton, or some weeks' warning as at Mildura. These are factors that must be taken into account; also, the ability to gain ingress and egress to the flooded area needs to be considered. It is relevant to mention those matters because they are factors that may be important. They are relevant to the development of the land and to the interpretation and operation of this clause.

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.

RACING (FINANCIAL PROVISIONS) BILL

The debate (adjourned from November 29) on the motion of the Hon. F. J. Granter (Minister of Water Supply) for the second reading of this Bill was resumed.

The Hon. R. J. EDDY (Thomastown Province)—This is an important Bill. At this time of the sessional period, usually a Bill dealing with racing is introduced into the House and this is another occasion when this has occurred.

The Bill increases the commission deducted from trifecta totalizators and alters the formula for the distribution of this commission. The Bill also empowers the Treasurer to guarantee the repayment of loans raised by the Totalizator Agency Board. It will also insure the Department of Youth, Sport and Recreation, as well as the Racecourses Development Fund, against a loss of income if there is a transfer of investments from other types of betting. The racing, trotting and greyhound clubs will also benefit from the increased commission.

This new form of betting, known as the trifecta, is a popular form of betting that has lured many punters away from the quadrella and daily doubles, both of which contribute 2 per cent to financing the Department of Youth, Sport and Recreation. Currently, the rate of commission on the multi-betting types, such as the trifecta, is 15 per cent, although commission at the rates of 17 per cent and 19 per cent is deducted from off-course daily doubles and quadrella totalizators respectively. The trifecta is now being brought to the level of the daily double at 17 per cent, so as to provide 2 per cent towards the Department of Youth, Sport and Recreation to keep it buoyant.

In his second-reading speech the Minister said that by lifting the rate of commission on the trifecta from 15 per cent to 17 per cent, Victoria would be brought into line with New South Wales. Overall, this is not true. It is true only in respect of trifecta bettings. The Victorian punter receives 1 per cent less than the New South Wales punter, because in New South Wales the punter receives 86 per cent on his win, place and quinella bets, and the Victorian punter receives only 85 per cent. In New South Wales again, the punter not only receives back the 50 cents that he invested on the horse, but he is guaranteed a dividend of 52 cents whatever the price is. The Victorian Government is taking millions of dollars in fractions by underpaying the dividend. That is self-explanatory because, on many occasions, punters in Victoria betting on the Totalizator Agency Board find that they receive only 50 cents back.

The Department of Youth, Sport and Recreation is relying more and more on the Totalizator Agency Board punter to finance expenditure within the department. I shall quote the figures which indicate what has been received from racing by the Department of Youth, Sport and Recreation. In 1975–76 the department received $6·2 million of $9·1 million from racing, which is approximately 66 per cent. In 1976–77 the department received $6·7 million of $8·7 million from racing, which is 75 per cent. In 1977–78 it received $7 million of $8·3 million, which is 85 per cent.

The Department of Youth, Sport and Recreation and the Government have done extremely well and I do not know what they would have done without the moneys derived from betting on the Totalizator Agency Board. Large amounts from the Totalizator Agency Board have also been paid to the Hospitals and Charities Fund, and I will quote figures for the past three years. The years run from August to July, and I shall start with the figure from August 1976 to July 1977. In that period, the Hospitals and Charities Fund received $31 646 363 from the Totalizator Agency Board. For the period, August 1977 to July 1978, the amount was $33·034 million and for the period August 1978 to July 1979, it was

$33·891 million. Those are enormous amounts and as I have already indicated the Department of Youth, Sport and Recreation relies solely on moneys derived from punters who enjoy a bet on racing through the Totalizator Agency Board. It should also be noted that the Hospitals and Charities Fund relies heavily on moneys received from the Totalizator Agency Board.

In my opinion Tattersall's should also subscribe some share of moneys it receives from people who invest in Tattersall consultation tickets and Tattslotto but this is not happening and, instead, the Government and the George Adams beneficiaries are receiving most of the money.

There is no doubt that most sporting clubs depend on the racing fraternity. If one examines the annual report one finds that, for 1976–77, youth building projects were subsidized to the extent of $309 793 and the salaries of municipal recreation officers by an amount of $142 000. That subsidy is paid to local government bodies who employ recreation officers. I appreciate the work that they do and the Government should also appreciate that it relies heavily on punters who use the Totalizator Agency Board because it is those punters who provide the funds which enable the Government to make these moneys available.

I repeat that the Fraser Government must be condemned for the way it has severely reduced the level of funding for sport in Victoria. The Federal Government continued sport funding for only twelve months after the Whitlam Government had promised funding for specific sporting programmes.

The Hon. H. M. Hamilton—Of course, the Whitlam Government promised everybody everything.

The Hon. R. J. EDDY—I notice that it hurts, when one mentions these things.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—What hurts me is that there is nothing in the measure about the Commonwealth Government and I cannot see the relevance of what the Commonwealth Government has done to a Victorian racing Bill.

The Hon. R. J. EDDY—I am referring to sport.

The DEPUTY PRESIDENT—I am referring to the Bill.

The Hon. R. J. EDDY—I am on the Bill, Mr Deputy President. Honorable members must realize that the Government has allocated funds to the Department of Youth, Sport and Recreation to enable it to carry on its good work, but that funding is only made available through investments made on the Totalizator Agency Board by followers of the racing industry.

The clubs which are not receiving a fair go are the country clubs. When one considers Government policy on funding of country clubs and hears of the complaints continually being made by country clubs threatening to close down or cancel meetings because they have no funds, one realizes how heavily the Government relies on funds from punters who support the Totalizator Agency Board. This year the greyhound racing industry clubs received less to run their clubs than they did last year.

The Hon. F. J. Granter—The investments on the Totalizator Agency Board are not coming from greyhound and trotting meetings to the same extent.

The Hon. R. J. EDDY—That is true, and the Government must do something to improve the position. I submit the Government is taking too much away from the industry by retaining too much commission.

The Bill will permit trifecta betting on international events, such as the English Derby, the Grand National at Aintree, international trotting events in America and the Wellington Derby. As honorable members know, most of those events are televised within Victoria and trifecta betting on those events is a natural progression for the industry to take.

This is an extremely important measure which affects the Department of Youth, Sport and Recreation and all sporting bodies which receive support from funding obtained through the

Totalizator Agency Board. For those reasons the Opposition has much pleasure in supporting the Bill.

The Hon. K. I. WRIGHT (North Western Province)—There was an old saying, "Horses for courses" and it is particularly appropriate that the Minister of Water Supply should be the Minister in charge of this measure. If ever there was a man who has taken a keen interest in racing and given of his best to the sport, it is the Minister of Water Supply. I must indicate that we are looking forward with pleasurable anticipation to the Minister attending the Mildura Racing Club meeting on 16 February next year.

This measure does three main things. Firstly, it increases the commission deducted from trifecta totalizators from 15 per cent to 17 per cent to bring it into line with the deduction in New South Wales. Secondly, it provides for the Totalizator Agency Board to conduct its own trifecta totalizator pool on interstate and overseas events where no on-course trifecta totalizator is operating and, thirdly, it empowers the Treasurer to guarantee the repayment of loans raised by the Totalizator Agency Board. My colleague, Mr Evans, has pointed out that there is no limit on the amount of the loan. It is possible that that aspect is covered in the principal Act. However, perhaps in his reply to the second-reading debate the Minister could indicate the limitation on the amount of the loans which can be guaranteed by the Treasurer.

It is a fact that the trifecta is popular, and only several weeks ago I attended the Mildura Racing Cup meeting and one of my former colleagues on the Mildura City Council was able to win the trifecta—of course, we were pleased about that!

The increased commission will be a direct benefit to racing, trotting and greyhound clubs as they will receive an extra 0·75 per cent of turnover in commission from on-course totalizator investment. The bulk of the totalizator commission goes to the Consolidated Fund and to the Hospitals and Charities Fund. The National Party supports the Bill because it increases the revenue made available to our hospitals, to the Department of Youth, Sport and Recreation and to racing, particularly as it increases the funds available for country racing clubs.

I commend Mr Eddy, the spokesman for the Labor Party on this subject, for his perspicuity and his forward-looking attitude on this subject. Most country clubs have maintained good racing over the years. For instance Kaniva—many honorable members will know Councillor Bill Hicks, a leading member of the racing club. I also refer to the courses at Warracknabeal and Cobram and the encouragement of honorable members, I mention that although I am not really a regular racegoer, I have had the privilege of presenting the Manangatang Cup, the Wycheproof Cup and also the Mallee Cup at Mildura.

Honorable members are concerned that this measure is unable to substantially increase the stake money available to country clubs. It is a matter of concern to country clubs—Mr Eddy also referred to this matter. It is possible to increase sponsorship and to obtain trophies, but there is a limit on how far country clubs can go in that direction. It is becoming increasingly difficult for small country clubs to obtain sponsorship. In fact, clubs in the Port Phillip racing district, which includes Mornington, Pakenham, Geelong, Werribee, and so on, are experiencing the same difficulty. If television coverage can be obtained for the meetings, that is a help but, otherwise, racing in the area affected will decline. The Swan Hill Racing Club has the benefit of television coverage and its cup meetings are colourful occasions.

Another avenue of revenue open to country clubs, apart from revenue received through the Totalizator Agency Board and their own on-course totalizator operations, is the commission on bookmakers' turnover. However, it is regrettable that starting-price bookmakers in this State are deriving a tremendous amount of income from the racing public in Victoria. It is essential

for the Government and the Police Department to take strong action, such as has been taken in New South Wales, to stamp out starting price bookmaking which has increased considerably because it has dire effects on Government revenue and, particularly, country racing.

The Mildura Racing Club has tremendously improved its facilities. The club has an energetic committee which has put in thousands of man-hours to improve the course and its efforts have gone a long way towards improving racing in the locality.

A grass track, new running rail, office and committee room and refreshment room—not a bar—in fact a magnificent building has finally been constructed out of the revenue available from the development fund. I pay tribute to the Secretary-Manager of the Mildura Racing Club, Mr George Tilley, who has spent much of his spare time doing this work.

It is extremely difficult for country clubs to plan for the future in the same way that the metropolitan clubs with their rich stake races can plan. The first $100 000 race was held in Perth, Western Australia, and the metropolitan clubs in Victoria, New South Wales and other States followed suit, so that extremely high stake money is available to metropolitan clubs at a time when more help is needed for the country clubs to enable them to keep their place in the overall racing picture. An examination of the allocations made to most clubs in the last financial year reveals that most have been decreased. On this question, I have had discussions and correspondence with Mr Jack Feeny, who is well known in racing circles in St Arnaud. He is not an office bearer of the St Arnaud Racing Club but draws attention to the inequitable division of funds between the various clubs. Mr Feeny has claimed that on Caulfield Cup Day, 21 October 1978, 135 acceptors raced for advertised prize money of $284 000, while at various country clubs throughout Victoria on the same day 510 acceptors raced for a total of $29 320 of advertised prize money. In other words, approximately 21 per cent of racehorses competed for approximately 91 per cent of prize money and approximately 79 per cent of horses competed for 9 per cent of prize money in country areas. Honorable members will agree that this is not a fair collection of the division of funds.

In reply to a letter I wrote to him, the Acting Minister for Youth, Sport and Recreation, Mr Ian Smith, made a number of points on 8 January 1979. He pointed out that today although only 19 per cent of Totalizator Agency Board investments are lodged in the country 40 per cent of Totalizator Agency Board profits go to country clubs. He went on to say that from Caulfield Cup Day 1978, which Mr Feeny used in his comparisons, country clubs will share approximately $64 000 from the net revenue accruing to racing from the Totalizator Agency Board turnover of $4·5 million.

He pointed out that in the country there are 78 race clubs of which 18 are classed as Totalizator Agency Board clubs and hold one or more meetings on Tuesdays, Wednesdays or Thursdays. The remaining 60 clubs are grouped as "non-tote clubs". Generally these clubs race on Saturdays and public holidays. All country clubs which conduct Totalizator Agency Board meetings are reimbursed from these meetings in the proportion investments on their meetings bear to total investments.

The Minister further pointed out that the non-tote meetings share 8·75 per cent of the Totalizator Agency Board surplus. Distribution is made in proportion to prize money, representing 80 per cent, and the number of starters, 20 per cent. He also indicated that in 1958—that is, pre-Totalizator Agency Board—prize money for the four country meetings held on Caulfield Cup Day averaged $462. In twenty years to 1978, the average of seven meetings increased to $5245. During that period prize money multiplied 11·35 times. In the same period prize money at Caulfield multiplied 6·79 times.

In answer to the Leader of the Opposition who asks by interjection about my winnings, I have had a modest share of success in my annual wagers at the Mildura Cup. After discussions with Mr Feeny——

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—For the benefit of Mr Wright, I will read a short passage from page 414 of *May* which states:

An attempt to influence the course of a debate by the reading of arguments or letters from persons of authority outside is repugnant to the spirit of debate.

The Hon. K. I. WRIGHT—Mr Deputy President, what do you mean by "outside"?

The DEPUTY PRESIDENT—Mr Wright appears to be reading from letters too often and not contributing his own thoughts to the debate. He is contributing the thoughts of others. It states further in *May*:

An honorable member should not debate by proxy.

I make that suggestion to Mr Wright.

The Hon. K. I. WRIGHT—Mr Deputy President, I will accept your advice.

The DEPUTY PRESIDENT—It is the advice contained in *May*.

The Hon. K. I. WRIGHT—How can I quote statistics and attendance numbers at country meetings and statistics regarding stake money paid at racing meetings unless I can quote from figures supplied to me by the clubs?

The DEPUTY PRESIDENT—I ask Mr Wright not to make a speech from the letters he reads.

The Hon. K. I. WRIGHT—I shall round off my remarks by reiterating that the National Party and I believe—obviously, Mr Feeny and the other race clubs agree—that the country racing clubs are receiving an unfair deal with regard to stake money provided to them from the various avenues of betting in Victoria which raise large sums of money. If starting-price betting can be eliminated in Victoria more money will be available to develop racing and for the benefit of the Department of Youth, Sport and Recreation and many of our hospitals. The National Party supports this measure.

The sitting was suspended at 6.23 *p.m. until* 8.4 *p.m.*

The Hon. N. B. REID (Bendigo Province)—The Bill is a forward move in the progress of the racing industry. As honorable members will be aware, some difficulties have been experienced in the racing industry in Victoria over the past couple of years. During 1978 extensive lobbying took place in the racing industry to try to obtain sufficient funds to keep it viable.

In an article in the *Herald* of 3 August the Chairman of the Victoria Racing Club, Mr Rupert Steele, was reported as having spoken strongly about the setbacks which the racing industry was suffering and having said that it was finding it hard to make ends meet. He said that about 400 000 people were involved in the racing industry, but that is an extremely conservative figure. The people involved both directly and indirectly in racing include horse breeders, trainers, owners, jockeys, farriers, who keep the horses on the tracks, the catering industry, which has a strong interest in provision of services to the racing industry, and, of course, the Totalizator Agency Board, which is the main service agent of the betting industry in Victorian racing.

When the Chairman of the Victoria Racing Club, Mr Steele, brought this to the attention of the Government, it was not slow to react to the pressures that were brought to bear on it from the racing industry, because the Premier and many members of the Liberal Party realize how important the racing industry is to Victoria and that it affects a wide variety of industries.

An article appeared in the *Herald* of 17 August entitled "More Racing Aid, $1·5 million for new tote gear" stating that the Premier also indicated that the Victorian Government would provide an additional 0·25 of 1 per cent of Totalizator Agency Board turnover towards the cost of new on and off-course totalizator equipment. I am

pleased that that has now occurred and that the new totalizator equipment is being installed.

The Minister of Water Supply would be aware that the Bendigo Jockey Club is the recipient of a new on-course totalizator building, which is under construction. It will be a welcome addition to the facilities at the Bendigo Jockey Club's racecourse, which is one of the finest tracks in provincial Australia. The club runs the Bendigo Cup meeting and also a number of other successful racing programmes.

During the dark days of the racing industry in 1978 and earlier, the Chairman of the Victorian Country Racing Council, Mr David Bourke, told a meeting of country clubs and the Victoria Racing Club that some country clubs had been forced to reduce their stake money considerably because of the fall in Totalizator Agency Board turnover. The stake money for races was falling below the inflation rate, and the industry was not attracting the quality of horses that it had previously attracted. Mr David Bourke also brought this to the attention of the Government. Following representations from the Victoria Racing Club and the Chairman of the Victorian Country Racing Council, the Premier indicated during the latter part of August that the Government would make a major contribution to racing and would allow a further $2·45 million for general assistance to racing clubs. The honorable gentleman also announced the proposed Totalizator Agency Board distribution of $20·05 million from the 1978–79 season, making a total amount of $22·5 million added to the racing scene.

This contribution has put racing back on its feet again, and it is interesting to read the 1979 annual report of the Totalizator Agency Board, which shows that the figures have increased slightly for the year. However, the increase has been only slight and it is rather alarming to the Chairman of the Totalizator Agency Board. The turnover for the year was $585 279 125, which was an increase of only 2·35 per cent on the previous year. That is a slight increase and does not keep up with the inflation rate. Funds made available for distribution to racing, trotting and greyhound clubs amounted to $20·631 million which was an increase of only $510 000, which is 2·53 per cent more than the previous year. It is obvious from these figures how difficult it is for racing clubs to try to maintain their level of stake money when the increase in turnover is so small.

The Minister of Water Supply has really stirred my interest in racing; I did not know much about racing until I became involved with the Minister who is a keen racing enthusiast, and he inducted me into the world of racing. Over the years he has owned some interesting horses—Hot Touch and Orange Touch, which had some success. Once my interest in racing was aroused, I realized there was a lot more to horse racing than I had ever imagined. Since then I have taken a much keener interest in racing, and this interest has been further spurred along by my eldest daughter who is also a horse enthusiast, although not in the racing area. She has a racehorse which was bred by Mr Bill Lienhop, the son of Sir John Lienhop, the former member for the Bendigo Province.

The racing industry is a large industry, as I am sure members opposite appreciate. It would be worth considering having a Minister responsible solely for racing, when one considers the large turnover of $585 million of the Totalizator Agency Board. This figure represents a big interest and significant amount in the State's financial scene. This is obvious when one examines the annual report of the Totalizator Agency Board and discovers that since 1961 the Hospitals and Charities Commission has received a total benefit of $259 765 687, which is a tremendous contribution to Victorian hospitals. Since the Department of Youth, Sport and Recreation has been receiving funds from a portion of the operations of the Totalizator Agency Board, it has received $36·533 million. That is a significant amount

and makes a major contribution not only to racing but also to other sports. Probably every member in this House has at one time or another made an approach to the Minister for Youth, Sport and Recreation for funding for a community sporting project within his electorate.

It is interesting to learn from where those funds originate, how they are applied and the amount of revenue that has been derived from the Totalizator Agency Board for other sporting activities.

The annual report of the Totalizator Agency Board for 1979 shows that the total turnover in country racing has increased by only 3·08 per cent, even though there has been an increase in the number of meetings. In 1978 a total of only 215 meetings was held, whereas in 1979 the total increased by just over 3 per cent to 222 meetings. It is important for the industry to remain viable because of the large number of people involved in it.

As I said, the racing industry needs help, particularly in the trotting area, and country trotting needs additional funds. A number of projects in country Victoria require development, and country trotting is not receiving the financial support through the Totalizator Agency Board that it previously enjoyed.

The industry was in a non-growth situation during 1978–79 and suffered a downturn in the Totalizator Agency Board's takings of 0·1 per cent which was quite startling when one considers that approximately the same number of meetings was run as in the previous year. The industry went through a period of impressive growth in all areas of racing from 1971 to 1975. In that time the Totalizator Agency Board's turnover doubled, but the stage has now been reached where the figure is levelling out and a smaller growth is occurring in racing overall. In the four-year period from 1975 to 1979 there has been an increase in the Totalizator Agency Board's turnover of less than 50 per cent, whereas as I have indicated, in the previous four years it had doubled.

Country trotting could be helped in a number of ways. Several projects need to be funded from the Racecourses Development Fund. The track at Bendigo requires extensive funds for redevelopment. It has been incorporated with the greyhound complex and is making solid progress, but there is a need for a new grandstand, and money will be required for totalizator facilities, the installation of permanent track lighting, an extension of the betting shelter and the construction of new horse stalls as well as administration facilities. Similar facilities are required at other places, including Bendigo and Hamilton. Horsham is also seeking funds for the development of its trotting facilities, as is Terang and Echuca.

As all honorable members know, trotting has its real base in country areas. Trotting has always had its base in the wheatlands, as in America, and it has developed in those areas over the years. It is essential that the racing facilities there be kept at a high level. The crowds attracted are extensive. The sport is well supported throughout country Victoria and it is important that all the clubs be supported financially in the provision of better facilities. I refer to areas such as Maryborough, Wangaratta, Ballarat and——

The Hon. H. R. Ward—Cranbourne.

The Hon. N. B. REID—And Cranbourne. Every country trotting track needs some additional finance to provide better facilities for trotting.

The Hon. R. J. Eddy—What about Keysborough?

The Hon. N. B. REID—I am glad that Mr Eddy mentioned Keysborough. One of the reasons I mentioned the requirement for additional funds for all country courses was to point out that, if Keysborough is developed in the future, obviously country clubs will suffer and will not receive the funding they require. I have looked at the submission on Keysborough presented to the Minister. I am not convinced that it is feasible to establish a trotting complex there. Many questions still need to be answered. My assessment of the report was that large sums of capital would be involved—somewhere

in the vicinity of $8 million to develop Keysborough initially and probably, over the years between $14 million and $15 million.

I shall comment on some of the areas that the study covered in relation to the proposed Keysborough complex. In May 1977 and February 1978 the departmental committee of the Minister requested an extension of the study into Keysborough in the following areas: Practicability of completing the proposed development in stages, and viability of finance for the project on a stage basis without prejudice to country development. I wish to speak on the latter point. Country trotting could suffer with the establishment of the Keysborough complex. The country is providing the horses, and the training facilities but amenities need to be upgraded and further facilities provided. If Keysborough were built, it would prejudice the development of country trotting.

The other part of the request by the Minister on that study was environmental issues, if any, associated with the project. I do not wish to comment on that. I reinforce the opinions from country trotting interests that it is important to keep the trotting industry viable in country Victoria and it is important that country tracks do not suffer. If money were allocated to the development of Keysborough, it would prejudice the development of country tracks throughout Victoria.

The recent report of the Totalizator Agency Board refers to the Tabella which is run on the Victorian Football League football. I believe it is a dead duck. It contributes a minor part of the Totalizator Agency Board's turnover—0·04 per cent of the total. When most people have finished their sport in the winter they usually ask who won the football. All they are interested in is who were the winners and by what margin. The Totalizator Agency Board could well develop that theme by allocating each club a number from 1 to 12 and requiring that people elect the winners from 1 to 6 in their correct order and with the winning margin. The pool derived from that would increase the Totalizator Agency Board's turnover and the dividends to the Department of Youth, Sport and Recreation which are used for all sporting facilities within Victoria.

The Hon. H. R. WARD (South Eastern Province)—I support the Bill strongly. The racing industry which is so often maligned employs about 30 000 people directly in horse racing and, as mentioned by Mr Reid, provides funds for the Department of Youth, Sport and Recreation. Throughout Victoria applications are made to the Department of Youth, Sport and Recreation for funds for facilities and the department is able to assist young people, particularly in country areas.

During the course of the preparation of this Bill a meeting was held with the racing industry to establish how the trifecta system would work. At that time the Premier and the Government declared that the service provided by the racing industry would be maintained and that country areas would not fall behind city areas in this regard.

Part of the problem that exists in the racing industry at present, particularly in country racing, has been caused by the northern areas of Victoria being shortsighted in allowing mid-week racing to be developed in the city areas. The country areas are now suffering but they choose to forget that this occurred. They were warned by people who investigated the racing industry in New South Wales that this could occur, but they did not listen.

A submission was made by the Victorian Country Racing Council for assistance. The working party which carried out the work on the establishment of the trifecta, which was to provide a deal of extra money, made it clear that to enable stakes to be restored to the same proportionality with city clubs which existed a few years ago, the amount of $700 000 was required for country areas. Those areas receive $400 000, leaving a $300 000 shortfall. This is a considerable amount. The concessions to metropolitan clubs from bookmakers' turnover tax and on-course totalizator commission

amount to $1 173 000, whereas concessions to country clubs amount to $413 040. As 40 per cent of the Totalizator Agency Board's investments are made in country areas, 40 per cent of the board's surplus is returned to those areas, but it is much less than is required.

The lower earning capacity provided through the intrusion of racing in the metropolitan area has caused the proportion of the amount of moneys available to country clubs to fall to about 26 per cent. The working party advised the Minister and the Victorian Country Racing Council that at the time about 72·7 per cent of the bookmakers' tax and on-course totalizator dividends went to the city area, and about 27 per cent went to the country areas. In the two years up to the time when the working party was in action, the city stakes increased by about 40 per cent, whereas the country stakes rose by about 8·5 per cent. Mid-week stakes in the city rose by about 33 per cent, but in country areas stakes rose by about 3·4 per cent.

In 1976–77 country stakes were equal to about 38 per cent of all prize money in Victoria but last year they decreased by about 6 per cent. To provide the amount of money necessary to bring country stakes up to about the $4·4 million required, an increase of $700 000 is necessary.

The Victorian Country Racing Council made a submission during the course of the preparation of the Bill that this short-fall in the country clubs' share could be made up by increasing the bookmakers' turnover tax by 1·35 per cent. That would provide $720 000. There is a list of other figures and requirements, such as increasing the on-course totalizator win and place holdings by 2 per cent and other bets by 2 per cent, plus a rebated commission. All in all, that would provide an additional $720 000 plus $417 000 from the on-course totalizator, which would have provided approximately $1·1 million which, with the deduction of the normal benefits of $400 000, would provide the $700 000 extra required. To provide all of those facilities, the Bill sets out that from the commissions the Consolidated Fund will get 5·25 per cent, racecourse development, 1·25 per cent, the Department of Youth, Sport and Recreation 2 per cent, the Totalizator Agency Board 8·25 per cent and the Development Reserve 0·25 per cent, making a total of 17 per cent. In effect, country racing has suffered an immeasurable loss and to maintain its service it requires the amount to be made up. If the service is to be maintained, the Government must reconsider the matter and the Treasurer must refund the $300 000 to enable stakes to be provided so that those who are employed in the industry can be retained. That action must be taken immediately.

I support the Bill so far as it goes. Overall, country racing is losing some $300 000 and moving backwards. This is due to mistakes made a few years ago by divisions in the Country Racing Council.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6353 s. 102)

The Hon. F. J. GRANTER (Minister of Water Supply)—The House has been treated to a good résumé of what happens in country racing around Victoria. I am sure Mr Walker will venture into the country to see the facilities provided at country clubs. Country race meetings are an education and an enjoyable day out is had by all who attend country meetings, either midweek or on Saturdays.

Let me reply briefly to a few of the comments made. Mr Eddy stated that in New South Wales an investment of 50 cents actually pays 52 cents as a winning bet, and not 50 cents. I think a fraction is usually 5 cents and the payout should be 55 cents. I go along with Mr Eddy on that recommendation.

The public has benefited from racing, whether through the Department of Youth, Sport and Recreation or through

the public hospitals. The amount contributed this year from the TAB is some $41 million, which is a considerable amount.

The Hon. D. E. Kent—It was public money.

The Hon. F. J. GRANTER—It is a public investment. The public chooses to make its investments and to get its enjoyment in this way. If Victoria or Australia did not have racing, its public utilities would be much poorer.

The Hon. D. E. Kent—It is public money which the Government could get from direct sources.

The Hon. R. A. Mackenzie—What about all the broken homes?

The Hon. F. J. GRANTER—One could always talk about broken homes, no matter what the Government did, whether caused by gambling or by other avenues. Whether from gambling on racing or on Tattersall's, these funds contribute much to the State of Victoria. Racing contributes not only so far as dividends from investments by the public are concerned; it also brings many tourists to Victoria. A great spirit is created throughout the State during the Melbourne Cup carnival, the Geelong Cup carnival or the Bendigo Cup carnival. Mr Wright and Mr Reid aptly described what happens in their areas, in both racing and trotting.

Mr Ward raised an interesting aspect concerning the amount of money owing to country racing. I suspect it is owed by the Treasury. I believe the $300 000 must be in the Treasury. The Victorian country racing clubs believe the amount is owing out of the formula produced by the working party and agreed to by the Government. I shall take the matter up with the Treasurer.

I do not believe I can add anything more at this stage. I thank those honorable members who contributed to the second-reading debate.

The clause was agreed to, as were clauses 3 to 6.

Clause 7 (Amendment of No. 6353 s. 1161A)

The Hon. K. I. WRIGHT (North Western Province)—The proposed new sub-section states that the Treasurer may execute, in favour of any institution, person or body lending money to the board, a guarantee for the repayment thereof. Earlier, it was queried whether there was any ceiling on the amount that may be guaranteed. Can the Minister enlighten the House on that matter?

The Hon. F. J. GRANTER (Minister of Water Supply)—I cannot enlighten Mr Wright on the ceiling, but I can assure the House that the Treasurer will authorize borrowing only in the light of the Loan Council approvals. Before the Totalizator Agency Board can obtain a loan, it must obtain authority from the Treasury, and that will be the ceiling which will apply to any loan approval.

The Hon. K. I. Wright—It would be a conservative amount?

The Hon. F. J. GRANTER—Yes.

The clause was agreed to.

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

SHIRE OF OMEO (TOURIST GOLD MINE) BILL

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

That this Bill be now read a second time.

This is a Bill to authorize Omeo Shire Council, in association with a mining consultant, Tallangalook Pty Ltd, to enter into an agreement with a mining company, Ashton Mining NL, to explore and mine for gold on a Crown reserve for public purposes known as the Oriental Claims Reserve. The potential of this site for a profitable mining venture was brought to notice as a result of a study undertaken for council under the terms of the National Estate Programme 1977–78 entitled "Preliminary Study of Mining Sites".

The council is a committee of management for the reserve and, under the terms of the proposed agreement, the mining company will carry out the work and council will share in any

earnings from the venture. The reserve is about 3 kilometres south of Omeo, is about 38 hectares in extent and contains large deposits of alluvium which were worked by a series of prospectors and companies between 1856 and 1904. The deposits, which are about 30 metres deep, are believed to occupy the bed of an ancient mountain lake and are auriferous for almost the complete depth. Work on the site ceased in 1904 when the Sludge Abatement Board stopped the discharge of waste into an adjoining creek. The name of the reserve is derived from the Oriental Sluicing Co. which worked there. The shareholders of the company were all Europeans but Chinese mining groups also worked in the area.

Legislation is necessary to enable the shire council to participate in the venture because the powers vested in municipal corporations do not include power to explore and mine for gold, or to take out leases and licences and enter into agreements with respect to such matters.

The Bill—

1. validates the issue to the council of an exploration licence under Part V. of the Mines Act 1958 which licence is now held by council and Tallangalook Pty Ltd;

2. authorizes the Governor in Council to grant a lease under the Mines Act to council, either alone or together with any other person, for the purpose of mining for gold on the Oriental Claims Reserve;

3. authorizes the council to enter into an agreement with any other person with respect to—

(i) exploring and mining for gold;

(ii) applications for licences and leases under the Mines Act and the disposal of an interest in any licence or lease;

(iii) the exercising by a party to an agreement on behalf of council and any other party to the agreement of the rights of council and the other party under any lease or licence; and

(iv) the payments to be made by the parties under the agreement;

4. requires that any such agreement must include an indemnity to the council against all claims, costs and demands arising out of the conduct of the exploration and mining operations;

5. authorizes the council, with approval of the Minister, to apply money out of the municipal fund for or towards any payment in respect of any licence or lease or any agreement authorized by the legislation; and

6. requires that any moneys received by council from the venture shall be kept in a separate fund and applied for the promotion of tourism and the provision of attractions and facilities for tourists in the shire.

I commend the Bill to the House.

The Hon. G. A. S. BUTLER (Thomastown Province)—The Minister has outlined the major reasons for this venture. The House has decided that the public hospitals and the Department of Youth, Sport and Recreation ought to be funded from gambling on the Totalizator Agency Board, so perhaps it is only appropriate that local government should at last get into another area of gambling. Although racing is the sport of kings, perhaps gold mining could be described as the sport of the working class of Australia, because that is the basis of its foundation. However, the Opposition does not oppose the Bill. In fact once the Bill is passed I may go to the three municipalities in the province I represent and suggest that they obtain gold mining leases. It might be possible to strike it lucky out there. It seems necessary, because the more I look at the Budget the more obvious it becomes to me that Thomastown Province will get money only if it makes it itself.

I am worried that the shire will receive only 3 per cent royalty. I am a firm believer in the "winner take all" attitude and I should have hoped that in this enterprise the Shire of Omeo might have been given a better royalty rate, although it is in keeping with current business practices because it

seems that we are happy to give our coal and other resources away to everybody, particularly mining interests. Unfortunately, the best offer made to the Shire of Omeo prior to the Ashton Mining No Liability offer was 2 per cent and I suppose the addition of 1 per cent is a great improvement.

The Australian Labor Party believes in Australia owning and exporting its own resources, but because of the lack of Government funding for tourism, the Omeo Shire Council has taken the initiative. The Shire of Omeo hopes to make a few dollars from mining to allow it to install tourist attractions. The shire is to be commended, but the Government is to be condemned because it has not provided the funding and it should have done so. After listening to the previous debate, I am beginning to wonder how the Government is running the State. It seems to rely on all sorts of gambling techniques to create funding.

Unfortunately, this is a validating measure because all the initiatives came from individuals within the shire. The council took out a mining lease and I hope this measure will validate that. It reminds me of the casino argument, when the Premier made a grand announcement about Victoria having the pyramid on the Yarra bank, but the members of the Government party had not even made up their minds about whether there was to be a casino.

As I said, the measure warrants support, for the simple reason that it is obvious that the shire, which consists of about 1500 people, has decided to initiate a method of making money. The Government has wisely incorporated in the Bill provisions to ensure that the moneys are appropriated properly so that they will be spent solely on tourism in the Shire of Omeo. For that reason, the Opposition offers no further argument and commends the Bill.

The Hon. W. R. BAXTER (North Eastern Province)—Members of the National Party welcome and commend the bold initiative by the Shire of Omeo to become involved in this enterprise. I have always doubted that there was ever such a body as the Sludge Abatement Board, but the second-reading speech of the Minister indicated that there was such a body. It is a piece of history. I suppose one can make the assumption, 75 years later, that the new mine will not dispose of its effluent and tailings into the nearby creek. Presumably, the Environment Protection Authority will stop that.

Gold has come back into its own in recent years, not only because of the increase in prices but also because of improvements in technology in discovery and reclamation from previously discarded waste dumps, which exist throughout the goldfields of Victoria. I wish both the municipality and the company well in this enterprise. It has both tourism and earning potential. I discussed it with my colleague, the honorable member for Gippsland East in another place, and he joins with me in wishing the shire all the best.

The Hon. R. J. LONG (Gippsland Province)—I thank the Labor Party and the National Party for their support of the Bill. It has taken a considerable time to get the Bill to this stage. The people of Omeo owe a debt of gratitude to Councillor Colin Scott, who has been the entrepreneur who pioneered the Bill. As I understand it, it was while the history of the Shire of Omeo was being written that it became apparent that gold was present in the mullock heap that comprises the Oriental claims.

Because Councillor Scott doubted his authority and that of the Shire of Omeo, he suggested making an application for a mineral exploration licence to explore the area. It is not often that one finds public-minded citizens like Councillor Scott, who has been concerned for some time—not only about this issue but also about another issue, which I mention only in passing, the low level road—in furthering the interests of the Shire of Omeo. It is to him that the people of the Shire of Omeo owe a debt of gratitude because he has had the foresight to see that the enterprise may help tourism in the shire.

It was Colin Scott who conceived the idea that the best tourist attraction would be to allow the tourists actually to see a gold mine in action. That assessment is correct. Anyone could have applied for a mineral exploration licence and proceeded to explore the area known as the Oriental claims, but, due to the initiative of Councillor Scott and the Shire of Omeo mining will take place on the claim and the shire will be able to skim a little of the cream off the top. That is the reality to which Mr Butler referred.

It will give the shire tremendous potential. The shire is declining in terms of numbers but not in adventurous spirit. If they strike it rich in Omeo —and I hope they do—it will be possible for the shire to spend all the money on tourism, which has been its intention from the beginning.

As a person who believes in private enterprise, I regard this as an enterprise that should be encouraged to the full. My only wish and hope—in fact I almost pray—is that the Shire of Omeo is successful. I wish it well and hope it makes a lot of money for tourism, which would be in the interests of Victoria.

The Hon. V. T. HAUSER (Nunawading Province)—I should declare an interest under Standing Order No. 155, which states:

> No member shall be entitled to vote either in the Council or in any Committee thereof upon any question in which he has a direct pecuniary interest, and the vote of any Member so interested shall be disallowed.

It is my extreme good fortune to be a shareholder of this very successful company, Ashton Mining NL, and I appreciate the support of Mr Butler in encouraging the company to go ahead with this scheme. My fellow working-class shareholders and I will be pleased to share in the dividends that I hope will arise from this successful enterprise.

I tend, philosophically, to disagree with royalty payments as such, because they are paid whether the company makes a profit or a loss. It would seem to me to be a much better idea if the Shire of Omeo had taken a higher percentage share in the profits the company may make because, in the event of the company making losses, the royalty will only add to the costs incurred by the company.

I disagree with Mr Butler when he suggests that the company would be better run if it were nationalized and under public control. The company most certainly would not and could not succeed under public ownership because the initiative would not be there to allow it to succeed. I wish the company and the shire every success in their endeavours and thank the House for supporting the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation)

The Hon. D. G. CROZIER (Minister for Local Government)—I thank Mr Butler, on behalf of the Australian Labor Party, and Mr Baxter, on behalf of the National Party, for their support of the measure. It is an unusual Bill and the unusual circumstances have been outlined by Mr Long. In addition to the initiative and persistence of Councillor Colin Scott of the Shire of Omeo—and I join with Mr Long in paying tribute to his remarkable qualities and his vision for the shire—the other shire councillors have been active and have made representations to me. Councillor Don Richardson and Councillor Colin Scott recently visited me and explained in detail the objectives of the Shire of Omeo. It is an unsual situation in which the Government has appropriately agreed to an unusual piece of legislation which should permit the Shire of Omeo to pursue the objectives outlined in the Bill which are of importance, particularly to the Shire of Omeo.

When something like this happens and there is an opportunity of this nature, I am sure honorable members will join with those who have already spoken in congratulating the Shire of

Omeo for taking this initiative and capitalizing on the opportunity presented to it. The Government certainly wishes the council well in this venture.

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.

RAILWAY CONSTRUCTION AND PROPERTY BOARD BILL

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

That this Bill be now read a second time.

This Bill reconstitutes the Railway Construction Board as the Railway Construction and Property Board and confers additional functions on that board. It makes better provision for the development and management of railway land not used directly for railway purposes and makes provision to transfer to the new board responsibility for the management and control of railway housing no longer required by the railways.

The House will be aware that the railways, as one of the older utilities of Government, control very considerable areas of land. The use of much of this land has changed over the years and the need to retain many areas solely for railway purposes no longer exists. Today, this land could be put to better use for the benefit of the community.

Honorable members will know of many areas where the proper and thoughtful development of railway land would be welcomed by local communities. Such changes may encourage greater use of the rail system and can be achieved without reducing the capacity or effectiveness of the railways.

The Victorian Railways Board has the task of revitalizing the railways to ensure that the railways can achieve their proper place in a balanced transport system. Many projects are already under way to upgrade the railways to provide a real alternative to private transport.

In these days of scarce energy resources, it is important that proper utilization be made of electric powered energy efficient public transport. The task of upgrading the railways is not a simple one, however, and VicRail should be relieved of responsibility for major developments on railway lands and housing no longer required by the railways so that railway management is given the opportunity to concentrate fully on the transport tasks. The creation of the Railway Construction and Property Board will enable this to be done.

I turn now briefly to each of the eight parts of the Bill. Part I. provides that the several provisions of the Bill shall come into operation on a day or days to be fixed by proclamation of the Governor in Council published in the *Government Gazette*.

Part II. reconstitutes the Railway Construction Board as the Railway Construction and Property Board, defines the constitution and functions of the board and provides for the transfer of Railway Construction Board staff to the new board.

Part III. provides general powers to the board for the construction of new railways and for the transfer of completed lines of railway to the Victorian Railways Board.

Part IV. makes provision on the approval of the Governor in Council, for the development of railway land and, for that land to vest in the Railway Construction and Property Board.

Part V. provides for responsibility for railway housing no longer required by the railways to be transferred to the board and gives the board power to provide new housing.

Part VI. makes provision for the board to raise funds by advances, as approved by the Treasurer, and the issue of debentures or "Railway Property Stock". Repayment of Railway Property Stock, debentures and the payment of interest thereon will be guaranteed by the Government of Victoria.

Part VIII. includes general provisions regarding the board's powers to enter into contracts and Part VIII. contains a number of consequential amendments to the Railways Act 1958, the Melbourne Underground Rail Loop Act 1970 and the Ministry of Transport Act 1958.

The functions of the Railway Construction and Property Board include:

The construction and completion of lines of railway authorized by Parliament;

such works as the Minister on the recommendation of the board approves for the improvement of safety at level crossings, the construction of car-parking facilities at railway stations and works for or in relation to the construction or operation of public transport facilities in connection with railways;

the development, management and control of railway land and land vested in the board approved by the Governor in Council for development; and

the management and control of railway housing transferred to the board and the provision of new railway housing.

Clauses 5 to 11 provide for a three-man board to be appointed by the Governor in Council, the appointment of acting members, the conduct of meetings and the disclosure of private interests.

Clauses 12 and 13 of the Bill provide for the transfer of Railway Construction Board staff to the Railway Construction and Property Board to a corresponding office or employment and preserve the superannuation rights of staff. The wages and conditions of employment of the majority of staff of the Railway Construction Board are prescribed by the Railways Professional Officers Award and the Railways Salaried Officers Award and staff will continue to work under these awards.

As I have said, the Bill relates directly to the powers of the new board in relation to the development of railway properties generally and railway housing. With regard to the development of properties, clauses 20, 21 and 22 set out the board's powers for the investigation, development and management of railway land.

Clause 20 provides that the board may, after consultation with the Victorian Railways Board, recommend that particular railway land could be put to better use. Where the Minister is satisfied that a change in land use would not prejudice the proper operation of the railways he may direct the board to investigate and make recommendations to him for the development of the land. The recommendations are then submitted to the Governor in Council for approval and, on publication of the appropriate notice in the *Government Gazette* the land will be vested in the board.

Clause 21 authorizes the board to manage and control the approved development and provides power to enter into leases, to subdivide land, to construct facilities and generally to do things necessary for the management and control of the land.

The new board will be able to give greater attention to the development of railway land with benefit to the community generally. Funds generated through rents from these developments and the sale of freehold land will, under the provisions of clause 22, be applied, firstly, in defraying the costs of the board in the management, control and development of the land and, secondly, in defraying the costs of the board in carrying out works for improved safety at level crossing, car-parking facilities at railway stations and public transport facilities in connexion with railways.

I now turn to railway housing. Honorable members may be aware that the railways own some 2300 houses in various areas of Victoria. They include more than 1300 pre-cut houses which came out with staff from the United Kingdom and Europe in the late 1940s and early 1950s as part of "Operation Snail". Other older houses do not have internal toilets and clearly there are

limits to what can be done to upgrade many railway houses to the standard the community expects today.

The railways no longer require all these houses for their staff and those houses in excess of their needs should be disposed of in a sensible manner and the funds recycled for the improvement of railway housing and the construction of new and better accommodation for railway workers. Indeed one of the important provisions of the Bill is that funds from the sale of surplus railway housing will be available to upgrade housing for people in the railway service.

Clauses 23 to 31 of the measure make provision for the transfer to the Railway Construction and Property Board of responsibility for the management and control of railway housing no longer required by the railways. Provision is made for the Governor in Council by order published in the *Government Gazette*, to vest railway houses in the board.

Clause 25 provides that the Victorian Railways Board shall from time to time inform the board of the housing requirements for its staff. The board shall, to the extent that it is reasonably able to do so, provide housing and grant leases at such rents and upon such terms and conditions as are agreed between the Victorian Railways Board and the board.

Clause 30 will enable the board to make loans to assist railway employees or former employees to purchase housing.

Under the provisions of clause 31, moneys received by the board in respect of housing will be applied firstly towards defraying the costs of the board relating to the management and control of housing, and in defraying the cost of acquisition, erection or improvement of housing. Should there be any surplus of funds after these functions have been discharged, then this surplus will be directed to the improvement of railway services by expenditure on approved railway capital works.

To enable the board to get ahead with its tasks, provision is made in Part VI. of the Bill for the board to raise funds by advances, debentures and the issue of Railway Property Stock. The board's borrowing powers are limited to $50 million.

The provisions contained in the Bill will allow the Victorian Railways Board to concentrate on its task of upgrading the railway service. I commend the Bill to the House.

On the motion of the Hon. R. A. MACKENZIE (Geelong Province), the debate was adjourned.

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

PUBLIC WORKS AND SERVICES BILL

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

Discussion was resumed of clause 2 (Issue and application of money from Works and Services Account for public works).

The Hon. E. H. WALKER (Melbourne Province)—I wish to direct my comments to a number of categories which relate to Parliament House. Some weeks ago, I referred to the building of a box for *Hansard* writers in another place, and said that the box was poorly designed and should not have been built. Since then comments have been made in another place and a number of members of the Government party approached the Speaker in that place who in turn asked them to seek my opinion. I told those members that I will give that opinion in this Chamber because that is the proper place for me to do so.

The *Hansard* box should never have occurred. It is an ill-considered architectural intrusion. Apart from that, it is poorly designed. Item 3 indicates that a voice reinforcement system is being installed in the Legislative Assembly Chamber so that *Hansard* writers in that place could now be housed in the gallery or, if that was not acceptable to the *Hansard* writers, it should be possible to house them, when the seats are restored, in the corner of the other place

where the box now exists. It is possible to imagine *Hansard* writers being given generous space in that section. However, the box should never have been built and the seats should be put back again.

My suggestion is that members of the Government Buildings Advisory Council should be asked for an opinion. It is a well constituted and professional body. The members of that group, who have a responsibility to advise the Minister of Public Works on matters relating to Government buildings, should be required by the Minister to examine this matter and then advise the honorable gentleman. Those members would probably agree that the recent addition should be removed. My advice is that the council should be asked to examine what has been built and to provide advice in regard to *Hansard* and suggest that the intrusion disappear.

It is clearly time that significant work should be done on extensions to Parliament House. There is some agreement between the parties on the proposed north wing. The Budget, as is expressed in item No. 3, does not reflect to any degree the amount of work that ought to be done in constructing that wing. However, that is not the main thrust of my comments. On touring the building I am upset to find that a very bad caste system exists. The working conditions for other than Parliamentarians are very poor and dangerous.

At the suggestion of a colleague in another place. I undertook a tour of the building, in the company of one or two of the people who are in charge of the workshops downstairs and the gardening and maintenance staff. Work of the kind that I will suggest is even more important than work on extensions to members' facilities because a real danger exists.

The french polishing, maintenance and carpentry workshops are dangerous. I am especially distressed about the french polishing workshop because of the use of volatile liquids, such as french polish, that are used. There is no fire escape in that section and no ventilation system to circulate the air. There is the daily possibility of an explosion and a bad fire. The same comments apply to the painting workshop. The people who work down there are not given to complaining, which is unfortunate because the squeeky wheel usually gets the grease. The people working in poor conditions are not making a fuss about those conditions. Accordingly their needs are liable not to be considered unless somebody takes up their cause. The carpentry workshop is equally as dangerous. Quite often work is done in that shop involving volatile liquids and glues, sometimes to glue laminex. There is no ventilation system or fire escape. There is a lot of combustible material.

If these workshops were to exist in private enterprise, there would be immediate industrial difficulty. Workers who belong to unions, and Parliament is not unionized in regard to its working staff, would not accept the conditions that exist.

The Hon. J. V. C. Guest—Would it not be easier to escape from there rather than the third floor where Mrs Coxsedge has her room?

The Hon. E. H. WALKER—That does not mean that the conditions that exist on the ground floor are acceptable.

The Hon. J. V. C. Guest—You did say, "caste system".

The Hon. E. H. WALKER—The caste system extends from the workers through to the Labor Party. We are all workers.

I want to comment upon the air system which is, to say the least, quaint. Parliament House has a nineteenth-century air system. I recommend to members that they inspect it. There is an extraordinary construction which conducts air through a tunnel from an ivy-covered entry point in the gardens at the north end of the building. It works reasonably well, but it is quaint and old. It uses timber ducting which is a fire hazard. It uses old hot water heaters to heat air in an inefficient fashion. It owes Parliament nothing and it ought to have been updated

years ago. It cannot be run at anything more than half capacity because it is dangerous and the engineer informs me that it has run for years longer than it should have.

The gardeners do an excellent job, as I am sure members will agree. The grounds of Parliament House are a credit to the gardeners. However, the gardeners do not have anything like decent accommodation. The gardeners' shed out the back is an unlined structure which has white ants in the floor. The gardeners have to lunch in their workroom surrounded by their tools of trade. They have no shower facilities and they work hard. They ought to have facilities for washing and showering. The gardeners inform me that if they go out of an evening into the city, they sometimes use the shower in the bowls pavillion which is not supposed to be used by gardeners. The gardeners do not complain.

More importantly, the gardeners use a shed to store fuel for the motor mowers and other implements. There are three 44-gallon drums full of fuel in a wooden shed out the back which I consider to be dangerous. Only luck has prevented a bad accident from occurring. I compliment the gardeners. I inspected their work. One of the rooms they might use has lost its floor because of the white ants. That room is used for the storage of boxes of seedlings which are being propagated for use later in the gardens. I give credit to the gardeners who are willing to give up some of their own space in favour of seedlings, but that should not be necessary.

With regard to *Hansard* space, honorable members will have had some experience of the way the *Hansard* staff works downstairs. However, members probably have not gone to the extent that I did last week of examining all the facilities of the *Hansard* staff. I was horrified to discover that the lounge for the *Hansard* typistes, and there are nine of them on the staff, is at the most, 10 feet x 10 feet. It has no window to the outside, and it is, to say the least, dingy. It has bad and uncomfortable furniture. There is no ventilation and no moving air. Those persons who work hard in this House and often long and late hours have shown immense forbearance in not complaining, but it should not continue. It is quite an unacceptable circumstance. The Minister of Public Works and the Minister responsible in this House should take up the issue.

The *Hansard* staff of this House is in a different location. They also have an unlit room with no daylight. In this instance, the attendant staff of this House have to walk through this room to reach their own staff room. At best, the *Hansard* room can accommodate only two persons, but it serves four. The accommodation for the *Hansard* staff requires immediate attention. I mention only those cases which are critical. One could go on for a long time talking about the space below.

To add a light note, as the day I toured the building was the day of the Premier's Christmas Dinner, late in the day honorable members would have been amused to find that the one shower that has been updated in recent times in the metal workshop had to be used by library staff. The ladies in the library did not have time to go home to prepare for the evening's festivities. If members had been down there on that day, they would have seen a large notice on the door which read—"Liberated Library Ladies Lathering. Do not enter." They were using the workshops' staff shower. The workshop staff had generously offered the ladies the use of that shower and had found a hallstand for them to hang their clothes on whilst they were showering.

It is regrettable that staff such as the Library staff who work so long have to ask for the use of the workshop shower downstairs in order to prepare for an evening such as occurred last week.

Mr Sgro commented that it is regrettable that in this caste system the members are separated from the staff when there is a celebration. Surely we live in an era when we do not have to separate members from the staff when an evening of celebration occurs.

I realize that late in the evening, members in the true master-servant fashion, enjoyed a little celebration with the staff upstairs.

More importantly, when the House sits long hours, it is possible for members to invite guests. It is possible to invite a wife or family to have dinner or a cup of tea and that is as it should be. The facilities could be better. It is not possible for members of the staff in this House who work just as long, sometimes longer, to have guests to dinner. It is not possible when they are working as late as we work, to have their wives, husbands or children to come and have a cup of tea, but it ought to be possible. That is another distinction that should never exist.

The Public Works Department ought to be asked, as a matter of urgency, to report on the building in relation to the extensions that are mooted with regard to members' facilities and also the inadequate and poor facilities, and sometimes dangerous facilities, that exist for staff. All services should be examined. The air handling system and the electrical system, both of which are dangerous, should be updated. The plumbing which is antiquated, should also be updated. All those services are at failing point and they should be checked immediately by the department and work put in hand to bring them up to date.

It is easy to sit in a House of this grandeur and expect the rest of the building to be of equal quality when it is not. It does members no credit to have the situation which exists downstairs continue. The conditions are inexcusably bad.

Honorable members happily compliment those who serve Parliament yet require them to work in conditions that would be the basis for industrial action in any other place. It is up to Parliament to take action. The allowance within item 3 gives no attention to the factors of which I have spoken. A supplementary budget should be brought down so that work can begin immediately.

The Hon. C. J. KENNEDY (Waverley Province)—I, too, wish to address my comments to expenditure on Parliament House and on electorate offices. My first experience in this place after being sworn in was to inquire about an electorate office. I was informed that I should consult Mr Duguid, the Secretary of the House Committee, whose office was on the next floor. I noticed as I travelled along the stairway that the carpet was quite brilliant, but as soon as I turned a few corners leading to staff quarters, I noticed that the carpet had holes in it and it was tattered and threadbare. That is very unfortunate and points to two different sets of values prevailing in this place. I proceeded up the stairs to the office of Mr Duguid, who holds an important position in this establishment, and saw that the gentleman is ensconced in a little cubby room the total size of which is not much bigger than the room provided for me in this House. That is surprising. Obviously, if one works at Parliament House, one is not expected to be made comfortable.

A few weeks later, I made my way to the office I had been allocated at Parliament House, access to which is by lift only because there are no stairs. If the lift broke down, there would be considerable danger for honorable members occupying those premises in the event of a fire. I share the office with my colleagues, Mr Sgro, Mrs Coxsedge and Mr Butler. The media described us as the poor, radical, new MLCs. On a visit to the office, one could probably draw the conclusion that, should a fire break out, we are there to be barbecued. If one examines the matter carefully, looking out the window there is a fall of 20 feet to the roof and if one tried escaping through that window from a fire and one still had one leg left after dropping to the roof, one would drop at least another 20 feet to the ground. There is simply no provision for escape from a fire. That would be disastrous for us and for our constituents.

The Hon. H. R. Ward—You do not want to be too sure that they love you that much.

The Hon. C. J. KENNEDY—The last test was not too bad, and I am quite prepared to take the next one. For fear

of fire, I avoid using the office as much as possible. I can relate a different story about the electorate office provided for me. An amount of $337 000 has been allocated for expenditure on new and existing electorate offices. Since the election, 36 new offices have been or are in the course of being established for honorable members. I am not in the business of praising the Government overmuch but, in the provision of electorate offices, the work of the Public Works Department has been outstanding, and I am sure most honorable members will join me in that praise. My office would be one of the first built for new members. After the last election, it was completed on 30 July and when the furniture and fittings arrived in early August, I moved in and my secretary was on the job. The office has since been working effectively and has been busy.

The Hon. B. P. Dunn—There is certainly some action there now.

The Hon. C. J. KENNEDY—There certainly is. I pay a tribute to Mr Brian Worcester, the gentleman in charge of that section in the Public Works Department and also to Mr Michael Mason, the design consultant for the department.

The Hon. B. P. Dunn—You will have to send them a copy of the speech.

The Hon. C. J. KENNEDY—I will be posting copies if they do not come across the speech accidentally. The furniture and fittings for the electorate office, apart from the fact that the typewriter should be electric and not manual, have been extremely well done. Many hundreds of constituents have come into the office since it was opened. One of my colleagues said recently that he had had 600 people through his office since it was opened, and his electorate office was opened after mine, so it may well be that the constituents entering my electorate office have passed the 1000 mark. There is no tally on those statistics. I compliment the Public Works Department for the first-class facilities that have been provided. All of my constituents have commented on the comfort of the office and the manner in which they have been received. They are the people who keep honorable members in this place; they are the supreme masters and if they do not want any honorable member they can be rid of him at the next election.

In conclusion, I urge the Government to improve the ramshackle offices in Parliament House for honorable members, to provide a new carpet into the section leading up to the office of the Secretary of the House Committee and to give that gentleman a decent office.

The Hon. D. N. SALTMARSH (Waverley Province)—I was interested in some of the comments of previous speakers. They were more concerned about their own creature comforts than the needs of their constituents. I would hope that honorable members will give more attention to the very positive aspects that are being achieved through the Bill. In the provision for education, honorable members need to highlight the important and interesting new development in the building of schools which saves a considerable amount of money and means that more schools will be built for the same amount of capital, simply because of the core-plus design. I am delighted that in the province I represent a new secondary school is being built at Wheelers Hill. It will take students next year. It is being designed on the core-plus concept. The new concept means that the class-rooms will be placed around the permanent core and while there is a temporary need for administrative facilities, they will be provided in temporary portables. The new permanent core, which consists of all the necessary library, administration and services facilities, will be made available in the new school without disrupting the school programme.

Another area which I shall highlight because not many people in the community are aware of it, is the magnificent new development which has occurred through the Government's promotion of the Victorian College of the Arts. The college, situated in St Kilda Road, Melbourne, is a splendid new concept, which is unique in Australia

in providing one of the rare opportunities for the education of talented children in music and dancing. A considerable amount of money is currently being spent under funding from the Technical and Further Education scheme to build the new school. Next year it will house students who are talented in various arts. The College of the Arts is divided into two sections. One is the secondary school division which takes enrollees from forms I to VI and the other is the tertiary level. Students at the college can complete their entire secondary education and follow on into tertiary education and gain professional skills and quaifications in their chosen art form.

On Saturday last, it was my immense pleasure to attend the first demonstration of dance activity at the school at a function which formerly was described as a speech night. I would like it to be known, and I certainly already indicated it to the college, that probably one of the most outstanding pieces of dance theatre that I have ever had the pleasure of attending was performed. It was a product of this school's first year's demonstration in which there were admirable displays of various dance forms, contemporary through to traditional, from comedy to character. It was a magnificent spectacle indeed. The people of Victoria should be much more aware of the unique and outstanding opportunity that is being presented to young, talented students to develop skills in dance and music and, later on, in drama.

It was my privilege also recently to accompany the Minister for Community Welfare Services to another unique establishment, a home situated in the Waverley Province called Hillside Homes. The home is designed for young men who have not been able to fit into other institutions. The people running the home deliberately seek to provide an atmosphere in which there is the right mixture of freedom and discipline. It has had enormous success for young people who have not been able to fit into other institutions and who have been taken to Hillside Homes because of the type of care the homes provide.

As a result of the visit to the homes, $62 000 was allocated for renovations to the kitchen. The amazing fact was that many other institutions would have asked for much more money to upgrade their facilities but the management of Hillside Homes was adamant that it did not want the facilities raised to too high a standard because it would create significant problems in readjustment of the children to their normal environment. Hillside Homes are seeking to make their environment as near to the home environment as possible and to provide an excellent school teaching facility as well.

An amount of $560 000 has been allocated for alteration of dormitories at the Turana Youth Training Centre, of which $90 000 will be provided in 1979–80. Again, it was with much interest that I visited this centre last week to examine the sorts of problems being faced by the people responsible for running programmes of this kind and caring for young people, many of whom are difficult, and to be aware of the needs for a change in style and approach to management. Instead of large numbers of young men being congregated in a dormitory, an attempt is being made to break down the population into workable and manageable units of perhaps twelve young persons and to convert the dormitory accommodation, which frankly is oppressive and it is unbelievable in many ways that it still exists, into bedroom accommodation, in some instances having up to three beds to one bedroom. It will provide a different environment in which more effective assessment work and long-term work can be undertaken to assist many of these young people into areas of reasonable activity in the future. I commend the Government on this response. We need to encourage groups and organizations to take greater care in community services for young people who are otherwise in need of supervision, and to relate to the various institutions and services.

The Government should be commended for the now almost completed high security unit at Pentridge Prison. People who have seen this unit are aware that it is designed to greatly assist in more effective management of high security prisoners within our institutions, and to greatly assist working conditions of warders and others who, we hope, are working in rehabilitative roles within that field. It is in some of these areas of activity that the Government is taking a number of positive actions to serve the community more effectively.

Under item 14 an allocation is made for community welfare regional and administrative services. There is a movement to involve the community in family organizations and to provide community responses to social need. In some of the inner areas of Melbourne, new, exciting work is being undertaken, which is designed to bring new solutions to old problems and to find more humanitarian responses in the present day. We should be aware of the enormous encouragement that is being given to family organizations to survive, such as family group homes, to develop flexible programmes and further movement in other forms of community care.

As a community, we need to support more fully these responses in the community for greater care and concern about isues affecting the community's well being.

There are a number of major building programmes being undertaken, but I wish to highlight some of the responses being given to the personal care services that the Government is undertaking. These are all important initiatives and it is hoped they will grow even more next year.

The Hon. JOAN COXSEDGE (Melbourne West Province)—I wish to comment on three items in the Bill, those relating to education, health and community welfare.

This is a very disappointing Bill because the Government, in line with the Federal Government, continues its attack on the public sector by slashing expenditure in such areas as education, health and community welfare. By doing this, it worsens the living conditions for the majority of the people who are dependent on public education, public health services and community welfare services. The people I am talking about are those who live in the western suburbs where one does not see posh private schools or posh private hospitals, and where doctors are thin on the ground.

I wish to detail just a few of the cutbacks in education. Expenditure on school buildings and school equipment will be cut from $164 million to $154 million. This is a decrease of more than 6 per cent when one considers that the inflation rate is likely to exceed 10 per cent. Since 1975–76, there has been a significant reduction in funds for school buildings in real terms, but this year is the first occasion on which there has been a reduction in money terms as well.

This is happening despite criticism of the Victorian Government by the Australian Schools Commission; despite works listed as urgent by the regional directors of education, but which have not been provided for; despite the pre-election promise by the Minister of Education, who implied that funds for the school building programme would increase by $30 million over three years. The Western Suburbs School Principals Association has declared that the failure to maintain schools regularly over the past decade has seriously affected a large State Government investment in school buildings and that a dwindling educational Budget cannot properly service a previous commitment to public buildings.

During the education debate, I made the point that, if cyclic maintenance of schools is not maintained, many small jobs, such as painting, become major jobs. It seems a crazy sort of logic to me.

The Hon. R. A. Mackenzie—False economy!

The Hon. JOAN COXSEDGE—Of course it is false economy, because there is bound to be even less money spent in this area than before. One

casualty of the education cutback, which is typical in my electorate, could be the Altona High School. After years of trials and tribulations, broken promises, changed Education Department strategies, and talk about priority lists—these seem to be existent and non-existent—the Altona High School had reached first or second place on the Ministerial list for halls to be built, only to have all its hopes dashed by the Ministerial statement on the school building programme on 16 October 1979. I quote, in part, from page 7 of that Ministerial statement under the heading "New Community Education Activity Centre Programme":

> As a result of the substantially changed circumstances of schools and local communities since it was published, as well as the advent of the new programme, it is necessary to now abolish the former assembly hall list as an indicator of priority. Senior officers of the Building Operations Division in consultation with regional directors of education are currently preparing for my consideration a sound set of criteria as a basis for establishing which post-primary schools should receive priority.

Is it any wonder that there is such a low morale in school communities when the Education Department can ignore its promises and suddenly shoot off at a different tangent without any warning? Out of the blue, new criteria can be used by senior officers of the building operations division and regional directors of education in determining priorities for school buildings. Cutting back on school building programmes is surely a backward step, considering that there is growing unemployment and that many of our industries, particularly the building industry, are in a state of recession.

The Hon. B. P. Dunn—What about falling enrolments?

The Hon. JOAN COXSEDGE—There are falling enrolments in some sectors, but I think they have been grossly overstated. Inadequate buildings in the existing situation make an unsatisfactory state of affairs all round.

I leave education and turn to health. Expenditure on all State health services will be cut by nearly $4 million, a massive 27 per cent decrease. Every single service will suffer, that is general health, community health, dental services, mental health and alcohol and drug services. State grants to hospitals and charities and to various bodies working for better community health standards will be cut by nearly $1·5 million. Some parts of the western region urgently need an upgrading of health services. One specific example is the area of Spotswood. Spotswood has no resident doctor and no pharmacist. Poor public transport forces sick people to spend a great deal of their time travelling to the nearest doctor who is at Newport or at Kingsville, and he works only on a sessional basis, or they are forced to travel by ambulance to the Western General Hospital because no direct bus route is available.

It is worth noting that over 38 per cent of the people in Spotswood are of migrant origin, and 40 per cent of the families in that area have no car, so they are utterly dependent on the poor public tranport which still exists in the area. To try to cope with that very depressing situation, a number of local residents have formed a group to urge the Government to pay rent for a house which is centrally situated, so that it can be used as a general health centre. They are still waiting to hear from the Government. Until the Government offers positive help, these people from Spotswood who suffer a depressed economic status, with overcrowding and an enormous amount of pollution, which all tend to cause the greatest health problems, are provided with practically no health services whatsoever.

I turn next to community welfare. The expenditure on building and maintenance of State community welfare properties will be slashed by 29 per cent, and capital grants to voluntary bodies working in community welfare will be down by 11·5 per cent. Once again, it will be the western suburbs people who will suffer the most. As the Western Suburbs Regional Consultative Council has pointed out:

> Overall, the western region of Melbourne is a working class area dependent in the main on the manufacturing sector, which is in decline, which in turn depresses the standard of living. On top of this is a history of disregard for the region which has led to a shortage of health, welfare and community services in the region.

The council concludes by saying:

> Obviously such a region is more markedly affected by a Budget hostile to public spending.

I repeat, cutting back on basic public services, which is virtually what this Bill does, in this time of great need, is tragically shortsighted and is a sad monument to the Government's inability to come to grips with the problems faced by the State of Victoria.

The Hon. B. P. DUNN (North Western Province)—Before I comment on a couple of points that concern me, I commend Mr Walker for some of the remarks he made about facilities around Parliament House, particularly for the staff, people such as *Hansard*, the gardeners and others. His comments were right on the mark. I have been appalled at some of the conditions that people work under around this building. That could be extended even further to the conditions of some members of Parliament, whose accommodation is grossly inadequate. It is to be hoped that there is a greater recognition of this problem, which will lead to something meaningful being done and to some improvement being made.

It is clear that Parliament has to make long-term decisions on the need for better accommodation for members and staff in this building. It is about time Parliament worked out a long-term solution instead of by-passing it. If that attitude had been adopted in the past we would not have a building such as we have today.

I direct myself to the allocation for alcohol and drug services. We must have a good look at where we are going in the provision of alcohol, drug dependence and rehabilitation services in Victoria. There is much talk about drugs and it seems to be a fashionable issue to take up, and rightly so. It is causing tremendous concern in the community, but probably the greatest single drug of addiction, the one which causes most problems, is alcohol.

It is unfortunate that when people refer to the drug problem in our community, they do not talk of the alcohol problem. I was chairman of a committee established by the National Party to examine the drug and alcohol situation in Victoria. We found that by far the greatest problem in this field was the abuse of alcohol and the effect alcohol was having on the community. Honorable members see instances of it every day, such as the recent problems at the Melbourne Cricket Ground and on our roads.

I am not making these comments for the sake of attacking alcohol; I am suggesting that we have to provide services for people who need advice, rehabilitation and assistance in dealing with alcohol problems. During the course of the inquiry, which spread over a period of time, members of the committee discussed the problem with the head of the Police Drug Bureau and a wide range of people involved in this field. It was found that one of the great needs of the community was to deal with the problem of alcohol.

There is clearly a need to provide throughout Victoria services where people can seek information and treatment. On numerous occasions, I have spoken of the alcohol and drug treatment centre at Horsham, a centre which has been of benefit to that city and the surrounding region. It is open to the public and anyone can walk in off the street and receive counselling, advice and guidance or receive rehabilitation for their problems. This service is also available to the families of people who have a drug or alcohol problem and those families can seek advice and guidance through that centre.

Not enough is being done to combat alcohol and drug abuse. There is much talk about it but up until six months ago the Police Drug Bureau had a staff of only fifteen full-time members and had only four or five vehicles. Clearly that level of staffing is inadequate to cater for the needs of Victoria.

During my research I found that there were only two alcohol and drug rehabilitation centres in country Victoria receiving State Government financial assistance. That was until about six months ago. I am not sure

whether any further centres have received finance since, but at that time only the centres at Horsham and Geelong were receiving State Government finance.

These services should be available on a regional basis. For instance, Bendigo probably has a voluntary agency providing some type of service, but clearly the Government should financially assist all centres in addition to those at Geelong and Horsham.

A need exists to develop these centres on a regional basis because people in those communities require advice and assistance. If they have alcohol or drug problems, they have nowhere to go but to talk to a minister of religion, doctors and other people working in these areas. That is where they go but those people are not really qualified although they are a tremendous help in many cases. However, they cannot give the constant counselling and advice that these persons need to pull them out of alcoholism or drug dependency.

In the case of the Horsham centre, I have been informed of instances of kids aged twelve and thirteen years going in off the street; one or two of them have attempted suicide. If a country centre finds that children have a drug or alcohol problem at that age, no one can tell me that the problem does not exist. It is there and it should be realized that when we speak about drugs, we are not talking only of heroin but about alcohol as well. Admittedly, one of the major problems in our community today is caused by the desire to be socially and widely acceptable. That appears to be the "in thing" but it is to be hoped we will see some action in that regard, particularly with the development of these centres and the extension of services.

The Government should set up a task force to visit Victorian secondary schools, or even the last grade in primary schools, depending on what would be the most acceptable age. At the moment no work is being performed to overcome the drug and alcohol problem, but children must learn to recognize the things which they will be confronted with when they leave school, and even before they leave school because it is usually the subtle beginning which leads people on to a course of drug addiction.

Young people, more than anybody else, instead of being given marijuana to try, need to be provided with the hard facts on what the drugs can do. That is the type of information they need so that they can make a value judgment for themselves, for inevitably at some stage of their life they will have to make their own judgment because their parents and teachers will not be beside them all their life to make decisions for them. The best we can hope for is decisions based on a real knowledge of the effects of drugs if used and abused by them.

I turn to a couple of points I have mentioned before in this Chamber. I want to speak about one-man police stations and also about small country hospitals. I know the former Minister of Health interjected when I raised the needs of country hospitals during the Budget debate, but I am concerned about the changes occurring in the health funding field because we will find increasing pressure being put on small country hospitals to close and the suggestion will be made to people in those small country towns that they should seek hospitalization and medical care in a regional base hospital located some distance from their homes.

The Hon. B. A. Chamberlain—That is if they survive the journey.

The Hon. B. P. DUNN—Yes. I know Mr Chamberlain would understand the situation and no doubt many honorable members would. It would not be right to inform them that they have to receive treatment 50 or 60 miles away. To do so would be taking people out of their own environment and community. It is not much consolation to a family to have the wife and mother in a hospital 50 or 60 miles away after giving birth to a baby, especially at a time when a woman needs to have constant visits from and communication with members of her family. It is difficult to provide that over a 50 to 60-

mile distance; it is difficult enough to provide it even if one is just around the corner.

Elderly people face a similar problem. They need visits from their families and friends and other members of the community, which they will not receive. What we are really examining is a consideration of the social and welfare needs of the people. This should be considered in line with health services and health needs because it plays as important a part in their regaining health as the medical attention they receive.

I lodge a strong claim for the retention of small bush nursing hospitals and small country hospitals. We must keep them going to provide a service for the people in small towns. If those people require specialized services, such as some forms of surgery, or in an area which deals with heart and other complaints, they can be provided through regionally based hospitals which can also provide a pathology service. But the small hospitals should be retained to enable the people in the small communities to have the benefit of that medical attention.

I commend the Bush Nursing Association for its outstanding contribution towards the health of rural communities. One has only to be associated with bush nursing hospitals and the communities they serve to realize the outstanding contribution they have made in preserving the health of the people of rural Victoria.

I am also concerned about the closure of one-man police stations, a move which has been suggested by the police in a restructuring programme. It is very easy to say, taking Minyip as an example, that if a one-man police station is closed, the needs of the community can be serviced by sending out a police officer from Horsham.

The Hon. B. A. Chamberlain—It would be a disaster.

The Hon. B. P. DUNN—Of course it would be a disaster, just as it would be to Jeparit, Rainbow and many other towns in the area I represent. There would be many towns in a similar situation in the area Mr Chamberlain represents and in other parts of country Victoria.

Having a member of the Police Force in a town serving the community is one means of preventing problems developing which may require urgent police protection or attention on the spur of the moment. Notice is not given of these problems arising, and it is a vital importance to enable people to know that if they need that assistance, there is a member of the Police Force ready to give it.

There is a need to continue the operation of one-man police stations. Presently, they operate very effectively and in the best interests of the communities they serve as they provide a protection service which may be needed by the community. Another important aspect is to have a good relationship between the community and those who enforce the law.

I wanted to raise those few matters and I hope the Minister will take note of them.

The Hon. H. G. BAYLOR (Boronia Province)—I intend to speak on three items, the first being the allocation from the Ministry for Planning for the erection of portable offices for the Upper Yarra and Dandenong Ranges Authority. This is a matter of some concern as this authority was established to perform an important job in a region covered by four municipalities. One of the main reasons for the authority coming into existence was the production of a strategy plan for the region.

This has been an enormous task and has kept the members of the authority and the staff on their mettle. They have been operating under difficulty because of shortage of accommodation and staff. Those of us who represent the area look forward to seeing the strategy plan when it is unveiled later this week.

However, I am concerned that the Government has not given the authority a more permanent home, because it is important as a pilot authority. Although it is not the first authority of

its type to be set up, it was established to provide a model for regional planning authorities and thus should be given a permanent home, which should be in a much more accessible position than the present location. The planning authority is now situated half-way between the centres of Croydon and Lilydale along the Maroondah Highway. It is not within walking distance of any public transport, and the only way of reaching it is by car, so the authority is inaccessible for a number of people.

Once the strategy plan is unveiled, people in the region will wish to comment on and make an input to it, and many will find it difficult to get to the headquarters of the authority. Therefore, it is a pity that the Government is providing the authority with portable office space. If possible, I should prefer it to be rehoused in a more permanent location in one of the centres in the area with which it is concerned. The ideal centre for the authority would be in Lilydale, which is only a few miles from where it is now, as it would be much more accessible to the general public.

The next item on which I wish to comment deals with dental health services. It is appropriate to take note of the increases that the Government has provided for dental services because it is extremely important for children to have access to dental treatment during their school years. Criticism and concern have been expressed of late about the cutback in some dental services which had been subsidized for pre-school children, but the Government does not have a bottomless pit of funds, and priorities must be established. It would be best for them to be established at this level, and the Government has wisely put the available money into providing dental services for children of school age.

It is heartening to me to note that as at 30 June 1979, 50 clinics had been completed and 104 platforms had been constructed at smaller schools. The Government is to be commended for making funds available to benefit children in this age group.

Although it would be desirable for pre-school age children to have access to dental care, it is much better to ensure that children do not go through primary school years without having their teeth checked. Therefore, it is important and commendable that dental services have been set up and will continue to operate. No doubt further increases will be made in subsequent years, as is implicit in this item.

The Hon. R. A. Mackenzie—But there are no staffs for the clinics.

The Hon. H. G. BAYLOR—When Mr Mackenzie was referring to the section on health earlier, he said that during the election campaign a number of promises were made by the Government about a hospital for Geelong and that subsequently nothing further had been heard. The opposite has been the case with the Maroondah Hospital. Throughout the election campaign and leading up to it, pressure was put on the then Minister of Health to provide a casualty section for the Maroondah Hospital. Nothing was heard and no promises were made, and we went through the election campaign taking a fair amount of criticism over this matter.

However, is is good to see that, subsequently, long since the election, the Government has allocated money for the planning of stage 3, which is the casualty section. It is worthy of note, in view of Mr Mackenzie's remarks about the Government's attitude towards these matters, that in this case something has happened which we could well have done with during the campaign but which did not then occur. Those who represent the area are delighted that the current Minister of Health has been able to allocate funds for the planning stage of the casualty section of the Maroondah Hospital.

The Hon. N. F. STACEY (Chelsea Province)—I shall raise as briefly as I can a number of items in this most important Bill. There have already been references to the core-plus development schools, and I am pleased that three schools in the electorate I represent have been built on a core-plus

basis, entirely of transportable modules. They are a successful departure from the usual buildings and a worthwhile use of the funds available for school buildings.

However, I hope a decision will be made this week about one core-plus building that is being planned. I refer to the proposed school for Mossgiel Park, which is a Housing Commission estate. It was agreed by the interim planning committee that a permanent core would be constructed, and the building of that permanent core is the responsibility of the Housing Commission, so I urge the Government to have this work done as quickly as possible. The liaison between the Education Department and the Housing Commission has taken too long. Difficulties will be faced early in the year, although a great deal of correspondence on the matter has been exchanged over the past twelve months. Again, this project is an indication of the developments that have taken place in school buildings, and the principle is excellent. The necessary development must now be followed through.

The allocation for education also covers funds for technical and further education colleges. About a month ago I attended the opening of stage 1 of the Dandenong Technical and Further Education College—an $11 million building which is a credit to all those who were involved in its design, construction and completion. That kind of structure is most desirable in the important area of technical and further education.

A similar extension is also planned for the Frankston Technical and Further Education College, but a holdup occurred in the exchange of land between the State and Federal Governments. I understand that the matter has now reached finality, and I hope work can begin on the project in the next financial year.

Item 9 deals with police and emergency services and refers to the building of new stations and the upgrading of police stations, including Dandenong police station. The money has been spent in two ways: Firstly, it has been spent on the rental of an available property for a district headquarters, and this has relieved pressure on the inadequate accommodation at the police station that was formerly in use. It was desirable to move the headquarters division to a new building and to lease the property.

Secondly, the Motor Registration Branch has moved out of the former police station building to a much better location in the industrial area of Bennett Street, Dandenong, and work is in hand to upgrade a leased factory to accommodate the branch. I have been involved in this matter for the past two and a half years and I am appalled at the length of time it took the Public Works Department and the other departments—the Police Department and the Attorney-General's Department—to opt for the sensible choice of leasing premises. If a building is available for lease, as happened in this case, it is important for a Government department to be able to compete in the market-place and to secure a leasehold on premises without going through all the rigmarole and red tape that usually follows.

An imprest system should be introduced where a responsible officer of the department has the power, subject to checks and balances, of securing, by means of deposit, accomodation for eventual lease by the department. The Government cannot compete in the commercial world as a bureaucracy, and that is to the detriment not only of the departments concerned, but also, in the end, of the taxpayer.

Another item refers to electronic data processing equipment. People have not really grasped the need for training and education in the use of this equipment. An article in the *Age* two or three weeks ago pointed out that two private schools in Victoria run education programmes in data processing. However, it is important for the Education Department, probably in conjunction with the Public Works Department, which has some experience in this field, to grasp the nettle and provide what is required in the technical and further education colleges and perhaps the senior components of large high schools so that

students can undertake courses in data processing and have access to the necessary systems while they are working towards obtaining trade and professional qualifications. This would enable students to use equipment at the higher levels of education.

That is the problem that I foresee occurring unless an expert committee is appointed to study the provision of equipment for young people to learn electronic data processing. If that is not done, we will be behind the eight-ball in the years to come. A prompt investigation is needed to ascertain educational needs in data processing. As I understand it, data processing can be a bottomless pit of expenditure, but equipment can be provided at reasonable cost. The Government should find out promptly what the costs are so that it can provide educational opportunities for people in data processing in a greater range of activities than is at present available.

Mr Mackenzie referred to item 72—the Australian Volunteer Coastguard. I was particularly pleased that $40 000 is to be provided as a subsidy towards a headquarters for the coastguard organization. It is important that the organization should have a new search and rescue headquarters. I pay a compliment not only to the squadron but to all the flotillas that operate in Victoria for the coastguard. The organization has received some assistance before but this is a new departure and a recognition of the valuable work that the volunteers do on our beaches and bays.

Item 141 provides for the allocation of $168 000 for the walling of Mordialloc Creek. I compliment the Ports and Harbors Division of the Public Works Department on the excellent work that has taken place on the walling of the mouth and banks of that creek. I link with my comments the Patterson River. It is important that the Ports and Harbors Division be given increased funds to ensure that the navigability of the mouth of these two streams is improved. On the bay on a Saturday or Sunday are some 10 000 to 20 000 boats, all trying to catch the biggest snapper in the bay. However, when a westerly gale blows up on the bay, and it can do so in the matter of minutes, it is a fearful situation. The safe harbors available are limited in number. In a strong wind it is a hazardous and dangerous business trying to get into Mordialloc Creek. Yesterday a boat was off Mordialloc when a strong wind of 30 or 40 knots blew up. People were fearful that the boat would be unable to get across the breakers at the entrance.

Dredging work takes place there but additional money should be provided for the deepening of the creek. Mr Jack Pompei, a boat builder at the creek, builds about five or six timber boats up to 60 feet long each year which are used as fishing boats around the cost of Australia. When he launches the boats, he finds that they sit on the bottom of the creek and he has a dreadful job having them dragged out because of the depth of the water there.

I refer to Patterson River in the same terms. The mouth of that river is at present being dredged with a large dredge and there is provision for a small dredge to operate during the year. The mouth of the river is kept open and to a minimum depth for about 85 per cent of the time. It must be understood that there is a considerable capital investment in boating in Patterson River. It has more capacity than Mordialloc Creek and than the Kananook Creek at Frankston. There is a dry marina at Patterson Creek where there are approximately $4 million worth of boats. In addition, the Patterson Lakes residential development represents an investment of about $10 million. Part of that investment is a large wet and dry marina. On a Sunday morning one can find some 300 trailers in the car park with people fishing on the Patterson River. There is a large investment of money in boats and in water orientated residential development but the mouth of the river is hazardous. The Ports and Harbors Division of the Public Works Department does not have sufficient money to increase the safe draught that should be available at this river.

I turn to item 142 which relates to beach cleaning. The amount of funds allocated to councils has been limited to $25 000. The maximum amount that the City of Chelsea which has 7 miles of beach frontage to Port Phillip Bay, and that the City of Frankston which has a litle longer coastline frontage, can receive is $25 000. In today's *Age* is an interesting article on this subject. It was clearly shown that the councils recognize their responsibility to provide clean and proper beaches for the visitors from all over the metropolitan area, but I point out to the responsible Minister that a ceiling amount of $25 000 is not realistic these days. If municipalities are to be expected to carry this extra burden, in equity a higher subsidy should be available, depending on the length of the beach and how much it is used by the public.

Finally, I turn to item 181 which relates to hospitals and charities. Mrs Baylor referred to this subject. I note that it has been reported in the press that in the past five years there has been an 84 per cent increase in funds available for hospital construction—from $25 million to $46 million. The demands far exceed the amount of money available. I draw to the attention of the Attorney-General the pleas made by the Frankston Community Hospital for additional funds. The hospital has plans for an additional 150 beds, as the former Minister of Health recognizes, but at present the hospital has before the Minister of Health an application for a ten-bed day ward and a day theatre.

This is the responsible response by the committee of management headed by Mr Vic McComb indicating that the hospital understands that money is not available for the 150 beds that are required but believes that it could make better use of its facilities if a temporary day ward and a day theatre were provided. This would relieve the present pressure on the operating theatres in the hospital and would allow minor surgery works to take place in the day theatre. People who would be in hospital only for that day for ear, nose and throat matters and so forth could use the day theatre and then go to the day ward and return home fairly promptly. This would mean that more efficient use would be made of the existing theatres and the existing wards which could treat patients who were more seriously ill. That sort of recommendation from a committee of management is a responsible attitude, recognizing the large demands made on the money available. I urge the responsible Minister to take the option that is offered by the committee of management of the Frankston Community Hospital.

The Hon. D. E. KENT (Chelsea Province)—I refer to item 26, the Keith Turnbull Research Institute at Frankston, which is engaged in research into the control of vermin and noxious weeds. I note that the figure of $116 000 has been allocated. I do not suggest that that is an appropriate sum; it certainly would not be too much. I merely wish to refer to the vital importance of the work being done at the institute and the fact that even greater emphasis needs to be placed on research into biological control, if possible, of noxious weeds and vermin so that it will be possible to remove some of the dangers to the environment which are likely to occur from the continued use of herbicides and pesticides. I emphasize the importance which should be attached to research work in a centre such as this.

I support the remarks of Mr Stacey about ports and harbors work on the Mordialloc Creek and the Patterson River. Substantial funds are being allocated for this work. Mr Stacey referred to the work of Mr Pompei, a boat builder at Mordialloc. That gentleman is seeking extensive funding not only to launch the boats built there but, more importantly, to provide for the boats to be returned to the shipyard for service. At present most of the service work must be carried out outside. This industry has long been established and makes a fine contribution to the area.

From the figures quoted this evening by Mr Stacey in relation to the number of boats in the Mordialloc Creek and the Patterson River and from facts mentioned in the earlier debate of the racing Bill, it is obvious that there is a

large amount of money available for other necessities.

The allocation under item 181, hospitals and charities, is particularly disappointing. Mr Stacey referred to the fact that the Frankston Community Hospital has submitted plans to the Government which the Government conceded as being justified and that over a number of years the Government has promised to consider the needs of that hospital for expansion. The population of the area has grown tremendously. There is no question about the acute shortage of hospital beds and the needs that exist in the area. The committee of the hospital, the council of the City of Frankston and the whole community are aware of that need. They are concerned that the Government has failed to honour its promises to fund the essential developments at the hospital.

This is where I fall out with Mr Stacey. Mr Stacey is doing an injustice to the electors of Chelsea, and particularly the people who depend on the services of the Frankston Community Hospital, by suggesting that there should be a compromise and by implying that there must be an acknowledgement that the Government cannot or will not provide sufficient funds for the works that are so desperately needed. By the case that he has put, indicating the number of pleasure boats and the other non-essential sources which account for a large expenditure in the area, Mr Stacey has clearly indicated that funds are available, that there are resources by which the Government could raise the revenue to provide an essential service which has been promised over the years and which is based on the real needs of the people rather than on the recreational desire they may have. It is time emphasis was placed upon the fact that restriction of expenditure is not an indication of the availability of funds in the community but of wrong priorities of the Government. For that reason I make strong criticism of the failure of the Government to provide essential services for those in greatest need, the failure to complete the Frankston Community Hospital being one of the most glaring examples.

The Hon. J. V. C. GUEST (Monash Province)—I speak briefly on this matter only because Mr Walker has given the House such an interesting look at the needs of Parliament House. I was naturally interested too in what he said when he was going to give the House his professional opinion, asked for by members of the Assembly. I was interested, but I think it is a pity when a member introduces into his professional opinion a matter of pure politics and pure publicity. It casts doubt on the emphasis which in this case Mr Walker put upon his remarks. He made gratuituous reference to a caste system. That might have seemed to him a perfectably suitable, colourful way of illustrating a genuine point, but it clearly is not a genuine point; and that is why I am disappointed in him for derogating to some extent from the value of all his remarks.

The Hon. E. H. Walker—Which item are you speaking of?

The Hon. J. V. C. GUEST—If Mr Walker cannot remember which item he spoke on, I would suggest that he concentrate a little harder. It was the item dealing with Parliament. I observe that the valid distinction is between matters concerning people who work full-time in this House and its environs and those who, like members and *Hansard* writers, work only part of the time.

The Hon. R. J. Eddy—That certainly relates to you.

The Hon. J. V. C. GUEST—Perhaps Mr Eddy does not dare attend his electorate office, but not many honorable members spend their whole time here, even if they can get a cheap lunch. The distinction I make is an important one. I would like Mr Walker to address himself to it because his professional opinion is important. He has given it as a service to the Parliament. Honorable members realize that the sittings of both Houses take not more than 60 or 70 days a year—long days, it is true—and there are party meetings which take a small part of the day and do not involve any

inconvenience, and there are also committee meetings, which again do not involve members in any inconvenience. The conditions of *Hansard* writers are somewhat similar as to time.

The Hon. R. J. Eddy—You have a lot to learn. We go around the country with them.

The Hon. J. V. C. GUEST—They do work for committees and they do work after members have finished because they have to type up and check the work that has been done. I think it is reasonable to say that those who work here part-time are quite well paid for putting up with small inconveniences, and they are small inconveniences when one weighs them against the absence of proper consideration for safety in the workshops, which Mr Walker referred to. He has distracted attention from the proper emphasis to be put on matters of safety, and that applies obviously to the workshops and equally to the radical four on the third floor, and also to "Henry George", Mr Morris Williams, and a couple of others on that floor. These are matters which should have received the first emphasis, together with matters concerning those who work full-time in this House. As Mr Walker would realize, the matters of priority will loom fairly large when the Government shows reluctance to find $15 million or so for the north wing and Mr Walker's genuine opinion would be valuable in forming those priorities properly.

I am in favour of preserving and restoring historic buildings. I have been concerned personally in that field and I am delighted to see evidence of the Government's concern. One sees expenditure allotted for work on Werribee Park, on Parliament House and on Government House, but the amounts are rather alarming. One may hope that Victoria never gets around to celebrating the bad taste of all ages by someday preserving the works of the fifties like the ICI building or some of the monstrosities of the twenties, thirties, forties, and sixties.

The Hon. E. H. Walker—Which item are you speaking on?

The Hon. J. V. C. GUEST—There are a number of items referring to the renovation and restoration of historic buildings. I observe in passing that Victoria will be lucky if the architecture of some recent decades never becomes historic buildings. Nevertheless, I am interested in what Mr Walker had to say and I hope he will contribute more of his expertise in this area.

The Hon. J. W. S. RADFORD (Bendigo Province)—I speak firstly on the item dealing with police and emergency services to which the sum of $14 million has been allocated. As a member for the Bendigo Province, I find disappointing the lack of provision for extensions and improvements to the Bendigo police station. Many of the policemen there work under poor conditions. Mr Walker raised the problem of poor working conditions in this House. In many police stations, members of the Police Force are working under poor conditions. It has been my pleasure to announce during the course of this year the improvements to a number of one-man police stations. I agree with Mr Dunn on this point; one-man police stations are very important in smaller country towns and country settlements because they give people confidence to remain and, more importantly, to come into these centres. It is pleasing to see the drift of people from the metropolitan area into small centres whether for retirement or for a better way of life than they have had in the urban area.

The Hon. C. J. Kennedy—Is it?

The Hon. J. W. S. RADFORD—Ask these people and you will find that they discover a far better way of life outside metropolitan boundaries.

I wish to deal next with the allocation for community welfare services and correctional centres. On 30 January this year, I had the pleasure of visiting the Castlemaine gaol. Superficially, one would say it was interesting. I visited the gaol with other members of the Family and Community Services committee. We were introduced by Councillor Ella Ebery who is well known for her social work in the district. The prison area looked like a set out of Ronnie Barker's television series, *Porridge*, but

there was a severe drawback. Fortunately, in the Bill it is covered by the allocation of some $31 000 for bathroom repairs to be carried out there. The bathroom as it was on 30 January this year could only be described as revolting. It was clean, but the facilities were completely absent. If one were of a more poetic turn of mind, one could say it resembled the Black Hole of Calcutta. It was ill-lit and dingy with just a couple of taps and broken showers. How the inmates at that prison were expected to carry out their ablutions, I do not know.

The Hon. R. J. Eddy—Why don't you take the Minister?

The Hon. J. W. S. RADFORD—The honorable member does not know where Castlemaine is. He may even get there one day.

The next matter on which I wish to speak is public buildings. There is mention in the Bill of the work being carried out at the Shamrock Hotel, which as members of the Opposition are aware, is the pride and joy of the City of Bendigo. The work of the Government in restoring it to its former glory is much appreciated by the residents of Bendigo who hope it will once again take its place as a tourist attraction.

Another matter covered in the same item is the construction of public offices. The land has been purchased but some members of the Bendigo City Council believe in jumping the priorities to get in ahead of Ballarat, where work on the building of public offices has already commenced. Honorable members should bear in mind that the order of priority announced by the Government was Geelong, Ballarat and Bendigo, and the Government has adhered strictly to that priority. I have had the assurance of the Minister of Public Works that no other centre would get in ahead of Bendigo. If a couple of councillors care to do their research, they will see that the Government has kept its promise on the matter.

I turn now to the matter of community health. The Inglewood Community Health Centre is finally to be the recipient of $95 000. The people of Inglewood have been vigorous in their work to obtain this centre. There is a pleasing community spirit in the town of Inglewood which has suffered several blows in past years in relation to employment because of the loss of Government employment, both State and Federal, and it is important that this work will be carried out this year. It will mean much to these people and the surrounding district.

I turn to the area of mental retardation services. The sum allocated is $195 000. If honorable members look at page 18 of the explanatory memorandum they will see that the first of the mental retardation regional centres is to be established this financial year in the Loddon–Campaspe region. Funds have been allocated to provide accommodation for officers of this regional team. It is important that this has taken place. It answers the requests of people over a long period.

I turn now to the item dealing with solar research. Not only for Bendigo Province, but for the whole of Victoria, the rest of Australia, and the world, solar research is becoming even more important. The funds being spent on the project at the Maryborough Hospital are important and I look forward to the Australian National University's engineering physics project coming there for testing early in the New Year. That project will be carrying out work on parabolic mirrors which will be installed at the sewerage farm to drive pumps by solar energy power. The people of Maryborough have appreciated the work done in this area and look forward to further contributions in this field by both State and Federal Governments.

Item 186 makes an allocation for bush nursing hospitals. It is pleasing to note that hospital renovations and a ward extension of five beds is to take place at the Trentham Bush Nursing Hospital. The funds are being made available on a $3 for $1 basis and the sum to be spent on the hospital is $500 000.

There are many other items to which I should like to direct the attention of honorable members, but I am aware that my colleague, Mr Reid, is waiting to say a few words.

The Hon. R. J. EDDY (Thomastown Province)—A number of other honorable members have already spoken about education, which is one of the most important items to be discussed because education in this State is in a shocking condition. The Bill allocates more than $153 million for education works and services, which will include accommodation for administrative staff, the purchase of sites for new schools and the extension of school grounds, the provision of furniture and equipment and so on. The schools in the northern and western suburbs of Melbourne will be missing out, although the population in those areas is growing faster than the population in any other part of the State. The children in the areas are missing out on new school buildings and other education works.

I have spoken about the Epping High School on previous occasions and I reiterate that the school is still waiting for the promised second stage of its new building. However, that project is not listed in the building programme. The school has been waiting for more than a year for 30 tables and 60 chairs. The gas for the science block is still not usable and fencing around the school grounds has not been completed, although a letter from the department indicated that it would be attended to in due course. That is not good enough. We hope the students at the school will be educated in a fit and proper manner, but they are not being given the opportunity they deserve. The Liberal Party has been in government in Victoria for 24 years but it has done no proper planning to provide facilities in the areas of greatest need.

The Lalor High School had a population of more than 1500 students and it was therefore necessary for the department to establish an annexe in Childs Road. A new school building in Childs Road was promised for the opening of the 1980 school year, but portable class-rooms are still being used at the school and no mention of the new building is contained in the Bill. Because the school is unfenced it was broken into last month and $800-worth of goods were stolen. The department has not promised to replace them. I should like the Minister to advise whether the department will replace them. The school council should not have to go to the parents seeking financial assistance, but that is often necessary for schools in Victoria so that articles required for the students can be purchased.

Many other schools in the Thomastown Province have been waiting for years for art and craft rooms and some of them have been in operation for more than eleven years. Those facilities are not listed in the programme for this year.

The Hon. N. F. Stacey—There are 82 listed.

The Hon. R. J. EDDY—I am not concerned about the number. No money has been allocated for art and craft rooms in the Thomastown Province, which is my concern. Money has been taken from the northern metropolitan region so that facilities can be provided for schools in the area represented by Mr Stacey.

The Hon. R. J. Long—Mr Kent would appreciate that, would he not?

The Hon. R. J. EDDY—He probably would, but the money is being taken from the poorer areas to be given to the more salubrious suburbs, as Mr Knight would have said. Capital works are needed in the northern metropolitan area. The Craigieburn Primary School is another example of a school that needs assistance. The Government has sadly neglected these schools.

Item 9 allocates $14 million for police and emergency services but no provision is made for an extension of the existing stations or a new police station within the Thomastown Province, although the Government purchased land more than nine years ago. During those nine years I have been calling for a 24-hour station but that has not been mentioned in the Bill. The only new stations listed are for Altona North, Horsham and Mallacoota.

Some police stations are to be upgraded, and I notice that the Moonee Ponds station is included in that category. That station is a disgrace. The police have to take people they have apprehended out into the open to get to an area where they can be locked up. I am sure members of the Victoria Police who have to work under these conditions would not appreciate the way in which members of the Government party, who are laughing, are treating this matter. The conditions at the Moonee Ponds police station would not meet the health requirements.

The police station at Broadmeadows provides a 24-hour service with only 30 men. Everyone knows what happened there at the week-end, and it happened only because of the shortage of staff. The station services an area with a population of 150 000 and another station is urgently required. The district extends as far as Fawkner, across to the Merri Creek into the Shire of Bulla and through to Tullamarine. It goes as far as Kalkallo North and takes in Craigieburn. It is ridiculous to expect staff stationed in Broadmeadows to be able to look after such a large area. The Minister should consider the construction of another station to the north of the present station to allow the police to cope with the population of the area.

Item 11 deals with community welfare services. A number of honorable members have spoken on this subject and I know a little about it. Certain works are to be carried out at the Pentridge and Geelong prisons. Fire-fighting equipment is to be provided at Geelong, but no mention is made of sewerage connections for the prison, of which so much was heard recently. Mr Radford mentioned the conditions at Castlemaine Prison, and I agree they are appalling, but the honorable member should visit the Geelong Prison and see the conditions there. The yard at "D" division, Pentridge, is to be resurfaced. One would not send a dog to the remand section at Pentridge. Men who have been charged but not found guilty of any offence, are held under appalling conditions, but the Government is doing nothing to improve those conditions. I have visited many prisons around the world and can assure honorable members that no prison can equal the appalling conditions that exist at the remand section at Pentridge.

At least the Government intends to spend money to replace the dormitory at Fairlea Prison. The whole prison should be replaced instead of only the dormitory so that the women can be decently housed. The present conditions there are also appalling, and are the worst of any women's prison in the world.

Item 16, headed "Attorney-General", includes an allocation for expenditure on court houses. The new court house at Moonee Ponds is so small that it is necessary to use the old court house as well to hear the large number of cases on the list. When the Moonee Ponds court house was built the Attorney-General should have ensured that it was large enough to cope with the large number of cases heard by magistrates. There is no court house in Thomastown or in the Lalor area so cases from there have to be heard at Preston. The Preston court is not large enough and extensions will be made to it.

Many new court houses are urgently required. The new court house at Prahran is a model building and a credit to the Minister responsible for its construction. The Government will do a service to the community if it provided facilities like those at Prahran in other parts of the State.

Item 44 deals with mental health. I am concerned that a 60-bed psychiatric unit at the Geelong hospital was completed on 1 January this year but remains unoccupied. There is a day hospital with outpatient facilities. How many psychiatrists are employed at that unit in Geelong? I want to know the answer because at Pentridge which has 1000 prisoners, a large number of whom require psychiatric treatment, only two psychiatrists are available. Much of the time of one of those psychiatrists is employed in writing reports for courts and appearing in

court, so the prison is left with the services of one part-time psychiatrist. I do not know whether the services of a psychiatrist are available at the new Geelong psychiatric unit. There are many psychiatric institutions in Victoria, such as the Plenty hospital which requires the services of more psychiatrists. The Government does not mention any increase in the number of psychiatrists employed within those institutions.

Earlier Mr Dunn mentioned the requirements of the alcohol and drug services which are included in item 46. He spoke mainly about country areas. The drug problem is the biggest problem that Victoria faces.

The Hon. B. P. Dunn—What about the alcohol problem? Do you think it is big or small?

The Hon. R. J. EDDY—The drug problem is the most serious problem that confronts not only the Police Force but also the people of Victoria, but only $250 000 is provided for those services throughout Victoria. If the Government is serious about attempting to rid Victoria of this serious problem it should strengthen the Drug Squad by four times its present number and allocate more money for drug therapy clinics in the metropolitan area. Instead, the Government has allocated money to Odyssey House which will not operate within the next twelve months, if it ever does. The other drug therapy clinics that have been doing a wonderful job for a number of years are being run dry because no funds are made available to them. The drug clinic at the Austin Hospital has had to close because no funds are available to allow it to continue. The Government is dodging a serious issue by not providing funds to allow these therapy clinics to treat the drug addicts referred to them by doctors and members of the police.

The Hon. B. P. Dunn—Do you think the alcohol problem needs attention?

The Hon. R. J. EDDY—Of course it needs attention. Alcoholics receive attention at a number of hospitals in the metropolitan area. A ward for the treatment of alcoholics operates at St Vincents Hospital, which has a very able medical team.

The Hon. B. P. Dunn—That is only a drying-out centre.

The Hon. R. J. EDDY—Alcoholics are being cared for more than the drug addicts when it comes to funds being made available for clinics in the metropolitan area and right throughout Victoria.

Many items of the Public Works and Services Bill could be discussed, but the hour is late. I could go on for some time.

The Hon. B. P. Dunn—That is what we are frightened of.

The Hon. R. J. EDDY—I know it is getting towards the time when the cows have to be milked and Mr Dunn will not be there to do it. But I am not concerned about that.

Item 181 deals with the allocation to hospitals and charities.

The Hon. V. T. Hauser—Is there anything wrong there?

The Hon. R. J. EDDY—Yes; for a number of years many municipalities have been trying to get hospitals provided in their area. In Broadmeadows, a group of people have been working for some years and have made application to the Health Commission and various Ministers of Health. Land is available, and an application has been made to the Federal Government for land in Camp Road. A hospital is needed in the Broadmeadows area because the nearest hospitals are the Royal Melbourne Hospital which is 15 kilometres away and Preston and Northcote Community Hospital which is about the same distance away.

The Broadmeadows City Council and the people have worked hard to get the Government to agree to construct a hospital in that area which would also cater for people from Thomastown and Lalor. No mention is made about the construction of a hospital in the northern part of Melbourne.

For those reasons, I do not believe the contributions made by the Government with respect to many items

I have mentioned tonight go far enough to carry out the necessary vital work for the people of the community.

The Hon. N. B. REID (Bendigo Province)—I do not wish to prolong this debate but I desire to mention item 204 which deals with a mineral water feasibility study for which the sum of $10 000 has been allocated. During 1978–79 the Government agreed to provide a grant to finance a study of various aspects of mineral spa water resources in the Daylesford-Hepburn Springs area to ascertain the economic feasibility of exploiting those resources.

There has been a lot of discussion tonight about alcohol and its effects on people. Perhaps if people drank more mineral spa water they would be better off. I know that the Minister for Local Government has visited the Hepburn Springs area and has sampled that delightful, cool bubbling water. It does not appear to have done him any harm. I recommend it to all honorable members because if they drank more spa water and less alcohol they would feel better the next morning.

History shows that during the time the Bendigo Province and Daylesford area was under the stewardship of the Honorable Jock Granter and Messrs Grimwade and Evans a study was commissioned by the Department of Minerals and Energy into spa water in that area to determine its quantity and quality. More than $100 000 was spent on determining the quantity and quality of the water. Having ascertained that there was ample water there for a number of facilities, including bottling and hydro spa therapy units, the State Government then commissioned a study at a cost of $10 000. That study was carried out by TQ Consultants, who did a first-class job of examining the capacities of the water, whether royalties should be charged, the locations of the spas and the controls to be implemented over the mineral spa water development.

The Government will introduce legislation to implement certain requirements in the Daylesford–Hepburn area. The local community is anxious that development should occur. It has been a fine renewable source which has been available in that area for many years. The Shire of Daylesford and Glenlyon is anxious that legislation be introduced. I envisage that it will be done during the next session of Parliament.

I congratulate Mr Darrel Horton of the Department of State Development, Decentralization and Tourism for his contributions to the development of the mineral water feasibility study. It is to be hoped the Government will act upon the study and implement legislation as soon as possible.

The Hon. H. M. HAMILTON (Higinbotham Province)—I have listened with considerable interest to the debate. The outstanding factor has been the cargo cult mentality that has been the basis of most of the comments coming from the Opposition, with one or two notable exceptions. The Opposition has spent upwards of $1 000 million in the course of an hour or so debate. I do not intend to grizzle about what is not being spent in the Higinbotham Province. There are under-privileged schools that need money, but I recognize that a little bit of money has to be spent over a wide area. However, I do want to comment upon the spire on the Victorian Arts Centre.

I am disappointed at the revised plan not to coat the spire, which was to be a feature of the Victorian Arts Centre. The finished product will either look like a miniature Eiffel Tower and, as such, fail in its purpose or, alternatively, an over-grown meccano model. The decision should be reviewed and the original decision to coat the spire should be reinstated, if at all possible, because a properly coated spire would be an asset to Melbourne.

Over the years, Parliament has attacked dogs and dog owners by imposing all sorts of restrictions and penalties. For a considerable time, the animal which causes probably most deprivations within the community is the cat, a natural predator which hunts for the sake of hunting. If one walks through scrub in the metropolitan area,

especially along the foreshore on the south-eastern side of the bay, one will discover that there is scarely a scrub nesting bird to be seen. If one goes farther out into the country, the same situation applies. Many wild cats have preyed on native birds and almost eliminated the small nesting bird.

I notice a grant is to be made to the Cat Protection Society. It ought to be a grant for the elimination of cats, or at least taking more definite steps to ensure that these predators are not free to prey on the native birds.

The Hon. D. M. EVANS (North Eastern Province)—I have expressed concern on several occasions about the core-plus policy adopted by the Education Department. I accept the philosophy of demountable buildings or buildings that can be moved as necessary to provide flexibility in a system where the school population can rise and fall rapidly, but only for that section of the school population which is likely to be involved in the rise and fall.

The school buildings that were built in the 1950s were the light timber construction style and have now almost outlived their usefulness. It is of concern that the new schools which are to be built under the core-plus policy will consist of demountable buildings. The core-plus policy is being used far too much for new schools. That policy should be made more flexible to cope with the long-term needs of the population.

Under the same policy, schools which do not have a library are being provided with a demountable building, whereas a library should be a permanent building.

One school with which I am directly involved is the Wangaratta High School. A library building has been allocated to that school. It is to be of the ten modular demountable type. The school council has been informed that the estimated cost is $125 000 for a building of just over 300 square metres. I am chairman of the school council. The council is concerned about the type of building that will be provided. It believes the building is not only inadequate, but also not of a style needed for a library.

Given such a large building, the roof will be only about 8 feet high, which will almost have a claustrophobic effect upon the students. The council therefore sought and obtained permission for the school to consider erecting its own building with the funds it would have cost for the demountable building. The council has now obtained estimates for the construction of a 400 square-metre library, which is one-third bigger than the building proposed under the demountable scheme.

The council has received an estimate of $150 000 for the building. However, to be fair, I indicate that that does not include movable furnishings; it includes everything else that the demountable building would include and it is one-third larger. It will be constructed of solid brick on a cement base and it will be a permanent structure with a pitched roof, in other words, a far better quality building for a little more money. This indicates that the core-plus policy is not only a bad policy so far as the longevity of the building is concerned but also a bad policy so far as the materials used are concerned.

The major problem with the cost of school buildings, especially in the past three or four years, has been the extremely expensive style of architecture adopted by the architects in the Public Works Department. Although the architecture may be extremely attractive, had the department worked on a more modest design and a far more functional construction, the Government may well have been able to save substantial costs and still obtain a building which would have a greater longevity than that provided by the core-plus and the light timber construction buildings of the 1950s and 1960s.

Another point of concern in the education area is the Fire Reinstatement Fund. Honorable members will be aware that school buildings are not insured against fire. Rather than pay

insurance companies to carry the risks, the Education Department decided to pay into a Fire Reinstatement Fund certain sums of money each year and carry its own insurance. That would appear to be a fairly reasonable proposition. I am not an actuary, so I am not certain how it works out on a cost basis.

However, the Education Department has not been paying sufficient funds into the fund and it is now two-and-a-half to three years behind in reinstating burnt out buildings. Currently, if a school is burnt down, a demountable building replaces the burnt out building. The full reinstatement of a school would take three years. If the Education Department insured with any of the insurance companies, including the State Insurance Office, it would expect reinstatement to begin within a short time. However, that does not apply under the conditions of the Fire Reinstatement Fund.

Because of the shortfall in funds, the responsibility for fire reinstatement has now been passed directly across to the capital funds available to regions. If one examines the capital funds available to the Education Department, one will discover that there has been a 6 per cent drop in funds last year, which is something in the region of 14 or 15 per cent in real terms when inflation is taken into account. In addition, the Fire Reinstatement Fund is loaded on top of that. A lot of work remains to be done on the building programme.

It is unfortunate that from time to time natural disasters such as fires and floods cause substantial hardship. From time to time, the Government assists people who are caught in such a situation. Fairly small grants are made from the Natural Disaster Fund to people who are left destitute. The normal provision is that loans at concessional interest rates are made available to enable people to re-establish themselves.

The estimate this year is down from $800 000 last year to $300 000 and the total provision in the case of emergencies is $10 million. No citizen who has his or her property destroyed by a natural disaster can expect the Government to totally reconstitute that property to the stage that existed prior to the disaster.

It is important that people understand that the Natural Disaster Fund does not absolve them of the need to carry their own insurance or similar provision to carry them through such a disaster. A person who has a business or property which is at risk and who does not carry sufficient insurance or similar coverage is being extremely foolish and could jeopardize his business or property. The Government should draw people's attention to the need to insure properties and for people to make their own arrangements in case of disaster. I cannot recommend that too highly to any person.

Properly and reasonably, the Government has taken account of historic buildings in Victoria and their preservation. But one would also need to recognize that many historic buildings become a charge on their owners and possibly a great expense which perhaps from time to time is one that the owner cannot bear. In addition, there are times when the owner of such a building, in the public interest, has to incur a substantial expenditure and, as a result, his enjoyment of the building can be substantially impaired, as can his ability to earn money from it. Honorable members must examine closely the effects of historic buildings on actual owners.

I draw attention to a building in the province I represent, which is the gold dredge at Eldorado, not far from Wangaratta, which is owned by Cocks (Eldorado) Pty Ltd and which has been estimated in the local newspaper to have a replacement value of between $16 million and $18 million. It has not been used for 20 or 25 years, but it has been maintained and it is regarded as an historic attraction after being declared one by the authorities. Now the company wants to shift the dredge to Queensland and the property, which is of real value to the company,

has to remain as an attraction to the tourists visiting the area during the year. This points to an anomaly in the way in which the Government is handling matters at the moment.

I am well aware that the birth rate in Victoria is falling, but I am also well aware that there are several areas in which pre-school centres, kindergartens and so on are needed. I am also well aware, as no doubt are other honorable members, that the requirements and regulations governing such buildings are becoming stricter and have been so for four or five years. With the need to comply with regulations the cost of such buildings is becoming greater. Whereas ten or fifteen years ago, it was possible to set up a pre-school centre or a kindergarten in a hall adapted for the purpose, because of the stringent regulations, it is now no longer possible to do so. Having made it more expensive to set up a facility which is still needed in many parts of Victoria, the Government has cut back on the funds made available by almost half, which will not bring much joy to those people waiting on those centres.

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

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

EGG INDUSTRY STABILIZATION (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. Haddon Storey (Attorney-General), for the Hon. W. V. HOUGHTON (Minister for Conservation), was read a first time.

ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. Haddon Storey (Attorney-General), for the Hon. W. V. HOUGHTON (Minister for Conservation), was read a first time.

CANNED FRUITS MARKETING BILL

This Bill was received from the Assembly and, on the motion of the Hon. Haddon Storey (Attorney-General), for the Hon. W. V. HOUGHTON (Minister for Conservation), was read a first time.

WHEAT MARKETING BILL

This Bill was received from the Assembly and, on the motion of the Hon. Haddon Storey (Attorney-General), for the Hon. W. V. HOUGHTON (Minister for Conservation), was read a first time.

EGG INDUSTRY STABILIZATION (AMENDMENT) BILL

The Hon. HADDON STOREY (Attorney-General)—On behalf of the Minister for Conservation, I move—

That this Bill be now read a second time.

It extends the Egg Industry Stabilization Act 1973 for a further twelve months in its present form.

The Government had given thought to amending the Act with a view to phasing out hen quotas because it is concerned by the principle as well as the high price. A further concern is the number of eggs coming into Victoria from New South Wales, against the spirit and intent of uniform State legislation.

However, in a majority decision, the High Court of Australia recently upheld Victoria's egg stamping legislation, and the New South Wales producers who sell into Victoria will now have to submit their eggs to the Victorian Egg Board for inspection and stamping. This will reduce the urgency of reforms necessary to protect the Victorian egg industry.

The Minister of Agriculture has written to the New South Wales Minister informing him of the High Court decision and once again asking him to remove the 483 kilometre regrading regulations on eggs coming into Sydney. It is this restriction which keeps Bartter Bros in particular out of Sydney and encourages them to send their eggs into Victoria.

In the meantime, the Minister of Agriculture has announced the establishment of a committee of inquiry into the future of egg marketing. The recommendations, together with the attitude of the New South Wales Government, will be taken into account for new legislation measures, which will be presented to the Parliament next spring. I commend the Bill to the House.

The Hon. D. E. KENT (Chelsea Province)—The Bill certainly has the support of the Labor Party and it would be appropriate if I related the history of egg stabilization in Victoria. It would be unfortunate if honorable members who have not been members of Parliament for long and who are unfamiliar with the history of marketing, particularly in the egg industry, were deprived of a first-hand opportunity of acquainting themselves with some of the circumstances which led to the initiation of legislation for egg stabilization in Victoria.

I remind the House that, following years of tension and uncertainty in the industry during which many hundreds, and probably thousands, of egg producers were forced out of the industry because of the lack of a marketing system which provided a guarantee for the production of eggs, and which also resulted in excess production and thus detrimentally affected the returns of those in the industry, there was a great clamour over many years by poultry farmers for some form of equitable system and stabilization.

After years of making these pleas to conservative Governments in Victoria, in response to many requests I had the privilege, on 14 March 1972, of introducing a private member's Bill into this place for the stabilization of the egg industry. Naturally enough, I suppose, when one understands how the Governments in Victoria respond to a private member's Bill introduced by a member of the Opposition, I was permitted only to give a second-reading speech on 22 March, and the debate was then adjourned, never to be resumed. But in the following year, in March 1973, which was a few months before a State election, a Bill was introduced for stabilization of the egg industry which has contributed to a great deal of stability in that industry.

It was very distressing and worrying to many poultry producers, and to those who know something of the history of the egg industry in Victoria, to know that the Government was seriously considering the abolition of the hen quota system which was fundamental to the Egg Stabilization Act. Either from better judgment or from discretion probably caused by a quick count around Parliament, the Government has decided that it is wise to continue the operations of the Act for another twelve months, and the Bill ensures the continuation of the Egg Industry Stabilization Act until 28 February 1981.

The other matters referred to in the brief second-reading speech will be helpful in preserving the stability of the industry for the continuation of the Act. The Labor Party supports this measure.

The Hon. D. M. EVANS (North Eastern Province)—Members of the National Party welcome the operation of the Egg Industry Stabilization Act being extended for a further twelve months. We are concerned, however, that it is only extended for this period. It is our belief that it is most important to maintain the Egg Industry Stabilization Act because the investment taking place in the industry is based on the hen quota system and on stabilization of the market.

I am concerned that the Minister in his second-reading speech said:

> The Government had given thought to amending this Act with a view to phasing out hen quotas because it is concerned by the principle

Does the Liberal Party in Victoria not believe in the principle of stable marketing? There are no producer organizations in Victoria that do not believe in it once they see the benefits of stability and of cost management. In his second-reading speech the Minister read the words, "as well as the high price". There is no evidence offered for that statement, and it is under serious challenge by people who know something about the industry. I am

concerned that the Minister of Agriculture in Victoria should put such sheer tripe before the House without being prepared to give a clear indication for the justification of that statement. That statement is wrong, and the Minister should lead evidence to indicate the basis on which he made it.

I note that there is a committee being set up to inquire into the stability of the egg industry and to determine the direction the industry should take. I trust that the committee will be thorough in its investigations and will bring forward recommendations that will be of benefit to the people who produce eggs in Victoria, and also of benefit to the people who consume eggs.

I will be concerned if producer representatives are not members of the committee. I believe that may well be the case. Surely producers have a tremendous interest in what is being put forward.

A recent decision of the High Court has upheld the stamping of eggs sold in Victoria. Obviously, the High Court's decision was intended to attempt to control the marketing of eggs in Victoria, and particularly the marketing of eggs coming from interstate. The Minister in his second-reading speech mentioned the Bartter Brothers of Parkwood Eggs in the A.C.T., who send eggs into Victoria. I understand that the Federal Government is also concerned about this trade, and some review is being undertaken of penalties for overproduction in the Australian Capital Territory. There is a border war when eggs from the Victorian Egg Marketing Board and Parkwood eggs are sold across the border in New South Wales. This does not assist stability and reasonableness in the egg industry.

In the second paragraph of the second-reading notes, concern is expressed about the stabilization of the industry. I understand that the New South Wales Government, through its Minister of Agriculture—and bless him, he is a Labor Party man, Mr Day—has indicated very strong support for the continuation of stabilization in that State for the benefit of producers and consumers. It would be foolhardy for the Victorian Government not to co-operate in that arrangement because an industry cannot be fully stabilized in one State when the adjoining States do not have similar legislation and provisions.

The National Party agrees with the Bill as it stands, but views with serious concern and alarm the philosophy expressed in the second-reading speech. I direct that strongly to the attention of the House and to those people who have a direct interest and involvement in the egg industry in Victoria, and also to the consumers of eggs who are looking for a stable price, a stable supply of eggs at all times, and a guaranteed quality, as I have no doubt the Minister would claim the Victorian Egg Marketing Board guarantees.

The motion was agreed to.

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

CANNED FRUITS MARKETING BILL

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

That this Bill be now read a second time.

This Bill introduces a stabilization scheme for the marketing of canned peaches, pears and apricots which is to commence on 1 January 1980 for five years. The Bill is part of complementary legislation which has already been introduced in the Commonwealth Parliament and is to be adopted in the States of New South Wales, Queensland and South Australia.

The canned fruits industry has been through a difficult period in recent years. Up to ten years ago, the major market for Australian canned fruit was Great Britain, where entry was on a preferential basis. When Great Britain joined the European Economic Community, this market declined substantially and a major restructuring of the industry has been required.

Victorian production of peaches, pears and apricots from the three canneries in the Goulburn Valley has dropped to almost half the 1970 level. However, supply is still almost double

the domestic demand and difficulties have been experienced by canneries in providing adequate returns to growers.

At the request of the canning industry, complementary legislation was developed by the Commonwealth and State Governments and is supported by growers and canners.

The legislation establishes a stabilization scheme. The selling arrangements under the scheme will distinguish between the countries which are to form an equalization market and other countries which are not part of the market. The industry has agreed that, initially, the equalization market will be Australia, United Kingdom, Ireland, Scandinavia and Japan. The returns from sales within the equalization market will be equalized, but this will not apply to returns from other markets.

The Australian Canned Fruits Corporation will acquire all canned fruit produced each season. It will allocate a production entitlement to each canner for sales on the equalization market and will purchase the entitlement after production by the canner. The entitlement will be based initially on the previous sales record of each canner.

Canneries may produce fruit in excess of their quota, but the excess production will not be purchased by the corporation. It will be sold on behalf of the corporation to meet shortfalls on the equalization market or to non-pool markets. The net proceeds of all sales on the equalization market will be pooled, and the net proceeds of sales to non-pool markets will be paid directly to the cannery concerned.

The corporation is authorized to borrow from the Reserve Bank to finance the purchase of canned fruits and a major objective of the legislation will be earlier and increased payment to canners, and, as a flow-on, earlier payments to growers.

The Australian Canned Fruits Corporation is established under the Commonwealth legislation, and will consist of the chairman and 10 members, 5 representing canners, 3 representing growers, 1 representing the Commonwealth of Australia and 1 independent member.

An Australian Canned Fruits Industry Advisory Committee is also established under the Commonwealth Act, and the purpose of this committee is to advise the corporation on such matters as the countries to participate in the equalization market.

Notes on the clauses are available with the Bill. 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 later this day.

ABATTOIR AND MEAT INSPECTION BILL

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

That this Bill be now read a second time.

The Abattoir and Meat Inspection Authority plays a vital role in the meat inspection services in Victoria. The term of office of all of the present members of the authority will expire at the end of January 1980. Before they can be reappointed it is necessary to make some amendments to the Act because the appointments are made from nominations supplied by particular organizations which are named in the Act. As honorable members would be aware, the Victorian Farmers Union and the Graziers Association of Victoria have amalgamated under the name of the Victorian Farmers and Graziers Association.

The Act also needs to be amended to take account of changes within the Department of Agriculture. The opportunity is also being taken to increase the membership of the authority by one additional person to represent the operators of local abattoirs and slaughter houses.

I turn now to the Bill. Clause 1 sets out the usual citation provisions. Clause 2 contains the following provisions:

(*a*) The membership of the authority is increased from eight persons to nine persons.

(*b*) The Chief Veterinary Officer of the Department of Agriculture is nominated as the chairman.

(*c*) The Chief of the Division of Veterinary Public Health of the Department of Agriculture is nominated as the deputy chairman.

(*d*) The existing provisions, which relate to one representative from the Graziers Association of Victoria and one representative from the Victorian Farmers Union, are repealed and replaced by a provision for the nomination of two representatives from the Victorian Farmers and Graziers Association.

(*e*) Provision is also made for the nomination of a representative of the Country Abattoirs and Wholesalers Association of Victoria.

Clause 3 allows for appointments to be made by Order in Council instead of by proclamation. This brings the wording into line with other legislation.

Clause 4 provides that the authority is to be the same body before and after the alterations to its membership and any actions that were validly done or omitted by the authority are to remain valid despite the change in membership. This clause also provides for continuity of the term of office of the present members of the authority until the completion of their term of appointment, at the end of January, 1980. I commend the Bill to the House.

On the motion of the Hon. R. J. EDDY (Thomastown Province), the debate was adjourned.

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

The sitting was suspended at 12.15 *a.m.* (*Wednesday*) *until* 12.39 *a.m.*

YOUNG FARMERS' FINANCE COUNCIL BILL

This Bill was received from the Assembly and, on the motion of the Hon. Haddon Storey (Attorney-General), for the Hon. W. V. HOUGHTON (Minister for Conservation), was read a first time.

URBAN LAND AUTHORITY BILL

The debate (adjourned from December 4) on the motion of the Hon. F. J. Granter (Minister of Water Supply) for the second reading of this Bill was resumed.

The Hon. E. H. WALKER (Melbourne Province)—This measure seeks to establish an Urban Land Authority. So far as the Labor Party is concerned, it is clearly a way out of some of the serious errors and blunders which the Government has made over several years in relation to land which was, in the first instance, supposedly gathered for housing and other purposes. A huge mass of land exists and the proposed authority is being put together, as I understand it, simply to dispose of that land as quickly and as painlessly as possible.

The Government has blundered and that is clearly evidenced by the fact that not only have we had the Gowans inquiry but we presently have a Royal Commission which is inquiring into deals related to land parcels gathered by the Government.

The Labor Party is concerned about this. It knows that the Government has used the Housing Commission of Victoria as its main acquisition authority even though, at the time the Housing Commission was brought into the act, it already had a bad reputation, and it was in even more trouble before long. At that time it seemed a very poor choice and subsequent activities have shown it to have been an even poorer choice.

The Housing Commission became the agent for the Urban Land Council. The Urban Land Council was set up in response to initiatives taken by the Federal Labor Government. With the best of intentions and motives the Federal Labor Government adopted certain initiatives in the hope it would be possible, in the long run, to reduce the costs of land and housing, particularly for young married couples.

Of course, the offer was not taken up quickly by the Government. Clearly, at that time there were differences within the Government on whether the money should be accepted and that indecision led to some serious mistakes being made and honorable members are still seeing the results of those as the inquiries continue, one after another, into the land deals.

The Government is clearly trying to get out of the business of land dealing and, up to a point, I do not blame it although, as I will show later, the Labor Party believes some benefits could accrue if it did not move out of this field altogether. It is clear that land developers are keen in their support of the measure because it means they will have what they have desired for many years, that is, the Government no longer being involved in land of this kind, and this will mean they will come back into full control of the land market.

The features of the Bill include the withdrawal of the Housing Commission of Victoria and the Urban Land Council from land dealing. The authority is being set up to unwind the problem and thereby leave land development to private developers. It is clear that the Government will incur a loss in getting out of its property holdings. The Labor Party was worried for some time when the Bill was first presented that the measure contained no provision for a proper accounting procedure but I am pleased to note that an amendment in another place has corrected that anomality. The Labor Party believes a commission of this kind should have been given powers not just to sell but to purchase land. The baby should not be thrown out with the bath water because there has been a difficulty in land dealings by the Government. That does not mean that the original intent was not good. Proper controls should be exercised. The authority should have powers to purchase and sell and regularize land dealings for the Government. For the Government to get out at a loss is undesirable, particularly as within a few years there could be another boom. Land will still be drastically needed for housing, and it is unfortunate that the Government should race to get out of the land business in this fashion. I foreshadow that in the Committee stage I shall move certain amendments in this regard.

The composition of the authority is to be six members, three of whom will be from the public sector. Unfortunately it is not indicated where those three will come from. Members of the Labor Party believe they should not come from land developers because the large sale of land that this Bill will bring about will have a great effect on the land market. The people on the authority should not in any way be involved in the land market because they could organize things for their own benefit. The members of the authority should have a true disinterest so that the land can be properly handled. Much land is involved. Clause 5 (2) of the Bill provides:

> Not less than three of the persons appointed as members shall be persons who are not employed in the public service of Victoria or by any public statutory body.

That is a discriminatory clause. It sounds as though there is an element of criticism of the Public Service. Members of the Labor Party believe that is unfair because it suggests that other than Ministerial responsibility should apply, and this is an instance in which Ministerial responsibility holds strongly. If the Government had done its job properly from the beginning when the initiatives were taken from Canberra, by now Victoria would have a proper statutory authority to handle land. Such authorities have been established and are functioning well in South Australia and New South Wales.

This Bill represents the winding up of a sad chapter in the blunders of a Government which has done poorly in land development and organization of land and is rushing to get out. The Labor Party does not oppose the Bill but I will be moving certain specific amendments to clauses during the Committee stage.

The Hon. K. I. WRIGHT (North Western Province)—The National Party does not oppose the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 3 were agreed to.

Clause 4 (Objects of the Act)

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 4, omit sub-clause (1) and insert the following sub-clause:

"(1) The objects of the Authority shall be—

(*a*) to acquire land for present or future urban expansion or development, or for the establishment of new urban areas;

(*b*) to manage and develop or re-develop for residential or commercial use the land so acquired;

(*c*) from time to time, as prevailing circumstances require, to make available such of its land as the Authority considers necessary or expedient for the orderly establishment, expansion or development of urban areas, or for other public purposes;

(*d*) to provide land to those members of the community who do not have large financial resources;

(*e*) to promote integration and economy in the development of land for urban purposes; and

(*f*) to provide, or arrange for the provision of, services and amenities for the use or benefit of the present or future community in new urban areas."

I foreshadowed this amendment during my earlier comments, although they were brief. It seems irrational to set up an authority of this kind and give it the powers only of disposing of land. Members of the Labor Party realize the embarrassment of the Government at having acquired a great deal of land, much of which is not good land, but there should not be an authority that cannot purchase land. Irrespective of whatever Government is in power in two or three years' time, it would have been more sensible to establish an authority to resolve the present problem—to get rid of the land which is an embarrassment —and to deal with the need to acquire land in the future. A properly constituted authority could do the job well. It is clear that there will be a need for housing, and the Government ought to intervene in the development market in such a way as to retain land at as low a cost as possible for people who need housing. I commend the amendment to the Committee.

The Hon. F. J. GRANTER (Minister of Water Supply)—I have listened to the argument put by Mr Walker and have read the amendment. The Government does not accept the amendment. It does not wish to purchase land but to sell the land under its control at present.

The Hon. K. I. WRIGHT (North Western Province)—The National Party does not support the amendment because it believes the Urban Land Council has been formed to dispose of tremendous tracts of land which have been acquired by the Government. At a later stage, if it is necessary also to acquire land, that can be attended to at the appropriate time.

The Hon. D. M. EVANS (North Eastern Province)—Clause 4 (1) (*b*) provides that the objects of the Act are:

To provide developed and development allotments as directed by the Minister.

The CHAIRMAN (the Hon. W. M. Campbell)—The Committee is dealing with Mr Walker's amendment. Are the comments associated with the amendment?

The Hon. D. M. EVANS—I think they are relevant to the amendment. I am interested to know whether clause 4 (1) (*b*) gives authority, by inference, to acquire land. Is it assumed only that it applies to land already held, or will further land be acquired? I want to know whether that is the case because it is relevant to the amendment moved by Mr Walker.

The Hon. F. J. GRANTER (Minister of Water Supply)—As I read the clause and the second-reading notes that I gave to the House, the authority is to develop land now held by way of allotment, and no further land.

The Hon. R. A. MACKENZIE (Geelong Province)—I support Mr Walker's amendment because this is an opportunity for the Government to step into an area in which there has been excessive profiteering in the past. Because at present there may be a lull in the land market it does not mean that boom periods will not occur again. All honorable members are aware of what happened only a few years ago. Land was in great demand and immense profits were made and people, especially young home owners, were unable to purchase

houses, not because they could not afford the cost of the houses, but because they could not afford the cost of the land.

The Government has introduced this Bill with the necessary framework. By just inserting this amendment, the authority will have the power to buy land. This has occurred in other States and could have taken place in Victoria a few years ago. People in Geelong are conscious of this because they were offered a large sum of money to assist in this area, but the Government did not take the opportunity of using it. Geelong people missed out badly. I ask the Government to reconsider this amendment, which is extremely important. The time will come in the not-too-distant future when the Government will regret its failure to insert this amendment in the Bill.

The Committee divided on the question that the sub-clause proposed by Mr Walker to be omitted stand part of the clause (the Hon. W. M. Campbell in the chair).

Ayes	26
Noes	10
Majority against the amendment	16

AYES

Mr Baxter	Mr Jenkins
Mrs. Baylor	Mr Knowles
Mr Block	Mr Lawson
Mr Bubb	Mr Long
Mr Crozier	Mr Radford
Mr Dunn	Mr Reid
Mr Evans	Mr Stacey
Dr Foley	Mr Storey
Mr Granter	Mr Ward
Mr Guest	Mr Wright
Mr Hamilton	
Mr Hauser	*Tellers:*
Mr Houghton	Mr Chamberlain
Dr Howard	Mr Hayward

NOES

Mr Butler	Mr Walker
Mrs Coxsedge	Mr White
Mr Kent	
Mr Landeryou	*Tellers:*
Mr Mackenzie	Mr Eddy
Mr Trayling	Mr Kennedy

PAIRS

Mr Hunt	Mr Walton
Mr Saltmarsh	Mr Thomas
Mr Taylor	Mr Sgro

The Hon. E. H. WALKER (Melbourne Province)—Since the second amendment on clause 4 in my name is consequential upon the first and the test has occurred, I do not wish to proceed further with that amendment.

The clause 4 was agreed to.

Clause 5 (Membership)

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 5, line 23, after "body" insert "and who are not directly or indirectly associated with any business involved in the sale, disposal or development of land".

In my earlier speech, I stated that the Labor Party is not happy with the prospect that half the members of this authority could be people directly interested in land development. The Government ought to have learned its lesson well enough and should be clear about the fact that this authority will not have on it people who can in any sense be seen to gain from decisions made by the authority. I do not understand why the Government has not written into the Bill a provision of this kind. Surely the troubles accruing over the years indicate that it would be most unwise to have people involved in the development industry as members of this authority. Hence, the proposed amendment is self-evident.

The Hon. F. J. GRANTER (Minister of Water Supply)—The Government does not accept the amendment. However, in advising me of the second-reading notes, the Minister has foreshadowed in another place that consideration will be given to an amendment to provide for disclosure of interest by members of the new authority. Although such a provision has not been written into the Bill, the second-reading notes do indicate that it will be carried out administratively at this time.

The Hon. E. H. Walker—What assurance can the Minister give the Committee?

The Hon. F. J. GRANTER—The amendment will be prepared and presented during the autumn sessional period in relation to disclosure of members' interests. I assure the Committee

of that and also that the remarks made by Mr Walker on this clause will be taken into account.

The Hon. K. I. WRIGHT (North Western Province)—The National Party believes that this amendment will make the measure too restrictive and proposes to oppose it.

The amendment was negatived, and the clause was agreed to, as were clauses 6 to 12.

Clause 13 (Accounts and Audit)

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 13, line 29, after "financial year" insert "and a detailed statement of the land held by the Authority at the end of the financial year together with a statement of any land acquired or disposed of within the financial year".

This is another self-evident provision. Again, it relates to the difficulties that have been experienced because of the poor management of land by the Government in the past and it seems only reasonable to ask that proper accounting occur. Hence this amendment, which I move on behalf of the Labor Party in relation to detailed statements of land held at the end of each financial year and statements of any land acquired or disposed of; and I so move.

The Hon. F. J. GRANTER (Minister of Water Supply)—In saying on behalf of the Government that I do not accept the amendment, I do not think it an unreasonable suggestion, and I do not see why the suggestion cannot be implemented administratively when the report of the dealings is presented to the House. As in the case of the former amendment moved by the honorable member for Melbourne, I will certainly discuss it with the Minister of Housing.

The Hon. K. I. WRIGHT (North Western Province)—The amendment proposed by the Opposition is reasonable and the National Party supports it.

The Hon. J. V. C. GUEST (Monash Province)—I support the acceptance by the Minister of the view that this could and should be done administratively. It is a valuable suggestion and I want to ensure that it is treated seriously on the Government side.

The Committee divided on the amendment (the Hon. W. M. Campbell in the chair).

Ayes	14
Noes	22
Majority against the amendment	8

AYES

Mr Baxter	Mr Trayling
Mr Butler	Mr Walker
Mr Dunn	Mr White
Mr Eddy	Mr Wright
Mr Evans	
Mr Kennedy	*Tellers*:
Mr Landeryou	Mrs Coxsedge
Mr Mackenzie	Mr Kent

NOES

Mrs Baylor	Mr Jenkins
Mr Block	Mr Lawson
Mr Bubb	Mr Long
Mr Chamberlain	Mr Radford
Mr Crozier	Mr Reid
Dr Foley	Mr Stacey
Mr Granter	Mr Storey
Mr Guest	Mr Ward
Mr Hamilton	
Mr Hauser	*Tellers*:
Mr Hayward	Dr Howard
Mr Houghton	Mr Knowles

PAIRS

Mr Sgro	Mr Taylor
Mr Thomas	Mr Saltmarsh
Mr Walton	Mr Hunt

The clause was agreed to.

Clause 14, relating to terms and conditions of sale of land

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 14, line 32, after "land" (where second occurring) insert "by public auction or public tender".

This is again a simple and self-evident amendment. The Labor Party believes that when public land is disposed of it ought to be disposed of by either public auction or public tender. At present the Bill does not mention any method of sale and will allow the Government to do whatever it sees fit. If that includes private negotiation on a one-to-one basis it could be the subject of the kinds of malpractice we have come to accept from a Government that ought not to have been involved in any such malpractice.

It is the usual practice in the Public Works Department and other departments to dispose of land by public auction or public tender and any authority that is to dispose of large quantities of land, as this authority will be doing, ought to use the most proper methods. Those methods are public auction or public tender and no other method should be used.

The Hon. F. J. GRANTER (Minister of Water Supply)—The Bill does not rule out the possibility of public auction or public tender.

The Hon. E. H. Walker—Or private negotiation; that is the trouble.

The Hon. F. J. GRANTER—Nor does it spell out private negotiation. It states:

> may sell the land subject to terms and conditions relating to the development, redevelopment or use of the land by the purchaser.

It does not rule out the methods of selling mentioned by Mr Walker.

The Hon. E. H. Walker—Nor does it make them mandatory, which it should.

The Hon. F. J. GRANTER—Perhaps it does not, but it does not rule them out.

The Hon. W. A. Landeryou—That is a breach of an undertaking given in another place. It was clearly indicated that it would be considered.

The Hon. F. J. GRANTER—Obviously, it has been considered and has been rejected by the Minister. The Government does not accept the amendment.

The Hon. K. I. WRIGHT (North Western Province)—The National Party supports the amendment moved by the Opposition. It is perfectly reasonable to suggest that the land should be sold by public auction or by public tender. Surely the Government should have learnt by now that that is the most responsible course of action.

The Hon. J. V. C. GUEST (Monash Province)—The amendment is misconceived. The powers of the authority are set out in clause 4 and an amendment giving effect to Mr Walker's suggestion should have been moved when that clause was being discussed. Clause 4 provides that for the purposes of the Act the authority may, with the approval of the Minister, sell land. Clause 14 merely facilitates a particular form of dealing with land by way of sale.

The proposed amendment might well not achieve the desired end, in any event, because clause 14 commences with the words:

> Without affecting any other powers of the Authority to impose terms and conditions in selling land . . .

So it seems that in any event the authority has the power to impose terms and conditions. As I have said, the amendment is misconceived and should be rejected on that ground.

The Committee divided on the amendment (the Hon. W. M. Campbell in the chair)—

Ayes	14
Noes	22
Majority against the amendment	8

NOES

Mrs Baylor	Dr Howard
Mr Block	Mr Jenkins
Mr Bubb	Mr Knowles
Mr Chamberlain	Mr Radford
Mr Crozier	Mr Reid
Dr Foley	Mr Stacey
Mr Granter	Mr Storey
Mr Guest	Mr Ward
Mr Hamilton	
Mr Hauser	*Tellers:*
Mr Hayward	Mr Lawson
Mr Houghton	Mr Long

AYES

Mr Baxter	Mr Trayling
Mr Butler	Mr Walker
Mrs Coxsedge	Mr White
Mr Dunn	Mr Wright
Mr Eddy	
Mr Kennedy	*Tellers:*
Mr Kent	Mr Evans
Mr Landeryou	Mr Mackenzie

PAIRS

Mr Sgro	Mr Taylor
Mr Thomas	Mr Saltmarsh
Mr Walton	Mr Hunt

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.

STAMPS (AMENDMENT) BILL

The debate (adjourned from December 6) on the motion of the Hon. Haddon Storey (Attorney-General) for the second reading of this Bill was resumed.

The Hon. C. J. KENNEDY (Waverley Province)—The Opposition opposes clause 3 of the Bill but does not oppose the remainder of the Bill. The 1979-80 Budget included two provisions for increases in stamp duty, the first of which increased the stamp duty on cheques from 10 cents to 12 cents. It was stated that this would result in a revenue gain of $1·7 million in 1979-80 and $3·4 million in a full year. That is a machinery matter to keep Government income up with inflation.

The second proposal announced in the Budget was to increase the stamp duty on the certificate of registration and transfer of motor vehicles from 2·5 per cent to 4·5 per cent of value. In the second-reading speech it was stated that that duty had remained unchanged since 1 December 1975 and that the Budget proposal was expected to raise an additional $21 million in the current financial year. It is incorrect to say that that duty remained unchanged, because as the amounts increased, so did the duty. It became a growth tax, so the words in the second-reading speech show carelessness in the use of the English language.

The Minister in his second-reading speech later stated:

> When the Budget was in course of preparation we had before us a scenario of an industry which had had a year of successful operations during 1978–79. During that year new motor vehicle registrations in Victoria increased by 3·3 per cent over the previous year which was a marked reversal over the decrease of the previous two years. The figures for July for Victoria which were available showed new registrations 11·9 per cent up on July 1978 and for motor cars and station wagons the increase was more than 21 per cent over the previous year.
>
> Since the framework of the State Budget was settled further information on the Government's estimated revenue collections and on the state of the motor vehicle industry has of course, become available.

The honorable gentleman went on to say that the Government had had a second look at the situation and that the number of registrations was expected to drop. He continued:

> Taking these factors into consideration plus other smaller changes in the revenue side, the current outlook for the Budget is that over-all revenue receipts could be some $11 million ahead of Budget estimate.
>
> In the light of the situation that has unfolded, the government decided that the stamp duty proposals in the Budget should be restructured to reduce the impact on taxpayers and the motor industry.

Accordingly, this rapidly became a "flexi Budget". The Minister further stated:

> This Bill therefore proposes the following increases in stamp duty. For new cars, which will be taken as cars never before registered in Victoria or elsewhere, the new rate of duty will be 3 per cent—an increase of one-half of 1 per cent on the existing rate. This represents a reduction of 1½ per cent when compared with the increase proposed in the budget. For used cars, the new rate of duty will be 4 per cent—an increase of 1½ per cent over the existing rate and a reduction of one-half of 1 per cent on the rate proposed in the budget.
>
> The revenue anticipated to be collected by this Bill is some $11 million less than that which was anticipated in the budget. However, this is off-set by the improvement in other items of revenue which has already been referred to and the budget therefore will still be in balance overall.

How can the Government say that it will suddenly be losing $11 million, but that does not matter because it is still going to balance the Budget? In other words, if the Government had collected this amount before, it would have had a surplus of $11 million and still balanced the Budget. It is definitely a flexi Budget.

Under the original proposal, at the old rate of 2·5 per cent the stamp duty on a car costing $8000 would have been $200, but at the rate of 4·5 per cent the duty will be $360, which is an additional $160 or an increase of 80 per cent. That proposed increase was to apply to both new and second-hand cars. The duty on new cars was to be increased from 2·5 per cent—which would have been $200 on a car worth $8000—to 3 per cent, which would have been $240 on a similar car. That is an increase of $40 or 20 per cent, whereas the increase on the same basis

on a used car costing $8000 would have been $80. That is part of the reason why the Opposition opposes the Bill, particularly this clause.

In the province of Waverley which I represent and the neighbouring electorate of Chelsea there are thousands of people who work for the General Motors-Holden Ltd plant at Dandenong. Obviously Mr Kent, who represents Chelsea Province, and I have a deep interest in this matter. What happened to cause the sudden about-face by the Government on the rate of stamp duty?

As recently as 26 November quite a furore occurred in the motor car trade and an article in the *Age* stated, *inter alia*:

> Victorian Car dealers are worried their sales will be hard hit by higher State tax on vehicle sales.

The President of the Victorian Chamber of Commerce was quoted as having said:

> Fleet sales are a third of Victoria's car sales and they'll all go interstate, costing the jobs of about 3000 people and sending some dealers broke.

The article quoted some figures and continued:

> A $10 000 car would cost just that in Canberra; $10 075 in Western Australia; $10 100 in Queensland; $10 200 in Sydney; $10 250 in Adelaide, and with the new tax, $10 450 in Victoria.

The article contained more comments in a similar vein, and the matter was canvassed on radio and television for a couple of days.

A story appeared in the *Herald* on that day under the heading:

> "Dial MP, say car duty critics"

The article stated, *inter alia*:

> The office numbers of 81 MLAs were listed today in press advertisements headed: "If you drive a car or truck you're about to be milked again".

Extensive advertisements appeared in the press around the State and members of the Legislative Council were fortunate in that obviously they were not classed as being members of Parliament. The advertisement began with the name and telephone number of Mr Amos of Morwell and ended with that of Mr Wood of Swan Hill. The names and telephone numbers were given in strict alphabetical order. I received two telephone calls at 7 a.m. and 7.30 a.m., so people must have looked up my telephone number somewhere because it was not given in the advertisement. I can imagine my fate if my telephone number had been given! The advertisement invited people to:

> Write or phone your local member now, and put your point of view on this massive 4·5 per cent rip-off. Don't leave it to the other 1 900 000 owners, even though that represents every second person in the State. Get heard on your own account.

I do not propose to labour the matter further except to say that after that somewhat formidable campaign an article under the heading "Rethink over car-tax plan" appeared in the *Sun* of 27 November, when all those telephone calls had been made to members of Parliament, stating:

> The Treasurer, Mr Thompson, is re-examining his State Budget decision to lift stamp duty on motor vehicles from 2·5 to 4·5 per cent.

The article stated that the Treasurer had reviewed the proposed 80 per cent rise. On 5 December an article in the *Sun* stated:

> The State Government has agreed to cut its proposed steep rise in stamp duty on motor vehicle registrations.

An article in the *Age* was headed, "Libs give in on car duty rise", and that is how the Bill comes before the House this evening. The Opposition is opposed to the measure because it will affect jobs; it is an unjust form of tax; it is a flat rate and does not take into account the capacity of people to pay the tax. The same level of duty is to be charged and the proposal contains a certain amount of subterfuge in that buyers of new cars are treated somewhat better than buyers of second-hand cars. Nevertheless, it is an unjust tax and the Opposition is opposed to it.

The Hon. B. P. DUNN (North Western Province)—The Victorian Government, unfortunately, is severely misdirected in its approach to the motor industry in this State. Over a number of years it has taxed the Victorian motorist virtually out of existence. The Government is not providing the type of public transport system that will accommodate people who are forced out of using their own motor vehicles. In

measure after measure the Victorian Government's policy has been to make an easy grab for money. The motorist is a person that the Government can get its hands on, and he is constantly taxed.

One has only to look at the fuel levy to see the millions of dollars the Government will receive from that tax. The motorist will pay a substantial amount of that, and the measure is being brought in under the guise of replacing road maintenance charges, but it hits everybody, especially the motorists. Honorable members will hear later that some sort of miserly concessions have been granted for registrations, and that is being held up as a pay-off. When one examines the Bill one finds that those concessions are grossly inadequate and certainly do not compensate the motorist for the amount that is being taken from him.

The major provision in this Bill has been described as a rip-off, and it certainly is a rip-off when one examines the original proposal that the Government had the audicity to introduce to Parliament and try to justify. That Bill would have had disastrous effects on the motor industry and would have hit motorists extremely hard.

It was originally proposed to increase stamp duties on a certificate of registration and on a transfer of registration of motor vehicles from 2·5 per cent to 4·5 per cent on the value of that vehicle. The Government said that it would raise $20 million additional revenue this financial year and $40 million in a full year by the stroke of a pen.

It amazed the National Party that the Government could contemplate such a move. Thankfully, after consistent representations from the motor industry and the National Party, which made a major contribution in achieving the concession, the Government has now agreed to reduce the increase. The National Party commends the Government for taking that action. The tax will still affect the motor industry even though the level of tax has been reduced.

The current proposal is to increase the stamp duty on new cars by 0·5 per cent, which takes it to 3 per cent, and to increase the duty on used cars by 1·5 per cent to 4 per cent. As was stated by Mr Kennedy, $11 million will be lost from the State Budget this year because of that reconsideration.

It is a step in the right direction. Although the National Party is not opposed to the Bill, it is concerned about its ongoing effects. The Government has at least taken a step in the right direction by reducing the tax significantly and taking notice of the representations made.

Mr Jasper, the honorable member for Murray Valley in another place, made constant representations on the Bill. Because of his efforts in another place and his contacts with the motor industry, he assisted in achieving the concession for that industry. It would have been most interesting to note how many members of the Government party crossed the floor in another place to vote against the Bill had it not been amended. It is to be hoped that some of them would have had enough conviction to at least take that action.

Country people are hit hardest by these measures. No public transport facilities are available in the country and, therefore, pensioners and country people in general must possess motor vehicles and maintain them because those vehicles are the only form of mobility and communication.

The Hon. D. E. Kent—What is wrong with their feet?

The Hon. B. P. DUNN—That interjection is indicative of the attitude Mr Kent takes to his long-lost country friends, people who do not have the choice of other types of transport such as trams and trains. The tax, even though it will have a significant effect, is much more palatable than was proposed. The National Party commends the Government for reducing the tax and trusts that the Government will seriously consider its actions before it tries to get its greedy hands on the motorists in future.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Duty on applications for registration etc. of motor cars)

The Committee divided on the clause (the Hon. V. T. Hauser in the chair).

Ayes	24
Noes	10
Majority for the clause	14

AYES

Mr Baxter	Dr Howard
Mrs Baylor	Mr Jenkins
Mr Bubb	Mr Knowles
Mr Chamberlain	Mr Lawson
Mr Crozier	Mr Stacey
Mr Dunn	Mr Storey
Mr Evans	Mr Taylor
Dr Foley	Mr Ward
Mr Granter	Mr Wright
Mr Guest	
Mr Hamilton	*Tellers:*
Mr Hayward	Mr Radford
Mr Houghton	Mr Reid

NOES

Mr Butler	Mr Mackenzie
Mrs Coxsedge	Mr Walker
Mr Eddy	
Mr Kennedy	*Tellers:*
Mr Kent	Mr Trayling
Mr Landeryou	Mr White

PAIRS

Mr Hunt	Mr Walton
Mr Long	Mr Sgro
Mr Saltmarsh	Mr Thomas

The remaining clauses were agreed to.

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

TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

LIQUOR CONTROL (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

MOTOR ACCIDENTS (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

LIQUOR CONTROL (AMENDMENT) BILL

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

That this Bill be now read a second time.

The purposes of this short Bill are to establish a new licence to enable a community food and wine festival to be held in the City of Melbourne once a year and to adjust the principal Act to meet certain difficulties raised by the Subordinate Legislation Committee relating to the making of regulations under the Act.

A consortium of the Victorian Branch of the Licensed Restaurateurs Association of Australia, the Caterers Association and the *Age* newspaper have approached the Government with a view to holding an annual food and wine festival in the City of Melbourne.

In essence the promoters of the scheme desire to establish, in Melbourne, a festival similar to the successful ventures in Adelaide, Brisbane, Sydney, Surfers Paradise and Canberra which have proved to be immensely popular and have attracted large crowds to a family picnic atmosphere with special entertainment for children and the involvement of the various ethnic groups in the community.

The festival envisaged will be a family day in the area of the Fitzroy Gardens held one Sunday afternoon in March. The best food will be available through Melbourne's restaurateurs and quality Australian wines will be available in what will essentially be a happy picnic atmosphere.

The proposal has the support of the Melbourne City Council and the Ministry of State Development Decentralization and Tourism and, following advice from the Liquor Control Commission, the Government has decided that appropriate enabling amendments should be made to the Liquor Control Act 1968.

Accordingly, the Bill before the House establishes a new licence which will:

permit the sale and disposal of liquor in such parts of the Treasury and Fitzroy gardens and the adjacent streets as the Liquor Control Commission with the consent of the Melbourne City Council determines;

be granted once only in any calendar year and may be granted for a Sunday;

specify the times during which such sales and disposal may take place. Those times will be in the discretion of the commission;

be subject to a fee of $1000.

The second matter in the Bill deals with a regulation-making problem brought to the Government's notice by the Subordinate Legislation Committee.

At present all persons holding licences to sell and dispose of liquor are required, for determining amongst other things the annual fee, to make a return of liquor purchases. Such returns are prescribed by the regulations and are verified by statutory declaration.

This procedure has been the practice in respect of purchases made by persons authorized to conduct canteens under the relevant provisions of the principal Act.

Following examination of certain canteen regulations the Subordinate Legislation Committee has suggested that the regulation making powers under section 44 of the Act do not extend to the prescribing of a statutory declaration in respect of canteen purchases.

It is desirable that those returns continue to be so verified and the amendment proposed by clause 3 of the Bill puts the matter beyond doubt.

These amendments are essentially minor. I should like to use this opportunity, however, to advise the House that further amendments to the Act, following consideration of the report of Mr Davies, QC, and subsequent submissions from any interested parties, are currently in preparation for introduction at an early date. I commend the Bill to the House.

On the motion of the Hon. E. H. WALKER (Melbourne Province), the debate was adjourned.

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

ADJOURNMENT

Melbourne-Warrnambool rail service—Diabetics

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

That the Council, at its rising, adjourn until this day, at a quarter-past ten o'clock.

The motion was agreed to.

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

That the House do now adjourn.

The Hon. R. A. MACKENZIE (Geelong Province)—I raise a matter for the Minister for Local Government who is the representative in this place of the Minister of Transport. I referred the Minister to an article in the *Geelong Advertiser* of 11 December which mentioned the possible temporary closure of the Geelong-Warrnambool rail service because of the wheat harvest. In the article, Mr Fraser, the Secretary of the Australian Railways Union, has asked for an assurance from VicRail that this is only a temporary measure because not only members of the union but also many people living in the western districts are concerned at the possible closure of this important rail link. There has been talk for some considerable time that VicRail is considering the closure. The union is being reasonable in asking for an assurance. Its members do not want to stop the passage of the wheat trains. It is a reasonable request from the unions that VicRail should give an assurance that this is only a temporary measure and it should indicate when full services will be resumed.

The Hon. C. J. KENNEDY (Waverley Province)—I refer to the Minister for Conservation, as the representative in

this House of the Minister of Health, a matter of concern for diabetics. I draw his attention to the fact that one in fifty people in the State suffer from diabetes. I ask the Minister to advise if it is standard practice in all public hospitals to provide advice on special dietary requirements for diabetic patients and in particular whether this is the practice at the Peter MacCallum Hospital in Melbourne.

The Hon. D. G. CROZIER (Minister for Local Government)—I give Mr Mackenzie and the House the assurance that was passed on to my colleague, Mr Glyn Jenkins, by the Minister of Transport today relating to the service from Melbourne to Warrnambol that VicRail certainly has no plan for closing that service, the only proviso being that perhaps in January, at the height of the harvest movement of grain, it may be necessary to curtail some train services. I hope that adequately put the matter in perspective.

The Hon. W. V. HOUGHTON (Minister for Conservation)—All major hospitals in Victoria employ dietitians and they are there obviously not only for the purpose of providing proper diet advice to general patients in hospitals but also for special patients who need them. I should be very surprised if the Peter MacCallum Hospital did not provide such services, but if it does not it would only be because a dietitian is temporarily not on the staff.

The motion was agreed to.

The House adjourned at 2.9 *a.m. (Wednesday).*

QUESTIONS ON NOTICE

NYORA–WONTHAGGI RAILWAY

(Question No. 196)

The Hon. D. E. KENT (Chelsea Province) asked the Minister for Local Government, for the Minister of Transport:

(*a*) What are the future plans for the Nyora–Wonthaggi branch rail line; indicating whether tracks, signals, sleepers, road crossing signs or other facilities have been or will be removed, and when?

(*b*) What maintenance and other works were carried out on the line in each of the past ten financial years, including work to stations and bridges; indicating the date and cost involved in each case?

The Hon. D. G. CROZIER (Minister for Local Government)—The answer supplied by the Minister for Transport is statistical and I seek leave of the House to have it incorporated in *Hansard* without my reading it.

Leave was granted, and the answer was as follows:

(*a*) The Nyora–Wonthaggi rail line was closed to all rail traffic as from 21 November, 1978 and the Government has no plans to re-introduce rail services on the line.

Apart from the sale of railway houses no facilities have been removed from the line.

(*b*) Recorded costs of maintenance works carried out on the Nyora–Wonthaggi line are available for 1977–78 and 1978–79:

	$
1977–78	68 631
1978–79	2 121

(Up to 21st November, 1978)

Estimated costs in 1974–75, 1975–76 and 1976–77 were:

	$
1974–75	128 000
1975–76	158 000
1976–77	89 500

GOVERNMENT CONTRACTORS

(Question No. 253)

The Hon. K. I. WRIGHT (North Western Province) asked the Minister for Local Government, for the Minister for State Development Decentralization and Tourism:

Has the Minister for State Development Decentralization and Tourism made any progress in negotiations with regard to either eliminating the 10 per cent preference to local contractors in Victoria and New South Wales given by State Government departments or jointly waiving the preference for contractors located at Mildura, Robinvale, Swan Hill and Deniliquin; if so, what action is proposed to be taken?

The Hon. D. G. CROZIER (Minister for Local Government)—The answer supplied by the Minister for State Development Decentralization and Tourism is:

The Victorian Government is strongly in favour of abolishing the whole preference system and has repeatedly by letter and at conferences pressed the other States to abolish State preference schemes. It was resolved at

the last Industry Ministers' conference in August 1979 to establish a joint Commonwealth/State working party to investigate State purchasing preferences with a view to their elimination. This working party consists of representatives from Victoria, Queensland and the Commonwealth Department of Industry and Commerce and its expected to report to the next Industry Ministers' conference in May 1980.

TRACTOR SAFETY FRAMES

(Question No. 279)

The Hon. K. I. WRIGHT (North Western Province) asked the Attorney-General, for the Minister of Labour and Industry:

Is the Minister of Labour and Industry recommending that the use of safety frames on tractors be made compulsory; if so—(i) will this relieve municipalities of the responsibility of declaring such a requirement; and (ii) when is it intended that the new regulations will apply?

The Hon. HADDON STOREY (Attorney-General)—The answer supplied by the Minister of Labour and Industry is:

The desirability of legislation to require compulsory fitting of protective frames on all new tractors is currently being examined.

From information received by my department I have formed the view that the wider usage of safety frames on tractors would significantly reduce the number of injuries and deaths which are occurring through the use of tractors.

Already this year, fifteen persons have died in Victoria in accidents associated with the use of tractors. I understand that none of these tractors was fitted with a protective frame.

MEAT INSPECTION COSTS

(Question No. 280)

The Hon. K. I. WRIGHT (North Western Province) asked the Minister for Conservation:

(*a*) When is it proposed to implement the Government's election promise to meet 50 per cent of meat inspection costs?

(*b*) On present through-put, what would be the estimated value to each abattoir in the North Western Province?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The answer is:

The Honorable the Minister of Agriculture has furnished the following answer:

(*a*) It is proposed to implement the Government's election promise to meet 50 per cent of meat inspection costs within the life of the present Parliament.

(*b*) On the basis of slaughterings in 1978–79, it is estimated that the value to the abattoirs in the North Western Province would be $85 000.

Legislative Assembly

Tuesday, 11 December 1979

The SPEAKER (the Hon. S. J. Plowman) took the chair at 4.5 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

OVERSEAS TRIP BY MINISTER

Mr TREZISE (Geelong North)—I address a question to the Minister of Housing who is also Minister for Youth, Sport and Recreation. In view of the many serious matters affecting the Minister's portfolios, including the Royal Commission into the Housing Commission land transactions, the Keysborough land purchase and the police investigation of matters relative to the Department of Youth, Sport and Recreation, has the Minister considered cancelling his recently announced overseas trip and, perhaps, sending an official of his department in his place?

Mr DIXON (Minister of Housing)—The answer is, "No".

BUSINESS OF THE HOUSE

Mr ROSS-EDWARDS (Leader of the National Party)—I refer the Premier to the length of Notice Paper and the complexity of some of the matters contained thereon. Has the honorable gentleman given consideration to extending the sitting of the House to next week?

Mr HAMER (Premier)—The answer is, "Not yet". As the honorable member is aware, these matters are in the hands of the Leader of the House and the Deputy Leaders of the Labor and National parties. I believe all honorable members know that with a certain amount of expedition and goodwill the

Notice Paper could be handled this week. However, if honorable members are to go on talking and talking——

Honorable members interjecting.

Mr HAMER—There is no need for anyone to take offence at that. If it goes on and on, obviously it will not be possible to finish this week. I will have to wait for the week to proceed to see how we are going.

INDUSTRIES ASSISTANCE COMMISSION

Mr COLLINS (Noble Park)—Is the Minister for State Development Decentralization and Tourism aware of a recent draft report and recommendations from the Industries Assistance Commission to the Federal Government regarding the restructuring of the textile, clothing and footwear industries? If so, is the honorable gentleman also aware that the managing director of Exacto Knitwear Pty Ltd, a division of Bradmill Industries Ltd, yesterday forecast that implementation of that report would result in the loss of 316 jobs in country Victoria in that group and would further jeopardize the jobs of 200 employees at Exacto's plant at Springvale? If the Premier is aware of the draft recommendation and the statement, will he take up the matter with the Prime Minister to ensure that that section of Victorian industry is not disadvantaged as a result of these recommendations?

Mr HAMER (Minister for State Development Decentralization and Tourism)—Naturally I am aware, as are most people who follow these things, that the Industries Assistance Commission brought down draft recommendations on the clothing, textile and footwear industries. My department has made separate submissions to the Industries Assistance Commission on all three industries and in every case it has totally rejected the approach taken by the Industries Assistance Commission which, in essence, advocates a return to the tariff system of protection of those Australian industries and the abolition of the quota form of protection.

The Victorian Government takes the view, and I think industry as a whole takes the same view, that the quota protection, although it has some imperfections, is still a better way of protecting our industry against imports from low wage countries than merely tariff protection. The Victorian Government agrees with the remarks made by the managing director of Bradmill. This is not confined to that one company by any means. A number of other clothing and textile industries are in exactly the same position, and several areas, particularly in country Victoria, would be gravely threatened under these proposals. I refer to places such as Warrnambool, Wangaratta and the Latrobe Valley.

Mr Fordham—Footscray?

Mr HAMER—I have not yet counted Footscray as a country area. I was mentioning those places because of the difficulty of finding alternative employment if the main industries are in any way affected. The Government has entered very powerful objections and called for the amendment by the Industries Assistance Commission of its own draft report. If the ultimate report repeats the recommendation, the Government will call on the Federal Government to reject it utterly.

I have already made a statement today on this subject and I have written to the Prime Minister calling attention to the total failure by the Industries Assistance Commisssion to carry out its own charter, which requires it to have regard to the impact of its recommendations on employment and regional economic activity. It has not done those things as far as I can see. Therefore, the Industries Assistance Commission is failing in its own charter. I can tell the honorable member that the Government rejects the recommendations of the Industries Assistance Commission and will call on the Federal Government to maintain the quota system of protection and, above all, not to weaken the protection that those Australian industries need now more than ever.

KEYSBOROUGH TROTTING COMPLEX

Mr FORDHAM (Footscray)—Will the Minister for Youth, Sport and Recreation give an assurance to the trotting industry, and indeed the public of Victoria, that he will provide the promised Valuer-General's valuation on the Keysborough land purchase well before his planned departure from Victoria? If he does insist on leaving the State, who will be the responsible Minister to deal with this controversy and the many other problems besetting him in his portfolios during his lengthy absence?

Mr DIXON (Minister for Youth, Sport and Recreation)—I have already told the House that the moment the Valuer-General's valuation has been made available to me and to the Government it will be considered and made available to honorable members and the public of Victoria. The Leader of the Opposition well knows that, if a Minister is absent, there is an acting Minister and the acting Minister for Youth, Sport and Recreation will be the Minister of Agriculture.

MELBOURNE UNDERGROUND RAIL LOOP

Mr B. J. EVANS (Gippsland East)—I ask the Premier: In view of the campaign by the Melbourne City Council for the abolition of its contribution towards the cost of the Melbourne underground rail loop, can the honorable gentleman give an assurance that the percentage contribution of the Melbourne City Council and the Melbourne and Metropolitan Board of Works towards the cost of the loop will not be reduced during the lifetime of this Parliament?

Mr HAMER (Premier)—The honorable member will be well aware that in the days when the Melbourne underground rail loop was first mooted, one of the main protagonists of the project was the Melbourne City Council. It believed then that the building of the loop would create enormous advantages in the centre of the city and it went so far as to offer then to meet 25 per cent of the cost.

I do not recall the 40 per cent the honorable member mentions by interjection, but I certainly recall the 25 per cent, and that was eventually adopted in the Bill which Parliament passed to authorize the building of the underground loop. The Melbourne City Council has made representations on several occasions since and there has been a progressive reduction, first of all to 15 per cent of the cost, and now to the present level of 10 per cent. I understand that the council is still agitating for a further reduction. I am not sure whether it wants elimination. Members of the council saw the Treasurer this morning, I am told. I do not have any information about what happened at the meeting. I can assure the honorable member that the Government and the people of Victoria will expect the Melbourne City Council, in line with its original representations and pressure which it exerted to have the underground rail loop built, and in line with the undoubted advantages it will bring to the city, to pay some part of the cost.

TEACHING SERVICE

Mrs PATRICK (Brighton)—Can the Assistant Minister of Education advise whether the Victorian Secondary Teachers Association is asking for a working week of between 26 hours 20 minutes and 26 hours 40 minutes over a 40-week working year? It is also a fact that this time includes preparation work and extra curricula activities called for by the school during the week?

Mr LACY (Assistant Minister of Education)—Submissions received by the Minister of Education a fortnight ago from members of the Victorian Secondary Teachers Association who had gathered outside his office demanding staffing according to needs, included claims along the lines referred to by the honorable member for Brighton. The claim was not only for a face-to-face teaching time of 17-1/3 hours but also for a full working week time of 26-1/3 hours to allow for preparation, correction and other assigned duties.

Under any formula that would have to be considered about one-third of a week's work of members of this House.

Unfortunately those seeking to make this claim and at the same time seeking staffing based on the needs of the school would have to be considered off their heads, because staffing based on school needs is determined by counting the number of children in classes, which is the first need as every group has to have a teacher, and then special needs are taken into account thereafter.

It seems to me that the greatest need is to get some teachers to recognize that 26 hours a week over a 40-week year is not a responsible working week for anyone.

TROTTING CONTROL BOARD

Mr EDMUNDS (Ascot Vale)—Will the Minister for Youth, Sport and Recreation inform the House what action he has taken since the shadow Minister raised last week the matter that requires the Trotting Control Board to comply with the statutory requirement of forwarding to the Minister its financial statement for the past financial year and then for that statement to be tabled in Parliament? Can the honorable gentleman give an assurance to the House that the statement will be tabled in Parliament this week and, if not, why not?

Mr DIXON (Minister for Youth, Sport and Recreation)—I have made inquiries into that matter and I have been informed that the auditors of the accounts of the Trotting Control Board either had not completed their job last week or had only just completed it last week and that those accounts were to be transferred to the Auditor-General who must complete his audit. Therefore, whether I will be in a position to complete the obligation incumbent upon the Trotting Control Board and upon the Minister, I am unable to say. That is the position and I regret the fact, but the Trotting Control Board has been informed of that regret.

EDUCATION PROGRAMME FOR UNEMPLOYED YOUTH

Mr SKEGGS (Ivanhoe)—I ask the Minister of Labour and Industry whether his attention has been drawn to the impending closure of EPUY—the Education Programme for Unemployed Youth—in certain regions, particularly in Heidelberg, as from 14 December, due to the cessation of Commonwealth funding? Will the Minister make urgent representations to the Commonwealth Minister to suspend this action pending an assessment on how the State might assist this programme to continue?

Mr RAMSAY (Minister of Labour and Industry)—Representations were made to me last week by people from the education programme for unemployed youth in the Heidelberg area. I have taken steps to make contact with the Federal Minister for Employment and Youth Affairs this week to ascertain whether any arrangement can be made.

ROYAL COMMISSION INTO HOUSING COMMISSION

Mr ROPER (Brunswick)—Is the Minister of Housing aware that the Royal Commission into Housing Commission land deals is unable to subpoena files and documents regarding the Carlton land and building deals until the extension of its terms of reference is implemented by the Governor in Council? Can the honorable gentleman explain the reasons for the delay in view of his undertaking to the House last Wednesday and, in particular, can he ascertain whether the reason for the delay has been the dilatoriness of the Housing Commission in providing information?

Mr DIXON (Minister of Housing)—To the best of my knowledge there is no substance to the question because the extension of the terms of reference was completed by the Governor in Council this morning.

Mr Roper—That is not what the Attorney-General said.

Mr DIXON—I may be mistaken, but to the best of my knowledge that is the case. The immediate extension was certainly approved by the Government. As

I have said, to the best of my knowledge the extension was executed by the Governor in Council this morning. There has been no delay because of the Government's not taking action. It has acted as quickly as possible.

DRUG SQUAD

Mr McGRATH (Lowan)—Is the Minister for Police and Emergency Services aware of a press release issued by the Federal Police Commissioner, Sir Colin Woods, stating that the drug trade in Australia is controlled by big crime bosses? If so, will the honorable gentleman consider making more police officers and vehicles available to the Drug Squad of the Victoria Police so that the drug problem in this State can be controlled?

Mr THOMPSON (Minister for Police and Emergency Services)—The Government regards that aspect of the Police Department's activities as extremely important. It has considerably increased the size of the Drug Squad in recent years and it was further increased by another four members not long ago. A meeting is at present being held between the Police Commissioners of the States and Sir Colin Woods, and the Government will be co-operating to the full with the other States and the Commonwealth in stepping up the Commonwealth's anti-narcotics campaign.

SUPERMARKETS

Mr McARTHUR (Ringwood)—I refer to complaints that seem to be prevalent during the Christmas rush, indicating that some large, chain supermarkets systematically place large placards with lower prices adjacent to goods with higher prices so that the customers will be tricked into taking the dearer articles. Has the Minister of Consumer Affairs received any complaints about this matter and, if so, can he indicate whether the practice is widespread? Is he prepared to issue a warning to supermarkets and also to shoppers, for their own protection?

Mr RAMSAY (Minister of Consumer Affairs)—The situation referred to by the honorable member has not been brought to my attention. I have received no complaints from shoppers or supermarkets, but I warn all honorable members to look carefully at the prices of goods before purchasing them in supermarkets.

MINISTERIAL RESPONSIBILITY

Mr CATHIE (Carrum)—My question is directed to the Premier. In view of the fact that Mr Dixon is clearly unable to cope with his many responsibilities as Minister for Youth, Sport and Recreation——

The SPEAKER (the Hon. S. J. Plowman)—Order! The honorable member will not refer to a Minister by his name.

Mr CATHIE—In view of the fact that the Minister for Youth, Sport and Recreation is clearly unable to cope with his many responsibilities as Minister for Youth, Sport and Recreation——

Mr COLLINS (Noble Park)—On a point of order, for the second time the honorable member for Carrum has stated an opinion to the House.

The SPEAKER (the Hon. S. J. Plowman)—Order! I uphold the point of order. The honorable member is expressing an opinion.

BEHAVIOUR AT SPORTING EVENTS

Mr CRELLIN (Sandringham)—Is the Minister for Police and Emergency Services aware of the ridiculously low penalties following incidents which occurred at the Melbourne Cricket Ground over the week-end? In view of that situation and the adverse comments on the same matter made by the Secretary of the Victoria Police Association, Inspector Tom Rippon, can the Minister indicate what action the Government will take to correct the totally unsatisfactory situation that exists and offer better protection to members of the community and of the Victoria Police Force?

Mr THOMPSON (Minister for Police and Emergency Services)—I did preside at a meeting this afternoon attended by senior police officers, Mr Ian Johnson, Secretary of the Melbourne Cricket Club, and Mr Ray Steele, President of the Victorian Cricket Association. The general view of that meeting was that

firstly, there should be a concentrated police blitz at the next cricket test to start on 29 December and subsequent days. Secondly, there should be a review of the present inadequate penalties dealing with drunk and disorderly conduct. Thirdly, large receptacles carrying cans of beer and other forms of alcohol into the ground should be banned.

In Sydney this afternoon, the authorities are experimenting with a complete ban on the carrying of liquor into the Sydney Cricket Ground. The authorities will observe how successful or unsuccessful that ban is.

The recommendation of the meeting of police officers and senior cricket officials was that the Government should begin with a somewhat lesser ban applying to large receptacles. It was noted by the police that many people were carrying rubbish tins, baths and huge receptacles containing excessive supplies of drink.

I will be conferring with the Attorney-General this week to consider a review of penalties for disorderly conduct.

MINISTERIAL RESPONSIBILITY

Mr CATHIE (Carrum)—In view of the comments made by the Leader of the National Party, what steps has the Premier taken to divide up the responsibilities of the honorable member for St Kilda that embrace the Ministries for Youth, Sport and Recreation and Housing and the Victorian Employment Committee, so that a Minister will be able to undertake full-time responsibilies in these areas and follow accepted standards of Ministerial responsibility?

Mr COLLINS (Noble Park)—On a point of order, the honorable member for Carrum has raised the question this time on the comments of the Leader of the National Party and is, once again, giving an opinion.

The SPEAKER (the Hon. S. J. Plowman)—Order! The question is in order. I ask the Premier to answer the question in the way he sees fit.

Mr HAMER (Premier)—The Minister for Youth, Sport and Recreation has performed his duties competently and to my entire satisfaction. I do not contemplate any change in his duties so long as he is able to maintain his present workload and carry out those duties satisfactorily and competently.

URBAN LAND CO-ORDINATOR

Mr McINNES (Gippsland South)—With respect to alleged improprieties involving work carried out on a holiday house owned by the Co-ordinator of Urban Land Development, Mr Alan Ashman, has the Minister for Planning instituted an inquiry into these allegation and, if so, with what result?

Mr LIEBERMAN (Minister for Planning)—Honorable members will recall that I informed the House two weeks ago that the permanent head of the Ministry for Planning had asked Mr Ashman to furnish an explanation on this transaction. Mr Ashman did respond to that request. I shall make the letter available to honorable members should they wish to examine it. Briefly, he denied impropriety, said that he thought consideration of his position should await the lodging of submissions with the Royal Commission and the final consideration by the commission and that any action taken in the meantime would pre-empt the ultimate findings of the commission.

Mr WILTON (Broadmeadows)—On a point of order, will the Minister be good enough to identify the document from which he is quoting?

The SPEAKER (the Hon. S. J. Plowman)—Order! The Minister has identified the document and he has said that he will make it available to honorable members.

Mr WILTON—Will the Minister table the document?

The SPEAKER—Order! The Minister has said that he will make the document available.

Mr WILTON—With respect, there is a significant difference between making a document available and tabling it. I want to know whether the document is to be tabled.

The SPEAKER—Order! The answer is, "No". The Minister will make the document available to the House; it

will not be tabled. The honorable member for Broadmeadows is clearly aware of the difference between the two.

Mr LIEBERMAN (Minister for Planning)—Since that time, honorable members will know that the evidence on the Somerville transaction referred to by the honorable member has apparently been completed as late as Friday and that submissions from counsel assisting the Royal Commission and counsel acting for the Housing Commission will be given to Sir Sydney Frost this week. That is well known.

Yesterday, Mr Ashman made application to me for part of the long service leave to which he is entitled. I am informed that Mr Ashman is entitled to in excess of twelve months' accumulated long service leave. He has asked for six months' long service leave. I readily agreed to his request on the understanding that he would remain available to the Royal Commission and to the Housing Commission to assist the Royal Commission. Mr Ashman has given me that undertaking. Therefore, Mr Ashman will be on leave—I think his leave will start on Friday—to which he is entitled.

I also mention that I conferred with my colleague, the Minister of Housing, because Mr Ashman is the Chairman of the Teacher Housing Authority, and the Minister of Housing, of course, requires the position to be filled for the next six months by an active officer. As a result, Mr Ashman was informed by me that the position would be filled by another officer, Mr Bernard Leonard, at present the General Manager, Estate Management Division, Housing Commission, and Mr Ashman noted and understood that action.

DRUGS

Mr WEIDEMAN (Frankston)—I direct a question to the Premier which is supplementary to a previous question about drugs. In view of the recent comments of the Commonwealth Commissioner of Police, will the Premier inform the House when the committee investigating drugs in Victoria will report and when the results of the report will be made available to the House?

Mr HAMER (Premier)—I will have to make inquiries to ascertain a probable date. It is always difficult to obtain an advance estimate of when a committee will be able to report. The committee has held many meetings and has made good progress. I will ascertain the information for the honorable member.

DEPARTMENT OF YOUTH, SPORT AND RECREATION

Mr CAIN (Bundoora)—Will the Minister for Police and Emergency Services confirm whether the police inquiry into the Department of Youth, Sport and Recreation, which was referred to him last week during questions without notice, was controlled by Superintendent Stanfield and, if so, will he indicate why control of the matter was taken from the Fraud Squad? Further, what progress has been made into the inquiry; has it extended into any other departments, and, if so, which departments?

Mr THOMPSON (Treasurer)—This inquiry was initiated by the company Fraud Squad without direction or without any form of interference from me. It will continue to operate exactly in that way. I am not clear of any change in the operation, but I will make inquiries and find out.

ROAD GRANTS

Mr WILLIAMS (Doncaster)—I ask the Treasurer: In the light of the Premiers Conference last week, has the Commonwealth made any promise to review the unfair road grants formula in so far as it affects the State of Victoria?

Mr THOMPSON (Treasurer)—In reply to the relevant question from the honorable member, there was a relatively brief discussion, by comparison with discussions on other matters raised at the Premiers Conference, because of the fact that final decisions were not to be made on funds in the road area. However, it was stressed strongly that nearly 28 per cent of money is provided by Victoria which receives back a little more than 21 per cent of a much smaller pool. I also pointed out, that despite the fact that Victoria contributes most towards the road funds and

receives back least, it is also required to match every Commonwealth $1 on the basis of $1.25, whereas no other State has to provide a full $1. New South Wales provides 90 cents, and three of the States contribute only 50 cents to 60 cents. This is not something that has developed over recent years; it is a pattern of the Commonwealth road legislation which appears to have been supported by all Commonwealth Governments in recent years.

PERSONAL EXPLANATION

Mr DIXON (Minister of Housing)—In relation to a question that was addressed to me earlier, I wish to make a personal explanation. I have since received information from the Attorney-General that the Governor in Council this morning extended the date of the Royal Commission, but that he did not extend the terms of reference to the two sales because the extended terms of reference were not ready. All I can say, as I explained in my answers, is that matter was approved to go to the Governor in Council. I regret that the extended terms of reference were not ready. They will, of course, go through the Governor in Council next week, assuming that the Governor approves of them.

RESIDENTIAL TENANCIES BILL

Mr MACLELLAN (Minister of Transport)—I desire to give notice that tomorrow I will move that I have leave to bring in a Bill to simplify and modernize the law in relation to residential tenancies, to define the rights and duties of landlords and tenants of residential premises, to promote the quick and inexpensive resolution of disputes between landlords and tenants of residential premises, to provide for a Residential Tenancies Tribunal, to amend the Landlord and Tenant Act 1958 and the Ministry of Consumer Affairs Act 1973 and for other purposes.

I might add that it is intended only to introduce and explain this Bill and leave it on the Notice Paper until the next session.

STATE EMPLOYEES RETIREMENT BENEFITS BILL

Mr THOMPSON (Treasurer)—I desire to give notice that tomorrow I will move that I have leave to bring in a Bill to constitute a State Employees Retirement Benefits Board to make provision for the administration by the board of a State Employees Retirement Benefits Fund and for other purposes.

I add that it is the intention that this Bill be introduced and explained in this sessional period and that it shall lie on the Notice Paper to be considered by the House in a subsequent session.

CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL

Mr LIEBERMAN (Minister for Planning)—I desire to give notice that tomorrow I will move that I have leave to bring in a Bill to make provision with respect to the compensation payable for certain land in Central Gippsland, and for other purposes.

It is my intention to introduce and explain the Bill and to allow it to lie over until the next session of Parliament.

PETITIONS

Lead free petrol

Mr ROPER (Brunswick)—I present a petition from certain citizens praying that legislation be introduced to provide for the removal of lead additives from petrol. The petition is respectfully worded, in order, and bears 2065 signatures. I desire the petition to be read.

The Standing Orders were suspended to enable the petition to be read, and the petition was read by the Clerk. It was in the following terms:

TO THE HONORABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN THE PARLIAMENT OF VICTORIA ASSEMBLED.

Receive the humble petition of the undersigned citizens of Victoria who are gravely concerned:

That the lead content levels in Victorian petrol have been proven to give rise to detrimental health effects on the population and particularly on children.

Your petitioners most humbly pray that the Legislative Assembly should take legislative action to immediately reduce and ultimately remove lead additives from petrol in Victoria within three years.

And your petitioners, as in duty bound, will ever pray.

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

On the motion of Mr ROPER (Brunswick), it was ordered that the petition be taken into consideration next day.

Holmesglen Constructions

Mr CATHIE (Carrum)—I present a petition from certain citizens of Victoria praying that Holmsglen Constructions be retained in the hands of the Government. The petition is respectfully worded, in order, and bears 427 signatures. I desire the petition to be read.

The Standing Orders were suspended to enable the petition to be read, and the petition was read by the Clerk. It was in the following terms:

TO THE HONORABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN THE PARLIAMENT OF VICTORIA ASSEMBLED.

Receive the humble petition of the undersigned citizens of Victoria who are gravely concerned at the proposed sale of Holmesglen Constructions to private enterprise, because:

1. The bulk of housing in this State will be in the hands of private builders.
2. Most school construction will be in the hands of private builders.
3. Competition between tenders will be heavily depleted.
4. Families who are presently on the Housing Commission waiting list will be forced to wait much longer for their homes.

Your petitioners therefore pray that Holmesglen Constructions remains in the hands of the Government.

And your petitioners, as in duty bound, will ever pray.

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

Casinos

Mr COLEMAN (Syndal) presented a petition from certain citizens praying that no sanction be given to the establishment of a casino in Victoria. He stated that the petition was respectfully worded, in order, and bore 206 signatures.

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

COMMAND PAPERS

Mr MACKINNON (Box Hill) presented, by command of His Excellency the Governor, the Treasury Minutes on reports from the Public Accounts Committee from the Auditor-General's report from 1975–76 expenditure from the advance to the Treasury 1975–76.

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

STATUTE LAW REVISION COMMITTEE

Constitution Act 1975: A Bill of Rights

Mr AUREL SMITH (South Barwon) presented, by command of His Excellency the Governor, a progress report from the Statute Law Revision Committee on the Constitution Act 1975, a Bill of Rights, together with extracts from the proceedings of the committee and minutes of evidence.

It was ordered that the report and extracts from the proceedings 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:

Ombudsman—Report for the Quarter ended 30 September 1979.—Ordered to be printed.

Victoria Grants Commission—Report for the year 1978–79.—Ordered to be printed.

COMMONWEALTH FUNDING FOR VICTORIA

Mr WILKES (Leader of the Opposition)—I wish to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the Premier and the Treasurer to obtain adequate funding from the Commonwealth at the recent Premiers Conference and Loan Council.

Approval of the proposed discussion was indicated by the required number of members rising in their places, as specified in Standing Order No. 26 (*b*).

Mr WILKES (Leader of the Opposition)—I move—

That the House do now adjourn.

It has become almost a hardy annual to move a similar motion after Premiers Conferences and Loan Council meetings, particularly since 1977. The motion relates to the disastrous long-term and short-term effects on Victoria arising from the Premiers Conference and Loan Council meeting last week. It was really an extension of the July Premiers Conference and Loan Council meeting and honorable members know the effect that they had on the Victorian economy.

For instance, there were cuts in Federal funding for education, abolition of sewerage funds, hospital funds were reduced by an astronomical amount and the cuts in loan funds arising from that conference meant a severe reduction in welfare housing and a slashing of the public works programme.

Prior to the conference in June this year, new federalism, which should now be described as new centralism, was hailed by the Liberal Party as being the salvation of the State. Minister after Minister was on his feet in this Chamber demonstrating and acclaiming the policy which would put State and local government back on the map. Indeed, the Premier got on the bandwagon and kept on stating that the Liberal Government in Canberra had adopted a policy to solve the financial problems that had bedevilled this State and local government for too long.

Of course, nothing has happened about that new policy of federalism except that it has failed dismally, and nobody knows that better than the Treasurer and the Premier. Those honorable gentlemen are responsible for the economic planning of Victoria and no one knows better than they that new federalism has failed. After last Friday's meeting, new federalism can now be called new centralism because there is to be a Federal election next year and State elections in at least Western Australia and Queensland. Last Friday was the straw that broke the State's back with the discontinuation of the Whitlam formula which covered inflation and allowed a growth factor of at least 3 per cent in average weekly earnings, a factor which is now to be replaced.

The present formula concludes at the end of this financial year and under the new formula the States are to receive 39·87 per cent of income tax collections without any allowance for population growth or inflation. That was the deal agreed to by the Premier and the Treasurer last Friday.

The meagre reports coming from the conference suggest that only two Premiers, Mr Wran and Sir Charles Court, refused to accept the deal. Those reports suggested, if they can be relied upon, that the matter was debated for 3 hours simply because the New South Wales and West Australian Premiers refused to accept the deal. It was reported that Mr Wran and Sir Charles Court argued for an allowance for inflation to ensure that the entitlement of the States to income tax revenue would at least be stable. The report did not state that the Victorian Premier or Treasurer played any active part in supporting those two Premiers in that debate. The Premier will be able to inform honorable members whether that report was correct or not, but the fact remains that those two Premiers were concerned about the cessation and replacement of the Whitlam formula.

The proposition put and argued by Mr Wran and Sir Charles Court was reluctantly agreed to by the Prime Minister, Mr Fraser, but only for the 1980-81 financial year. After the end of that financial year, nobody knows what the effect will be on the economy of Victoria. No one knows what the effect will be on the revenue of Victoria, but I suggest the level of funds received will be seriously eroded unless the allowance is replaced by another factor, preferably a growth rate factor.

A financial advantage will not accrue to Victoria because of the failure of the Premier and the Treasurer to secure a better deal in place of the Whitlam formula, and Victoria can only lose. Victoria will be left in a state of economic activity which can

only be described as shocking and impractical, and unless the Premier and the Treasurer can explain to the House why they could not obtain a better deal under the formula proposed to replace the Whitlam formula, Victoria will suffer the consequences. Those honorable gentlemen should explain why Victoria could not do better with its infrastructure housing programme and hopefully the Premier will be able to give the House the reason for this. Over the long term, Victoria's share of income tax revenue will be kept at a reduced level but it will not affect the Federal Government which has to face an election by the end of next year.

With an election coming up within twelve months, the Federal Government can, without consultation with the States, promise income tax cuts. That is not an unreal prediction, taking into account the situation in which the Federal Government now finds itself and its popularity with the electorate. It is obvious any mini Budget or supplementary Budget introduced next year will contain income tax cuts and cuts in income tax collections, for political reasons, and this will reduce the size of the income tax cake of the States, particularly following what the Treasurer said or is reported to have said in the *Herald* last week, that Victoria will get a smaller share.

It is essential if there is to be any reduction in income tax receipts or income tax collections proposed by the Federal Treasurer prior to the Federal election next year for the Premier and the Treasurer at any future Premiers Conference to support a proposition that the Federal Government does not cut the income tax collections received by Victoria. I point out to the Government and to the Treasurer that that will have an effect on the funds received by Victoria next year, but I shall enlarge on that later.

Until there is a long-term guarantee which, in the opinion of the Opposition, restores growth in real terms, Victoria's revenue will be eroded by the decisions made by the Federal Government. If the new centralist policy is adopted, the ability of the States to engage in any long-term economic planning will be further reduced.

As I have indicated, the States' share of the split in revenue is to be 39·87 per cent, and each year the Government will go to the Commonwealth Grants Commission trying to obtain more funds. It will mean that one State will be pitting itself against the other States and I suggest Australia will be returning to the mendicant syndrome in an effort to obtain a fair deal.

I suggest to the Premier and to the Treasurer that the system of seeking grants from the Commonwealth Grants Commission will not be to the advantage of Victoria. Until now funds received by Victoria have remained at a reasonably stable level, but in future Victoria will have to rely entirely on the grants made by the Commonwealth Grants Commission. This is a backward step because the Commonwealth Grants Commission can go whichever way it likes and agree to proposals put forward by any of the States.

With a Federal election due in twelve months, the situation in Victoria is critical, in view of the proposition put by the Federal Government. Unless the Treasurer and the Premier intend trying to negotiate an improved distribution at the Commonwealth Grants Commission, Victoria will suffer. However, on the past performances of both the Premier and the Treasurer, and indeed those who have represented Victoria in a similar fashion, they are unlikely to succeed. That failure will be reflected by the inability of the State to maintain its present rate of growth and the provision of services for the 1980–81 financial year.

Each State will be trying to obtain a bigger share of a smaller cake and the competition for limited resources will create an unhealthy situation. It will promote the development of competition between States at the expense of economic development of the nation as a whole.

Honorable members will witness some States, perhaps the smaller States, being better off than the larger

States, as they will be obtaining a bigger share of a smaller cake as there is no guarantee on the revenue levels to be maintained after the 1980–81 financial year.

The States will be forced to increase economically undesirable taxes, such as pay-roll tax, gift duty, land tax and probate duty. The State will be left with the choice of either increasing those taxes or imposing a State income tax.

The Premier and the Treasurer have differing views on a State income tax. The Treasurer has consistently kept his options open. But, at the 1977 Premiers Conference, the Premier suggested that there was no real need for a State income tax and that all that was needed to right the State's economy was to reduce taxes and interest rates. The Premier, who was also Treasurer in 1977, said that lower interest rates would lift business generally, particularly home building. He said he had raised the question of tax and interest cuts at the Premiers Conference and was confident that a move to lower income tax rates would be made soon. That prediction has not eventuated.

After the Premiers Conference in July 1977, Mr Hamer was reported in the press as saying:

> "The present way of calculating the tax sharing arrangement takes too long towards the end of the year before the states have a clear indication of the revenue they can expect," he said.
>
> "We have officials who are examining ways of determining a new method."

One would have thought the Premier has had long enough to determine a new method. That is what the Premier said in 1977. Given the proposition that there would not be any formula with a 3 per cent growth factor for the next financial year, one would have thought that the Premier would have made that proposition to the Premiers Conference in 1979. But the Premier did not put a proposition to the conference on behalf of Victoria.

Following the recent Premiers Conference, the Premier was reported as saying that the Federal Government's argument was that Federal revenues were buoyant this year so the percentage allocated to the States would increase next year by 11·3 per cent so what we are really talking about is a kind of floor or guarantee which merely preserves the levels for this year. The Premier admitted that the present situation would only satisfy next financial year and what happens beyond that financial year or the 1981 financial year is a matter of speculation. The Opposition says that is not good enough. Given the potential of Victoria, we should have a clearer picture of what we are able to expect in forward planning.

The Premier said:

> Under the Consumer Price Index adjustment, this is not satisfactory.

Therefore, the consumer price index adjustment will be maintained at the same level to the State next financial year as for this financial year. That proposition should not have been accepted by the Treasurer or the Premier. The Premier went on to say:

> The whole thing depends on whether the collections at Federal level are going to be as predicted in the Budget.

As honorable members will be aware, tax collections for the next financial year, if there is to be an election inducement, will be considerably reduced. That leaves Victoria in the position where the Government has accepted a deal in which the State will lose at least $30 million in the 1980–81 financial year and the State will now receive only a minimum guaranteed share of personal income tax collections and the temporary allowance for inflation. Under the Whitlam formula, inflation was measured by growth in average weekly earnings, which is the correct index because State services are always regarded as labour-intensive.

The Prime Minister will use the consumer price index which rises at a slower rate than the inflationary conditions the nation is now experiencing. The net result of the new federalism policy must, of necessity, be a reduction in real terms of income tax revenue to the States. Victoria is locked into that situation.

The negative choices available to the Government are to reduce State spending even further in real terms than it was forced to do this year. Honorable members know the effect of the reduction in spending this year. I do not need to go over those as they were clearly outlined during the Budget debate. The second choice is to increase taxation, including economically undesirable taxes Those options are open to the Government and I suggest that they are unacceptable. A State income tax is unacceptable. A double tax of any description is unacceptable.

The Premier and the Treasurer should be in concert in their opposition to any attempt by the Commonwealth Government to force the States into situations where they will be inclined to introduce a State income tax. A State tax would not be acceptable to the people of Victoria. It would not produce the results that may well be predicted at present. Increased taxes would hit the low income earner hardest. The direct result could be increased unemployment, particularly in the building and construction industries.

The Premier was keen to go to Canberra the other day to put forward a special case for some increase in Federal aid to the building and construction industry to get it going again. But like all other attempts on Friday, that exercise failed. The Premier will not be able to keep the election promises to reduce probate and gift duty.

The Premier and the Treasurer of Victoria have failed to find a satisfactory replacement for the Whitlam tax-sharing formula. Victoria failed to even gain an infrastructure borrowing programme. I ask the Premier why Victoria was not included in the infrastructure borrowing programme that was outlined after the conference. It is important that infrastructure borrowing on programmes be agreed to by the States. One example was that, prior to the July conference, the Premier, on behalf of Victoria, was able to put to the Federal Government a programme of infrastructure borrowing for the Loy Yang project and for the infamous World Trade Centre project. Despite all the talk about Alcoa going to Portland to establish a smelter, there has been no suggestion by the Premier of any attempt to propose an infrastructure borrowing programme for the transmission lines, whether or not one agrees with that proposition. According to the reports about the Loan Council meeting, it has not been approved. It will be considered at the next Loan Council meeting along with other proposals.

I ask the Treasurer why Victoria, unlike other States, did not receive any consideration for an infrastructure programme. Was it because the Premier and the Treasurer did not propose a programme for overseas borrowing for future development in Victoria? If that was the reason, can the Premier explain why he and the Treasurer chose not to put forward such a proposal for Victoria? There is no doubt that the effect of the conference on Victoria was disastrous.

Before I leave the infrastructure borrowing programme I wish to draw attention to what the Treasurer was reported in the newspaper as saying last week. The article stated:

> Mr Thompson said the State's taxation base had become seriously eroded in recent years because of inequitable redistribution of personal income tax.

He did not put up a fight to preserve it:

> Mr Thompson said Victoria's delegation to the Premier's Conference tomorrow would press for a fresh financial deal to carry the State into the 1980s.

What fresh financial deal did the Treasurer put to the conference last Friday? There have been no reports in the newspapers about a fresh financial deal to carry Victoria into the 1980s. There has been no report since of any statement made by the Treasurer or the Premier describing the deal and how it will be seen to affect Victoria.

The Treasurer went on to say:

> Victoria would reject any attempt by the Commonwealth Government to play off infrastructure loan borrowings announced by the Prime Minister, Mr Fraser, for important general loan funds for essential services.

> Overseas loans are granted by the Loan Council to the States for the construction of power stations, the development of minerals and the provision of transport.

I add that the guidelines for infrastructure borrowing have changed considerably since the Loan Council meeting on Friday because it is now possible, where development and exploration is taking place, that infrastructure borrowing can provide for the establishment of towns and the support material those towns need for that exploration. I refer honorable members to the north-west shelf development and its future. I ask why no proposal could have been put up for Victoria in respect of any future development or exploration of the Victorian coast. Finally the newspaper report states:

> The Treasurer pointed out that Victorians paid nearly 30 per cent of total personal income tax collections in Australia but received less than 23 per cent of tax collections returned to the States.

Victoria is now forced into a situation where it has to go back to the old days of waiting for the Grants Commission to dole out the money and that is not in the State's best interests. Victoria should be looking to an infrastructure programme similar to that provided at the July Premiers Conference this year. The Government should at least have had some proposal to put to the Prime Minister as a programme for the 1980–81 financial year because last week the Loan Council approved of projects totalling $799·5 million—$489 million for electricity generation, $182 million for rail electrification, $53 million for conversion from oil fire generation and $30 million for a rural telecommunications network. None of those programmes are located in Victoria. I ask the Treasurer why.

To say that Victoria has received all that it hoped for is a gross misstatement. The attitude that was adopted by the Treasurer and the Premier last Friday suggests Victoria has run out of useful capital projects with nothing on the drawing board in the way of public transport, sewerage, hospitals, housing and the like. Victoria received nothing and the Premier and the Treasurer were prepared to accept Mr Fraser's assurance that he would consider granting the $12 million required for the Millewa pipeline under the national water resources programme, and that the estimated $120 million power project required for the Portland aluminium smelter would be formally considered by the Australian Loan Council for 1980. I point out to the Premier that it was not approved, and still has to be approved at the 1980 Loan Council meeting.

As I said, the conference will go down in history as the conference that ended new federalism and created a new form of centralism, just as it clearly demonstrated the complete disinterest and failure of the Premier and the Treasurer to secure a better deal for Victoria—in particular the failure to secure a new and better deal for the taxpayer, the small businessmen, the development programmes and the future of capital works programmes that are crying out for expenditure. Certainly the effect the arrangements will have on unemployment are plain.

Finally, Victoria needs a better deal from the Commonwealth and it needs a Premier and a Treasurer—as was suggested in the reports of the conference—of the calibre of Mr Wran and Sir Charles Court, who were prepared to go in to bat for their States. The Opposition would like to know, as, I am sure, the Victorian public would like to know, what proposals were put up by the present Premier and the Treasurer to the Premiers Conference in the interests of Victoria. Nothing was reported in the press and Victoria received nothing.

Did the Premier and the Treasurer put up a proposal in the interests of the building and construction industry or in the interests of avoiding further loan cuts at the next Loan Council meeting, as was suggested by the Treasurer when he said he would fight to ensure that no loan cut would be effected at the next meeting? I should like to know—and I am sure members of the public would like to know—what proposals were put up at the conference on behalf of Victoria, because the Parliament is now relying on press reports of the Premiers Conference and

the Loan Council meeting. I am surprised that a Ministerial statement was not made by the Premier or the Treasurer, as was the Premier's usual custom, outlining precisely what happened, what guidelines were used and what programme was proposed on behalf of Victoria.

Unless the Victorian Premier and the Treasurer are prepared to put proposals for the State of Victoria and ensure that the programme will be properly ventilated at the Premiers Conference with some degree of influence, Victoria ought to change its Premier and its Treasurer.

I deeply regret that this Premiers Conference will go down in history as one of the worst from the point of view of Victoria. There should be a clear indication by the Premier of what happened and why he and the Treasurer suffered the defeat they did at the conference in not securing a better deal for Victoria. I can only reiterate that they failed and they ought to do something about the situation immediately.

Mr HAMER (Premier)—The motion is based on an entire lack of understanding and perception about the conference and an entire misconception of what the conference was intended to achieve. I shall give an example of the lack of understanding. The Leader of the Opposition quoted some statements I made several years ago about the problems that are created with State Budgets when it is not known until well into the financial year what the yield will be from Federal sources. Those comments were made at a time when the Victorian Government was receiving a share of the then current income tax receipts for that current year. It was never possible to determine what they might be until the Federal Budget was brought down, and even then it was an estimate.

The Leader of the Opposition does not seem to know—or else he has overlooked entirely—that the system has since been changed for the very reason I have given. The sharing between the States is now calculated on the previous year's income tax rates. The reason for doing that was to avoid the kind of thing I was talking about. It is of no use to tell the House about the lack of complaint and how nothing was done about it, because that is what happened. As I interjected, that happened more than a year ago, and the Leader of the Opposition should know about it and should not base a series of remarks on lack of understanding of that matter. That is just one example.

Let me indicate the situation as it was at the conference. At present the States receive 39·87 per cent—call it 40 per cent because it is so close—of the previous year's income tax receipts. Until June next year that is subject to a guarantee—one could call it a floor proposal—under which the States will not receive less than they were receiving or would have received under the previous system. In the past few years that has led to all the States resting on that guarantee—in other words, they have received more from the Federal Budget than they would have been entitled to receive if they had merely taken between them 40 per cent of the previous year's income tax receipts. That is the position. All the States have been forced to rest on the guarantee, and so the guarantee was important to them. That guarantee expires next June.

Last June at the Premiers Conference the Federal Government gave notice that it did not propose to continue the guarantee for a further period, and the reason for holding the conference was to discuss what was then to happen and what was to take the place of the guarantee. That is the background.

There are two other factors which come into the matter. One is that the Grants Commission, under Mr Justice Else-Mitchell, was instructed two years ago to carry out a complete review of the relativities between the States—in other words, the basis on which this 40 per cent is cut up amongst the States. I do not need the Leader of the Opposition or any other person to dilate on the subject that Victoria for many years has received

less than what I regard as an adequate share under that formula; in fact all other States are measured against Victoria. Victoria is taken as the unit and other States receive a percentage more than Victoria—in some cases it is much more. I believe it is based on a false premise, namely, that mere size creates expenses on ordinary State services which are excessive. In other words, the smaller the State, the cheaper it is to provide education, health, transport and similar services.

It can be demonstrated—and we have attempted to demonstrate to the Grants Commission—that that is simply not so, that in fact Victoria is penalized because of its small size, particularly in relation to things such as rail transport where there is competition from border-hoppers coming up to one-third of the distance into this State from the border and forcing Vic-Rail to keep its freight rate low. I do not regret the freights being kept low, but it is a fact that this is happening, so Victoria has, in proportion, a much larger railways deficit than other States which have longer distances over which the railways convey their produce and a more regular form of goods, such as coal, aluminium and bauxite.

Under the present fomula and for many years past Victoria has suffered because it has the smallest *per capita* payment. I hope that will be changed when the Grants Commission brings down its report about the end of this year.

Mr Fordham—You are not relying on the Grants Commission?

Mr HAMER—We are relying on the review by Mr Justice Else-Mitchell and his colleagues of the Grants Commission into the relativities formula. We believe any fair examination of the formula must bring about a result which is fairer to Victoria.

Mr Wilkes—Any fair Federal Government would have done that.

Mr HAMER—The Leader of the Opposition will understand that this has been a matter of controversy between the States and, therefore, any fair Federal Government, as he says, is bound to obtain some kind of independent advice, in this case from the Grants Commission, on which it can act. This is the first factor, and it must be brought into play, whatever changes are introduced, by the end of the 1980–81 financial year.

The second factor is that in any case the States agreed four years ago that at the end of the five-year period the relationship between the States and the Commonwealth would be totally reviewed. Therefore, on the one hand the Grants Commission is examining relativities as between the States and, on the other hand, an undertaking exists between the States and the Commonwealth to review the whole financial situation before the end of June 1981. One accepts with some reasonable confidence that a different system will apply for the year beginning 1 July 1981.

The purpose of this conference was to arrange for the interim year, from the expiry of the current guarantee next June until the following June.

Mr Fordham—Ad hockery!

Mr HAMER—No, it is a sensible arrangement, because of the gap between the ending of this guarantee and the beginning of a new system. It is not ad hockery. That was the whole reason for calling the conference and the reason we attended it.

The position for next year is as follows: According to the Federal Budget income tax collections for the current year will be well above those of last year because rural incomes are about 30 per cent higher and other incomes have shown increases in some cases.

Mr Crabb—That is because of the wheat harvest. It has nothing to do with it.

Mr HAMER—I did not say it was; I am talking about the Federal Budget and giving the reasons why in this current year the Federal Government expects to collect more income tax; that is one of the reasons.

According to the Federal Budget, the income tax collections for the current year, on the application of the formula

of 39·87 per cent among the States, will lead to an increase overall of 11·3 per cent.

Mr Fordham—That is an estimate.

Mr HAMER—Of course it is an estimate, but with one-third of the financial year gone, income tax collections are on target, we are told by the Federal Treasurer, and the Federal Government has every reason to believe they will stay on target and that the collections this year will be as predicted by the Federal Budget. If they are, the States will receive about 11·3 per cent more than last year. That is all very well and it would be nice to receive extra amounts if we could get them, but it must be discounted by inflation.

Mr Jolly—That is 10·5 per cent.

Mr HAMER—I am talking about the over-all figure, which is 10·5 per cent for Victoria because of the operation of the formula that I have been complaining about. On exactly the same formula Queensland receives 13·5 per cent. No State scored more than another on Friday; every State is in exactly the same position. The States are obliged to apply the existing formula to the income tax collections for the current year, and the result is as I have indicated.

What the States were concerned about was inflation because, obviously, if inflation rises above about 10 per cent, even these apparent increases in the States' receipts will be worth nothing. They will simply keep the States in the same position as they were before.

What the Federal Government offered on Friday as a replacement of the guarantee was a guarantee that no State next year will receive less than it received this year in money terms indexed to the consumer price index, and the calculation of the consumer price index is to be made over the year ending next March.

Mr Jolly—Six States' consumer price index.

Mr HAMER—No, individual States. For Victoria, it will be the Melbourne consumer price index as for the year ending next March and applied to this year's figures to determine the floor for guarantee payments for next year. The Leader of the Opposition has made some play about discussions which went on for hours.

Mr Wilkes—Three hours, according to the press.

Mr HAMER—That was quite a considerable time. All Premiers spoke and all pressed for the old formula. All recognized, including Sir Charles Court and Mr Wran, that the 3 per cent betterment which was included in the old formula could not be sustained. They recognized that that was a burden which the Federal Government would not shoulder in the forthcoming year and that it was unreasonable to expect it to shoulder in times of less than buoyant growth. No State pressed for that, and the suggestion was that it should be reduced to 2 per cent. That was the unanimous suggestion of all States. It was pressed by all States with much firmness, but the Federal Government would not agree to any guarantee except the one that I have indicated, based on last year's receipts plus the consumer price index increase.

It became apparent as the discussion went on that the decision had been made by the Federal Cabinet last Tuesday. During the discussion, several references were made to the fact that the hands of the Prime Minister and the Treasurer were tied and that this would be the form of the guarantee. Naturally every Premier said, "Why are we here?"

Mr Wilkes—Sir Charles Court and Mr Wran argued.

Mr HAMER—Every Premier had argued this before. The honorable member has his facts entirely wrong, and not for the first time.

The infrastructure as approved for Victoria is firstly Loy Yang, which is the biggest project in Australia; secondly the World Trade Centre; and thirdly the power line to Portland which has been approved in principle. All that it requires is the submission of details and the year-to-year expenditure. Other

projects are in the pipeline for Victoria. They relate to the energy guidelines of the infrastructure programme which now permit energy-based projects to be included. Those projects do not have to fit the original guidelines, provided that they result in some form of energy conservation or energy conversion. If Victoria uses its own energy rather than imported energy, the projects will be considered. Naturally Victoria has a number of such projects in hand—the extension of gas pipelines, the electrification of railways and several others. They are in the pipeline now and will be considered in June along with projects from other States.

The aggregate of the infrastructure projects approved for Victoria still exceeds that of any other State. Victoria got in first and the other States are now coming in with their projects. That is the situation on infrastructure. I am glad that it has been accepted by the Federal Government. After fighting it for a long time when Western Australia and Victoria were pressing for it, the Federal Government now realizes the virtues in the proposition and is pressing the States to submit projects with an energy conversion factor. From that point of view, the meeting was a success. I cannot say that I am satisfied.

The DEPUTY SPEAKER (Mr A. T. Evans)—The Premier's time has expired.

Mr FORDHAM (Footscray)—Periodically, but not so much today, the Government has laid much claim to being a sovereign Government representing a sovereign Parliament. If that is the case, there can be no passing the buck. It is clearly and categorically the responsibility of the Government to raise adequate finances to undertake what it often portrays as its constitutional responsibilities. It is not the function or responsibility of someone else but clearly the responsibility of the Government, through the Treasurer and the Premier, to be able to marshal sufficient resources to carry out its constitutional responsibilities. These resources come from two sources: Firstly, from the taxes and charges imposed by the Government and, secondly, from funds obtained from the Federal Government—taxes and loan funds. That is the canvas on which the State Government operates in raising funds for its activities.

On both these counts the Victorian Government must be condemned by Parliament and by the people of Victoria. As this issue moves more and more into the public eye, increasing criticism will be made of the continuing failure of the Government to use its taxation resources to the utmost and to convince the Commonwealth Government, both through its national Budget and through successive Premiers Conferences, of the need for it to come to a better financial arrangement with Victoria.

The performance of the Federal Government has been mentioned in passing by previous speakers and I will not go into it in detail other than to say that the whole approach of the Federal Government in its relations with Victoria and its provision of funds to the State has been to reduce the special purpose grants, to reduce the income tax base which flows through to State level and, in more recent years, to reduce loan funds. This is clearly the policy of the national Government and part of the new federalism, which is not a surprise to me or to the Premier. The impact of this Federal policy is clear. In recent years and again this year it has reduced the money available for hospitals, sewerage, housing, transport and education.

Because of that continuing attitude, there is a concern for 1980–81 and the years ahead, particularly if one has any feeling for the growing number of unemployed in this State and nation. Concern must also be had for the general economy of Victoria. Although Victoria has a record level of savings, it has a reduced level of investment in the public and private sectors. Statistics proided on the building industry give no cause for heart or hope for the many Victorians who have been vainly waiting for some sign of resurgence in the Victorian economy led by the Victorian Government. For the sake of the unemployed and the general health of

the Victorian society, it is essential that there be an increased flow of funds from the two sources that I have mentioned.

Principally, the funds should be coming to Victoria via the Commonwealth, following an adequate and proper level of income taxation. Instead, as a result of the endeavours of the Premier and the Treasurer at the Premiers Conference last week, there is a reduced level of income tax reimbursement of the order of $30 million on what would have been received under the previous formula. If the Whitlam formula had been continued for another year, on the increased income tax base additional funds would have been available.

There has been a continuing policy by the national Government of gradually cutting loan funds for State authorities. Questions have been asked from both sides of the House about the need for increased money for housing and transport, but the Premier and the Treasurer have not reported success in convincing their Federal Government colleagues of the need and desirability for those increased funds.

In addition, it has been made clear by the Leader of the Opposition that no additional financial commitment has been made for infrastructure for Victoria for the current financial year. There is a commitment for the future and Victoria has been told that, if it provides a few more details of a couple of projects, they may be approved. That may be the case and members of the Opposition look forward to it. However, there are enormous social and economic implications for the people of this State following the failure of the Treasurer and the Premier to convince the Federal Government of the need to provide and facilitate a proper flow of funds.

In recent years, this Government has been committed to reduce certain levels of taxation from its own resources—land tax, probate and the related area of gift duty. It was a commitment of social philosophy to reduce taxation, but it can be argued, and the Opposition has endeavoured to argue, that if there is a shortage of funds—and the Premier agrees that there is—the sections of the community that can most afford to bear an increased tax burden should be asked to do so.

The impact has been the major problem area of pay-roll tax. The Premier, when it suits him at the Chamber of Manufactures or the Chamber of Commerce, talks about pay-roll tax as being a terrible State taxing device, and yet, because of the failure of the Government to convince Mr Fraser and his team, and because of other areas of State tax, the Premier is unable to do anything about the terrible burden of pay-roll tax on the Victorian community and on the employment level.

In a positive sense there is a deliberate policy, supported by Mr Fraser, for the Victorian Treasurer and the Premier to increase the levels of State taxation. For the past three years there have been massive increases in many areas of taxation and charges. For example, between September 1977 and January 1979 electricity charges rose by 17·3 per cent. As a result of recent amendments to State legislation affecting the State Electricity Commission, once again electricity charges will rise; that will be announced during the holiday period.

In the same period, the cost of briquettes has risen by 22 per cent, and the cost of gas rose by 15 per cent. There will be a further increase in charges following the extra impost now levelled on the Gas and Fuel Corporation. There is a massive increase in liquefied petroleum gas charges and State legislation has been implemented to provide for a significant increase in the petroleum levy. These are all indirect taxes which bear no impact on the level and capacity of the person concerned to pay. When it suits the Premier and the Treasurer they talk about iniquities in taxation and the desirability of having progressive forms of taxation. However, rather than the Government relying increasingly on progressive taxation as it should, the opposite is the case. In recent years, massive increases in indirect taxation levels have occurred.

The economic planning in this State is in tatters. The recent Stamps (Amendment) Bill was introduced, and following political pressure from the Opposition, the National Party and important sectors of the community, the Government had to run backwards. The provision to obtain some $20 million, which had been planned to be spent later on this financial year and obviously on a continuing basis, had to be cut from the Bill for it to be passed by the Parliament, and then it was only just passed. At the Premiers Conference only last week, there was a reduction in the funds that Victoria was hoping to obtain for 1980–81 and, it was hoped, for successive years, from loan funds and from the magical 39·87 per cent of income tax collections.

What is to be done? What are the prospects for the future of this State in the areas of taxation? The Government has two clear, broad alternatives. There is to be yet a further hike in indirect taxation levels whether on tobacco, electricity, gas or petrol, charges which bear no relationship to the capacity of the person to pay. They are part of the everyday living of all members of the community, whether they are unemployed or millionaires. That is obviously not equitable, yet that is the area this Government is relying on increasingly for funding. The alternative—and I take up the point made by the Leader of the Opposition—is a State income tax at that stage; but has kept his options open on this matter.

Mr Ross-Edwards—Any Government has to.

Mr FORDHAM—The Premier has not. He has repeatedly closed the door on this matter. The Treasurer, being a prudent man in more ways than one, has not closed the door and I am sure he will receive many questions over succeeding weeks as to if or when—and I suspect it is likely to be when, under this Government—there will be the introduction of a State income tax because of the failure to convince Mr Fraser and Mr Howard, his Federal colleagues. The Government has been used and abused by its Federal colleagues.

The Premier of this State was one of the first Liberal politicians in Australia to embrace, with open arms and a warm heart, the new federalism policy when it was announced in 1975 by Mr Fraser on his path to power before the coup of November 1975. On 28 September 1975 Mr Hamer had the following comment to make about federalism, not surprisingly on 3XY:

> Malcolm Fraser, as leader of the Federal Opposition, unveiled the policy which the next Liberal Government in Canberra will adopt to solve the financial problems which have so long bedevilled the three tiers of government—Federal, State and Local—in Australia.

He then went on to say:

> What then is the new scheme all about? It rests on the plain fact that in any modern country, income tax is the principal taxation source. It is also the fairest in the sense that it is based on ability to pay.
>
> What any Federation requires, to work properly, is a clear definition of the responsibilities of the partners, and matching financial resources to carry them out.
>
> This is exactly what will happen under the next Liberal-National Party government in Canberra.

That is the joy and the promise the Premier offered Victoria when he talked about the new federalism policy of the Fraser Government.

In his 1976 policy speech, the Premier said:

> A major task of the Victorian Liberal Government now was to work alongside the new Federal Government in building a true co-operative federalism.

What successes have there been in working alongside the new Federal Government—not so new now? But then as reported in the *Age* newspaper on 4 February 1976:

> Mr Hamer said the new financial arrangements were aimed at ending the "begging bowl" syndrome in which the States trekked to Canberra each year to seek additional Federal funds to carry out their programmes.
>
> However, Mr Hamer said there would have to be a limit to State surcharges, and agreed that a 5 per cent limit "would not be unreasonable".

That surcharge was State income tax. The Premier had a different view about State income tax. The Treasurer has the "begging bowl" syndrome stopped? Has the Premier's promise of 1975 and 1976 that Victoria was moving into a new era when the States would get a

reasonable return from the Commonwealth come to fruition? Far from it: The situation is far worse than it has ever been before and honorable members have seen over recent years the political opportunism of the Federal Government when it talks of new federalism. It is talking about new taxes without taking into account its responsibilities for expenditure. Honorable members have observed the rhetoric since, even with an election year in the wind; so the situation will be really drastic following the 1980–81 year.

Mr ROSS-EDWARDS (Leader of the National Party)—This adjournment motion refers to:

> The failure of the Premier and Treasurer to obtain adequate funding from the Commonwealth at the recent Premiers' Conference and Loan Council.

However dissappointed honorable members might have been as to what happened last Friday in Canberra, it is still the fact that Victoria did no worse and no better than any other State, whatever satisfaction that may be.

Mr Crabb—That is not a fair statement.

Mr ROSS-EDWARDS—If the honorable member wants to dispute that, he can stand up and make a speech. The Premier stated what happened in Canberra and pointed out that, in the near future, all States face a decrease in the level of income tax reimbursement to them as against what could have been expected if the present formula had continued. The sad thing is that the Premier and his deputy went to Canberra with a team of advisers when, as the Premier said, a telex would have sufficed and would have saved the expense, the time and the embarrassment of going on a lost errand. During the Whitlam era, especially during the later stages of the Whitlam Government in 1974 and 1975, the States did get together more and consulted more than they had done at any time in recent memory, for different purposes and for different reasons than exist today. If federalism is to work, there must be greater consultation between the States and more muscle will have to be shown by the States. It was shown in 1972 to 1975. The States will have to organize themselves and I cannot think of a better time than the 1980 Federal election year. It is fair to say that any Federal Government, whatever its political colour, only receives the message when an election is pending. If the States do organize themselves, they will get better understanding in 1980 than they were able to get in 1975.

Honorable members must remember that any approach to the Federal Government will have to be a responsible approach. It must be an approach which will lead to increased employment in the States and which will lead to reduced inflation, because those two aims must be kept clearly in mind. Not only has Victoria lost in that it will lose on the tax reimbursement formula, but the Commonwealth has also opted out of certain financial responsibilities in specific areas. Not only will Victoria receive less, but it will be responsible in many areas for far more than it was before.

In relation to overseas borrowings, Victoria has three exciting projects—the Loy Yang project, the World Trade Centre and the power line to Portland.

Mr Wilkes—It is in the pipeline.

Mr ROSS-EDWARDS—With all due respect, I suppose it is fair to say it is in the pipeline but it is very much in the pipeline. That project will bring to life an area of Victoria which is long overdue for some Government attention. Two of those three projects are on the credit side; I will put the World Trade Centre to one side. The other two are major development projects, Loy Yang being probably the greatest development to take place in the history of this State. I look forward to those projects getting under way. Not only are they necessary to the development of Victoria, but they wlil bring increased employment opportunities both in the construction stages and when they are completed.

In opposition, the coalition partners in Canberra made much of the concept of federalism and making it work. I am disappointed that, when the State Premiers went to Canberra last Friday, the excuse offered them was that a Cabinet decision finalizing the matter had been

made the previous Tuesday. That was a calculated insult to the six State Premiers who attended. To go there without any opportunity for consultation, without any chance of conciliation or any chance of negotiation makes a farce of the Premiers Conference and the Loan Council. Knowing most of the Premiers who were there, I am surprised that the Premiers Conference and the Loan Council continued. One would have had to give very serious thought to saying, "Good morning, we are going home." If the Premiers were not to be able to discuss matters and were only to receive the results, one wonders if it was worth their spending even those few extra hours in Canberra.

For the reasons I have given, the National Party does not support the adjournment motion. My colleagues were disappointed with the result, but I maintain that the Premier and the Deputy Premier did no worse and no better than the Premiers and Treasurers of other States.

Mr THOMPSON (Treasurer)—I oppose the motion, for the reasons outlined by the Premier and the Leader of the National Party. However, contrary to a number of adjournment motions moved in this House, this motion has promoted useful discussion on a subject of considerable importance and, to that degree, the time was worth spending.

It is true that Victoria did no better and no worse than the other States. I would not draw any distinction between the type of battle put up by the various States at the Premiers Conference and the Loan Council. Each of the Premiers and Treasurers did his level best to obtain the best he could for his State—the Labor States, the Liberal Party States and Queensland, led by a National Party Premier.

Perhaps the subject needs to be divided into a number of different areas. Firstly, the question of new federalism has been discussed at length. The basic reason why the States, particularly Victoria, supported the concept of new federalism was to try to untie the number of ties and restrictions which had grown up on money coming from the Commonwealth.

Mr Fordham—You got Victoria less money.

Mr THOMPSON—This is one important aspect which is unrelated to money. The value of tied grants had grown from about 23 per cent of the total volume of money coming from the Commonwealth to nearly 50 per cent. If that type of pattern of doling out money to the States had continued, the States would in the course of time have been out of business. That argument had particular appeal to the States. What has been achieved under the new scheme? I believe two things have been achieved—firstly, local government has fared particularly well by having a fixed share of total revenue, 1·5 per cent moving up to 1·75 per cent this year, with an undertaking that that percentage will be increased to 2 per cent in the next Federal Budget, and that has meant a lot to local government; and, secondly, the infrastructure programme, largely sponsored by Sir Charles Court and our own Premier, has been a success and will contribute much to the development of the Commonwealth of Australia. Actually, the amount of money coming into this scheme now represents 37 per cent of the basic semi-Government programme. If one considers the programme of all authorities, it is equal now to 26 per cent of that total. It is a significant amount. Victoria started off with the approval of the World Trade Centre and the Loy Yang project which will cost some $2000 million, the largest engineering project ever contemplated in Victoria. Victoria also has approval for the construction of the State Electricity Commission's line to Portland for the development of the aluminium smelter, and that project will be at a cost of approximately $120 million.

Mr Simpson—It has gone up from $80 million to $120 million?

Mr THOMPSON—The final costing has not been completed, but I think it is likely to be nearer $120 million than $80 million. That will not be available until the 1980–81 financial year, but that project has been approved in principle. There is also a proposal for a small water scheme to serve Geelong and the Bellarine Peninsula and that will be un-

dertaken at a cost of some $12 million. That is a relatively small scheme the Government believes can be covered under the Commonwealth water resources scheme.

It should be stressed that some major railway electrification projects will also be submitted as infrastructure proposals. The first is the electrification of the line from Melbourne to Sydney and a special, three-Government committee has been established to investigate the costing.

Mr Wilkes—The Premier is not too keen on that.

Mr THOMPSON—The reservations expressed by the Premier related to the repayment of the loan. This year for the first time the Victorian loan allocation is less than the total debt charges. The debt charges have grown to $370 million and the loan allocation is $312 million, so Victoria has to watch its commitments in the loan repayment field. That is why the Government is anxious to ensure that the project for the electrification of the line from Melbourne to Sydney is costed carefully and to ensure that only a reasonable burden is carried jointly by Victoria and New South Wales.

Mr Wilkes—Are repayments the first call?

Mr THOMPSON—That is another matter to be examined. The Commonwealth Government, the New South Wales Government and the Victorian Government will investigate the costing of the electrification and further detailed costing will be carried out. Present estimates indicate that the electrification of the line to Albury may cost $113 million.

There are several other electrification projects. They are the Melbourne-Serviceton and the Melbourne-Geelong lines. Those projects will be investigated by the Australian Railway Research and Development Organization and reports will be provided prior to the submission of formal proposals to the Loan Council for infrastructure approval. Victoria moved away to a good start when large projects were being approved and gained a somewhat higher percentage of approvals than the other States. I shall reiterate the major projects, which are the electrification of the Melbourne–Sydney line, the Melbourne–Serviceton line and the Melbourne–Geelong line, as well as the power line to Portland, which was approved in principle, and the relatively small Bellarine–Geelong water supply scheme.

Mr Wilkes—Did you put the railway proposals up on this occasion?

Mr THOMPSON—They are to be referred to the specialist committee for costing and will be submitted to the next meeting of the Loan Council as infrastructure proposals.

By and large local government scored well. The infrastructure scheme is in the interests of the development of the Commonwealth of Australia and it is a highly successful programme, although I have one reservation: In stretching the sum of money available for infrastructure proposals it is necessary to be careful that there is no impact on Government loan funds. That is most important. Government loan funds, generally speaking, have to be used for the more essential and urgent projects, such as hospitals, schools, police stations, water supplies and so on. I should not like to see those funds affected in any way because of a desire to move ahead with the perhaps more spectacular national development programmes, such as the electrification of the railway line from Melbourne to Sydney. Therefore, in considering the whole of the infrastructure programme regard must be had to any impact it might have on the approvals for the total Government loan programme.

I move to the taxation field. As the Premier outlined, originally the proposal was that the States should have a fixed share of the current year's income tax revenue gained from people as distinct from the income tax paid by companies. The scheme worked reasonably well, but at the outset there was some uncertainty as to the total revenue that would be available. After discussion, the States asked that

the previous year's revenue be used. Therefore, instead of having 33·6 per cent of the current year's revenue the amount went to 39·87 per cent of the previous year's revenue.

At the time of the adoption of the scheme it was agreed that the guarantee formula would be sustained. This type of formula evolved in about 1959–60. At that stage, the betterment element of increase was based on 10 per cent of wages. That lasted for five years. In the mid-1960s it was changed so that the betterment factor of 1·2 per cent applied to both population and wages. That lasted for two years and the betterment factor was then increased to 1·8 per cent. A subsequent promise was given that it would be increased to 3 per cent.

It was argued with some strength that an 11·3 per cent increase was not unreasonable for next year. One can accept that argument, but Victoria was more concerned about what will happen in the year after next, because, as the Leader of the Opposition rightly said, this year income tax revenue is buoyant and there has been a marked increase, with the States getting the benefit. That is why the level of increase has gone up to 11·3 per cent. However, in the year following it is likely that there will be a fall and it is then paramount that an adequate guarantee formula should operate.

Mr Fordham—You cannot plan.

Mr THOMPSON— It is not a matter of our planning. The States argued very strongly for the retention of the guarantee formula. Failing that, we argued that the betterment factor could be reduced to 2 per cent. That would still have been better. Sir Charles Court put that forward as the second proposal and it was supported by all the States as a second preference. It was not accepted by the Commonwealth, which offered the guarantee that no State would be worse off financially, taking into account the inflation rate based on the consumer price index.

We did not accept that as a desirable form of guarantee nor will we accept it in the future, because it ignores two important factors. It ignores population, and any formula to take account of inflation must also take into account the number of people being catered for at the highest level and the reduced value of money. Therefore, population must be element 2 in the formula. Further, some betterment factor is fully justified because of the States' limited tax base. The betterment factor was originally introduced because it is a limited tax basis and it is now no broader than it used to be, with the one exception of the introduction of pay-roll tax in the early 1970s.

The next area of great significance is how the financial split-up between the States takes place. The Government makes no apology for pointing out consistently that right through the years under successive Federal Governments, both Liberal and Labor, Victoria has been the whipping boy. It has been the Father Christmas and one cannot blame the other States for not wanting to shoot Father Christmas. They have been doing very well, thank you, under the present system. In 1979–80 Victoria will receive $319 a head; Tasmania will receive more than double that at $650 a head; Queensland will get $431 a head; and Western Australia will receive $528 a head. There is a marked difference.

That is the reason why the key to Victoria's financial situation will be determined by the outcome of the Grants Commission inquiry—not the normal type of inquiry the Leader of the Opposition was implying, but a special inquiry assigned to the Grants Commission to examine the allocation of tax sharing money between the States. Victoria has put up a strong and unanswerable case to that body. Only by that body recognizing the adverse financial position of Victoria *vis-à-vis* the other States can this State's financial problems be successfully overcome.

Victoria will be fighting strongly on that score and will also endeavour to ensure that next year the loan funds are increased. Following a reduction of 13 per cent this year and in the three years prior to that increases of 0 per cent, 5 per cent and 5 per cent,

there is a real case for a substantial increase in Government loan funds next year.

The sitting was suspended at 6.11 *p.m. until* 8.3 *p.m.*

Mr JOLLY (Dandenong)—Honorable members have heard both the Premier and the Treasurer attempt to defend the impossible. The Premiers Conference on Friday was a clear illustration that new federalism has been a failure in Victoria and throughout Australia. However, tonight the Treasurer described the Premiers Conference as "highly successful". It was about as successful as my innings at Albert Park yesterday when I made a duck. The Premier and the Treasurer gained nothing for Victoria.

How can a conference be described as successful when it is admitted that, as part of the over-all economic package put forward by the Federal Government, and supported by the Victorian Government, the Victorian Government estimates that the rate of growth of gross non-farm product, that is the economic growth in the year ahead, will be only 2 per cent? That means that there will be an inevitable increase in unemployment which, in Victoria, is higher than that in New South Wales or Queensland.

Honorable members supporting the Government know that is the truth. Based upon the Australian Bureau of Statistics figures the unemployment rate is higher than in Queensland or New South Wales. On no criteria, can the conference be described as successful.

Honorable members heard reference to the fact that, in the financial year 1980–81, if for some reason the inflation rate exceeds 10·3 per cent, Victoria and the other States have received a guarantee that the real value of their income tax share entitlements will be preserved. That demonstrates how pathetic the guarantee is because, if that guarantee is put into effect, it will show that the economy is completely out of control. An inflation rate in 1980–81 of 10·3 per cent or more will indicate the absolute failure of the Federal Government's policy to control inflation. Upon no criteria could one say that the Premiers Conference was successful.

In June this year there was a massive cut in the loan funds allocated by the Loan Council. Victoria had to suffer enormous cutbacks in capital expenditure in the traditional areas of health, education and housing. It is a most disturbing situation because that alone will mean an increase in unemployment.

However, let me concentrate on three important matters arising from the Premiers Conference that need detailed consideration by the Government. The first concerns the income tax share entitlements. The second is the infrastructure borrowing and its implications. The third is the Victorian semi-Government authorities' programmes. All those factors present problems and the current situation means a deterioration in the State's economy.

The Fraser-Hamer federalism has been a disaster. The changes that have taken place in Federal-State relations since the election of the Fraser Government at the end of 1975 have been detrimental to Victoria. The Victorian Government, together with other State Governments, have been saved only by the application of the Whitlam formula, that is, the application of the 3 per cent betterment factor.

This financial year, the Whitlam formula effectively saved the Victorian Government in excess of $90 million; the exact figure was $91·5 million. Even in the 1980–81 financial year, the application of the Whitlam formula, if adopted, would save the State $30 million. However, as a result of the recent Premiers Conference, that is no longer the position and Victoria is $30 million down the drain.

Let me come to the substance of the income tax sharing system under which the States now obtain 39·87 per cent of the income tax share, that is, 39·8 per cent of personal income tax receipts. Acceptance of that formula indicates how the Premier who, as Treasurer at the time, was hoodwinked into accepting such a proposal because it is disastrous.

There are five points which illustrate how that income tax sharing system will not benefit Victoria and how the Government was hoodwinked by the Federal Government. The Premier should have known the inherent weaknesses in the proposal he accepted.

The first point is the philosophy of the Liberal Party not only in Victoria but also in Canberra. That philosophy is well understood by honorable members. It is clear, to use a term often used by the honorable member for Brunswick, that the application of the Liberal Party philosophy would mean less reliance upon personal income tax receipts. Government party members understand that because that is their philosophy. Despite that, the Government strongly supported a proposal whereby receipts would be linked to personal income tax receipts alone. Given less reliance upon personal income taxation and the increase in indirect taxation, that would inevitably mean a loss of income to Victoria as a result of decisions at the Premiers Conference.

Closely aligned to the increased reliance upon indirect taxation has been the Federal Government's adoption of a policy which ensures that oil prices in Australia are increased to a level which matches import parity prices. That effectively is another increase in indirect taxes and means that, in total revenue this financial year, the Federal Government will collect in excess of $2000 million. That again illustrates that the Federal Government intends to rely less upon personal income tax to finance Government expenditure or reduce the Budget deficit.

However, despite the reliance upon indirect taxes, the Victorian Government still thought that relying on a share of personal income tax receipts was a desirable policy to adopt. The Premier said that the Leader of the Opposition exhibited a lack of understanding. When it came to the personal income tax share, the Premier who was then Treasurer, illustrated a massive degree of misunderstanding of economic issues, and that was demonstrated in one of his Budget speeches, when he was confused by the terms "micro" and "macro" economics. That is one reason why Victoria has always been beaten at the economics game—the Government has not been equipped to handle the Treasury boffins in Canberra.

I have already made two points to indicate why it was inevitable that Victoria and all other States would lose out in the personal income tax sharing entitlements. The third point, which is even more incredible than the others, is the definition that was used to cover personal tax receipts. That definition does not include a temporary income tax surcharge. Therefore, during the period in which the Medibank levy applied, Victoria was not entitled to share in those receipts. While the Federal Government imposed a 1·5 per cent income tax levy, Victoria was not entitled to share in those receipts because of the agreement ironed out between the States and the Federal Government.

Even this financial year, for personal income tax there will be a surcharge in excess of 1 per cent. The figure is 1·04 per cent. That revenue yield will not in any way flow back to the Victorian economy in 1980–81. That is another reason why Victoria is facing the problem of reduced allocations by the Federal Government.

The fourth point relates to the future of the income tax sharing arrangements, because one of the major reasons why one can say that Victoria will receive an increase of at least 10·3 per cent under the personal income tax share entitlements in 1980–81 is the Fraser Government's decision to suspend personal income tax indexation. In other words, the Fraser Government has made a decision to use inflation, which is generally on the increase, to increase its personal income tax receipts. What will that mean in the future? If personal income tax indexation is effected, there will be a loss in revenue to the States.

Honorable members have heard tonight that there is no guarantee that the entitlements under the personal income tax sharing scheme will be maintained in real terms after the financial year 1980–81. All honorable members realize there will be a Federal election next year and that that is the only reason Victoria has been able to squeeze any sort of guarantee for 1980–81 out of the Federal Government—the Federal Government does not want to rock the boat. Let it be crystal clear that the Victorian Government strongly supports the economic principles of the Fraser Government. There is no difference between them; they both believe there should be cutbacks in expenditure and in the Budget deficit, and that inevitably means an increase in unemployment.

The fifth major problem to which I refer is the wages policy of the Victorian Government. The Government is already on public record as believing that real wages in the past six months in Victoria and throughout Australia should be reduced by 5·1 per cent. That is horrendous. If real wages are reduced the income tax receipts will not grow by as much which, inevitably, given the commitment to the income tax sharing arrangements, means a drop in income tax receipts and, as a consequence, a reduction in the works and services provided by the Government.

These five major problems associated with the personal income tax sharing arrangements were agreed to by the Government and were actually praised by the Government during the last Federal election campaign. It will be interesting to learn the attitude of the Premier during the forthcoming Federal election campaign and whether he will again be photographed with the Prime Minister stating that Victoria supports the new federalism.

Finally, I make three points. Firstly, acceptance of the consumer price index means that there will be no growth in the share of revenue coming to Victoria on the basis of population growth, and that there will be no indication that Victoria will share in any productivity gains; in other words, acceptance of these principles means that the standard of living in Victoria will be frozen.

Secondly, the infrastructure borrowing has meant a reduction in the loan funds traditionally allocated to Victoria. It means that Victorians will have to pay higher rates of interest and that the Victorian Government is being used as a pawn in the economic game of the Fraser Government. Interest rates are in excess of 15 per cent in overseas countries, and therefore Victoria will face real difficulties. Thirdly, the Fraser Government has indicated that a tap system will be introduced. This will inevitably make it more difficult for the Victorian semi-Government authorities to borrow and to meet capital works programmes, yet the Treasurer has given no indication of the implications of the new tax system for Victoria.

The Government suffers from economic myopia, due to inefficiencies in its economic policies and its incompetence and, as a result, Victoria is now suffering the effects of the new federalism.

The House divided on the motion (Mr A. T. Evans in the chair).

Ayes ..	..	..	29
Noes ..	..	..	43
Majority against the motion	..	..	14

AYES

Mr Cain	Mr Rowe
Mr Cathie	Mr Sidiropoulos
Dr Coghill	Mr Simmonds
Mr Crabb	Mr Simpson
Mr Edmunds	Mr Spyker
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Ginifer	Mr Trezise
Mr Hockley	Dr Vaughan
Mr Jolly	Mr Walsh
Mr King	Mr Wilkes
Mr Kirkwood	Mr Wilton
Mr Mathews	*Tellers:*
Mr Miller	Mr Ernst
Mr Roper	Mr Remington

NOES

Mr Austin	Mr McClure
Mr Balfour	Mr McGrath
Mr Birrell	Mr McKellar
Mr Brown	Mr Mackinnon
Mr Burgin	Mr Maclellan
Mrs Chambers	Mrs Patrick
Mr Coleman	Mr Reynolds
Mr Collins	Mr Richardson
Mr Crellin	Mr Ross-Edwards
Mr Dixon	Mr Skeggs
Mr Dunstan	Mr Smith
Mr Ebery	*(South Barwon)*
Mr Evans	Mr Smith
(Gippsland East)	*(Warrnambool)*
Mr Hamer	Mr Templeton
Mr Hann	Mr Thompson
Mr Hayes	Mr Weideman
Mr Jasper	Mr Whiting
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lacy	
Mr Lieberman	*Tellers:*
Mr McArthur	Mr Cox
Mr McCance	Mr Tanner

PAIRS

Mr Amos	Mr Borthwick
Mr Culpin	Mr Ramsay
Mr Gavin	Mr Trewin

APPROPRIATION MESSAGES

The SPEAKER (the Hon. S. J. Plowman) announced the presentation of messages from His Excellency the Governor recommending that appropriations be made from the Consolidated Fund for the purposes of the following Bills:

Estate Agents Bill.

Superannuation (Amendment) Bill.

HOUR OF MEETING

Mr MACLELLAN (Minister of Transport)—I move:

That the House, at its rising, adjourn until tomorrow, at half-past ten o'clock.

Mr FORDHAM (Footscray)—I am sure all honorable members would like an indication from the Minister of the likely sitting times for the remainder of the week, and, if necessary, for next week. I look forward to learning from the Government exactly what time we are to finish tonight—or tomorrow morning—as we are to start again at 11 a.m. I hope that, some time later tonight, we may be able to get some clear indication of our sitting arrangements, given the nature of the Notice Paper.

The Minister talks about wasting time. I doubt if the public of Victoria would see it in those terms. The sooner there is some clear indication of our arrangements, particularly for next week, the better.

The motion was agreed to.

PERSONAL EXPLANATION

Mr ROPER (Brunswick) (*By leave*)—I wish to make a personal explanation. I claim to have been misrepresented in the Parliament last Thursday night by the Minister of Housing, Mr Dixon, who accused me of issuing a misleading statement based on completely spurious and unfounded assumptions.

My press statement, which the Minister referred to, was based on the reasonable assumption that when the chairman of a commission carries out an investigation he will make a report. In the *Shorter Oxford English Dictionary* on page 1707, two definitions of "report" are given, one of which is as follows:

an account brought by one person to another especially of some matter specially investigated.

According to the *Sun* of 13 December last year, Mr Allwinton, the Chairman of the Housing Commission, said that he had investigated the complaint—of Breschi—with the knowledge of the Housing Minister, Mr Hayes. He was also reported to have said:

There is absolutely no suggestion whatever of malpractice or corruption in the Housing Commission.

I assume that, given Mr Allwinton's remarks reported in the press, there had been an investigation and that a report of that investigation had been prepared, at least for the Minister, Mr Hayes.

During the debate on my motion last Wednesday, the Minister said that he had seen information which had concerned him and accordingly had sent the matter off to the police. I was not to know that he was referring to the report which had been prepared prior to July 1978 by Mr Jock MacCauley, the then permanent head of the Ministry. I was not aware of that report, firstly, because strangely it did not appear on the file when it appeared briefly in the Library last December, and, secondly, because

I assumed that Mr Allwinton had carried out the investigation and submitted the details to the Minister, Mr Hayes.

I think the Minister was confused between an "investigation" and a "report", and I hope this explanation puts the Minister's mind at rest.

LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL

This Bill was received from the Council and, on the motion of Mr BALFOUR (Minister for Minerals and Energy), was read a first time.

VICTORIAN GOVERNMENT TRAVEL AUTHORITY (RECONSTITUTION) BILL

The message from the Council relating to the amendments in this Bill was taken into consideration.

Council's amendments:

1. Clause 4, omit this clause.
2. Insert the following new clause to follow clause 3:

'AA. In section 12(1) of the Principal Act—

(*a*) for the word "eligible" (where second occurring) there shall be substituted the word "entitled"; and

(*b*) after the words "at the termination of his engagement or employment" there shall be inserted the words "subject to the termination not being on account of misconduct, incompetence or ill-health".'

Mr HAMER (Premier)—I move:

That the amendments be agreed to.

Clause 4 of the Bill has been amended in the Legislative Council by deleting the clause in its entirety and substituting a new clause 4.

The effect of this change is twofold: Firstly, to honour the undertaking given by the Public Service Board, which has appointed officers to the Victorian Government Travel Authority, to have their right of return to the Public Service preserved for all time; secondly, to protect the Public Service by ensuring that an officer of the Victorian Government Travel Authority who has had his services terminated for reasons of misconduct, incompetence or ill health, is not automatically entitled to be reappointed to the service.

The Government accepts that amendment and I suggest that the House might do the same. I should add that such an officer's rights are in turn protected by the appeals provisions on the terms of employment as determined by the Public Service Board and adopted by the authority. If he is aggrieved by anything, he can still go to the board.

Mr TREZISE (Geelong North)—The Opposition accepts the amendment because it is common sense. It is another constructive way of allowing this travel authority to work in the best interests of the State.

The motion was agreed to.

PRESBYTERIAN SCHOOLS BILL

Mr MACLELLAN (Minister of Transport)—I move:

That this Bill be now read a second time.

The Presbyterian Church of Australia Act 1971 was passed, amongst other things, to enable the Presbyterian Church of Australia to enter into union with other churches and to provide for those of its congregation that did not wish to join in the union. The Act set up a property commission to allocate Presbyterian property between any church to be constituted by the union and those who continued in membership of the Presbyterian Church. The basis of union set out in the schedule to the Act provided that the commission should make certain provisions as to schools for the continuing church.

On 1 May 1974 the General Assembly of the Presbyterian Church of Australia resolved that the Presbyterian Church of Australia should enter into union with the annual conference of the New South Wales, Victoria and Tasmania, South Australia, Queensland and Western Australia of the Methodist Church of Australasia and with the Congregational Union of Australia on its own behalf and on behalf of those churches on whose behalf the Congregational Union was empowered so to do.

The Uniting Church of Australia Act 1977 was passed to provide for the inauguration of the Uniting Church in Australia and to constitute a property trust for that church. Section 20(3) of

that Act dealt with the acquisition and vesting of the property held in trust for the Presbyterian Church.

The 1977 Act, other than section 20 (3), was proclaimed to come into operation on 22 June 1977. Section 20 (3) has not been proclaimed as the Uniting Church of Australia and those Presbyterians who did not wish to join the union and have continued to function as the Presbyterian Church of Victoria have not agreed that it should be proclaimed.

There were a number of Presbyterian schools in Victoria before 22 June 1977 and the property commission considered their allocation between the Uniting Church and the Presbyterian Church of Victoria. The commission determined that two of these schools, Scotch College and Presbyterian Ladies College should be awarded to the continuing church. Legal proceedings have been instituted to have the award of the commission in respect of these two schools declared invalid.

It appears that the terms of office of the councils of Scotch College and the Presbyterian Ladies College which existed at the date of union, that is, 22 June 1977, have come to an end, although there are differences of opinion as to when and upon what legal basis that occurred. On one view they came to an end within twelve months after their last appointment before the date of union; on another view they came to an end at the closing of the General Assembly of the Presbyterian Church of Victoria in 1979. On 3 October 1979 the Presbyterian Church of Victoria informed the members of the councils of the two schools that the general assembly of the church had decided not to renew their membership. There are doubts as to the legal effects of this letter.

Doubts have also arisen as to whether there is any person or body with legal authority to appoint councils to these schools. In the meantime all the schools referred to in this Bill have requested the Government to incorporate each of the schools. In this context it should be noted that Haileybury College and Morongo Presbyterian Girls College, Geelong, assert that unlike the other schools they have a separate, independent legal status.

This matter is essentially a private one and the Government is not prepared to legislate to change the status of the schools nor to impose solutions. On the other hand, it appears that until the litigation is finalized there is no one with power or authority to manage and administer the schools. In all the circumstances, the only solution to enable the schools to carry on is to preserve the *status quo* as it existed before 22 June 1977 in the interim period until the conclusion of the litigation.

This Bill therefore provides for the appointment by the Governor in Council of interim councils which will be the governing bodies of the schools named until the determination of the proceedings in the cases of the *Attorney-General for the State of Victoria (at the relation of Old Scotch Collegians Association)* v. *Kenneth Robert Handley and Others*, and *Attorney-General for the State of Victoria (at the relation of John Thompson MacMillan)* v. *Kenneth Robert Handley and Others*.

The Bill, in addition to providing for those interim councils, also protects persons who were members of governing bodies immediately prior to 22 June 1977, the date of the union, by deeming them to have been lawfully appointed members of those bodies after that date up until the date of appointment of an interim council pursuant to the provisions of this Bill. The Bill also deems all acts and proceedings of members of those bodies within that period, that is, from 22 June 1977 to the date of appointment of an interim council, to be as valid and proper as if they had continued to enjoy the same powers they possessed prior to 22 June 1977.

With respect to the interim councils to be appointed pursuant to this Bill, it is the Government's present intention to appoint, as far as is possible, as councillors to the respective councils, those persons who were members of the council at 22 June 1977. It will be apparent to honorable members that

this is the most appropriate course to adopt in that it will so far as is possible in the circumstances maintain the *status quo*. Of course the Government would be delighted if all interested parties could reach agreement on the composition of the interim councils, and it would certainly consider any submission made to it. The interim councils will be limited to some extent in that their powers with respect to capital works, the aims and purposes of the schools and the appointment of staff are exercisable subject to certain conditions set out in the Bill. I have to anticipate honorable members and I choose to do so at the earliest opportunity, but, I understand, despite the diligence of another place when dealing with this measure, Parliamentary Counsel have discovered there is some reason for supposing that the Presbyterian Church of Australia 1901 is somehow not the appropriate legal body to refer to and that it should be the Presbyterian Church of Victoria. Where the Bill makes that reference, it will be necessary to suggest amendments. I understand that the amendments are being prepared for consideration along those lines. I commend the Bill to the House.

On the motion of Mr FORDHAM (Footscray), the debate was adjourned.

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

EGG INDUSTRY STABILIZATION (AMENDMENT) BILL

The debate (adjourned from November 28) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr FOGARTY (Sunshine)—At first glance the Bill is a simple one which the Opposition will not oppose. However, the Opposition appreciates that it is an important measure because it covers an industry involving some $40 million. In his second-reading speech, the Minister stated that the operations of the Bill will extend for only twelve months and that in the future a committee of inquiry will be set up.

At all times, the Opposition has endorsed the principle of orderly marketing of primary products. It agrees with that principle just as it agrees that there should be uniform legislation between the States.

The egg industry is bound by the principles of uniform legislation between the various States. In recent times, there has been a High Court action involving Bartter Bros in which a decision was given which has, for the time being, endorsed the principle of orderly marketing as it applies to Victoria. It is admitted that for some time Bartter Bros has flooded the Victorian market, but the Victorian Egg Board, not being lily white, has also sent eggs from Victoria into the Australian Capital Territory.

This type of conduct does not help the industry but I agree with the view expressed by the Minister that an approach has to be made to the New South Wales Government with a view to having its Act amended in such a way as to permit Bartter Bros to trade within a closer proximity to the city of Sydney than it does at present.

The Opposition agrees with the principles contained in the measure. It agrees that there must be orderly marketing of all primary products, including eggs, but it is disappointed that the Bill will apply for only twelve months.

I understand that during the past six months the Government has received overtures from the Victorian Farmers and Graziers Association as that association has received word that it is the intention of the Government to phase out the egg stabilization scheme. On many occasions in the past, the Minister of Agriculture has not hidden his intention, at some future date, to phase out the stabilization scheme. The Opposition admits and agrees that in all marketing schemes where there is a certain rationalization of the product, a small minority of producers abuse the system. Unfortunately in this State, a situation has arisen whereby farmers are being forced to pay up to $13 a hen when buying a farm under the present quota system. This

is definitely abusing the system at it has little relationship to the value of hens. The Opposition agrees with the proposal placed before the Government by the Victorian Farmers and Graziers Association which has endorsed the following principles:

1. That amended legislation be introduced for a further five-year period from 1st March, 1980.
2. That where a farm is sold as a business there be no restriction on the transfer of quota. There is no need for any value to be apportioned to quota under these circumstances. The farm is simply sold as a whole.
3. Where the quota is sold separate to the farm, then it be sold back to the Poultry Farmer Licensing Committee.
4. That the price be according to the following schedule:

1980	$10 per hen
1981	$9 per hen
1982	$8 per hen
1983	$7 per hen
1984 and thereafter ..	$6 per hen

However, to maintain real value, it is recommended that these prices be indexed in line with the consumer price index. The initial price of $10 agrees with the suggestion and represents a reduction on quota prices which have been paid in the past.

I appreciate the attitude of the Minister of Agriculture that there have been abuses of the system. It is ridiculous that such abuses should occur under an orderly marketing system where the price is regulated by legislation. We have a system where the farmers can demand over and above the value of the hen and possibly use that price as a retirement gratuity. The Opposition is completely opposed to that, but it is not opposed to orderly marketing.

The Opposition believes the inquiry which the Minister may authorize in the near future will endorse the proposition that poultry farmers generally appreciate the present marketing system and will endorse the principle of orderly marketing. On a previous occasion, the House has debated at length the principle of representation on industry marketing boards and the Opposition has submitted that industry representatives should be elected by the producers themselves.

The House has debated at length the principle that half the membership of a board should be producer representatives—I believe it is in this case. Once again I lodge an objection by the Opposition to the demotion of Mr Alan Hudson, the former Chairman of the Victorian Egg Marketing Board. For a number of years, Mr Hudson was contributing to the welfare of the industry and there is no reason why, once he was appointed as chairman of the Commonwealth authority, he should be demoted at the State level.

The Opposition does not object to the Bill but believes it should extend for a longer period than twelve months. I sincerely hope the Minister of Agriculture is able to negotiate with the New South Wales Government to ensure that Bartter Bros do not in future encroach on the Victorian market. The Opposition wishes the Bill a speedy passage through Parliament.

Mr HANN (Rodney)—The National Party supports the measure. The Egg Industry Stabilization Act has operated in the best interests of the industry in this State. In some respects it was refreshing that the High Court decision should prevent the New South Wales egg producers from attempting to break into the system in Victoria.

There is no doubt in my mind that in the long-term stabilization is in the best interest of all primary producers.

Mr Fogarty—You are becoming a real Socialist.

Mr HANN—This has nothing to do with Socialism, as the honorable member for Sunshine seems to imply. Rather, it is a question of people involved in an industry involving themselves in the marketing of their product. It is an incentive to the farming community to promote stabilization and, one would hope, rather than breaking down the system, we might extend it into other fields.

To his credit, the Minister of Agriculture has a fairly proud record of achievement in some areas of stabilization. Although he seems to be anti-orderly marketing in some respects, he

implements these schemes effectively in various areas for the good of the producers.

In his second-reading speech, the Minister suggested that he would like to get rid of hen quotas. However, the difficulty that has been encountered is probably related to lack of flexibility in the system, once it has been operating for some time. In that regard, the Minister has given notice of a committee of inquiry to examine all aspects of the Egg Industry Stabilization Act. I hope that committee will make recommendations to improve the system rather than to disband it.

I join with the honorable member for Sunshine in his criticism of the way in which Mr Hudson was demoted from Chairman of the Victorian Egg Marketing Board. The manner in which it was carried out caused a deal of concern amongst egg producers throughout Victoria. The Government seems to be continuing its policy of placing its friends in high places in various bodies around the State. One would hope we might see a bit more democracy in those areas in the long term.

The National Party, which supports the Bill, believes egg stabilization should continue. It is hoped that, just prior to the expiration of the period of twelve months, for which the Act is to be extended, the committee of inquiry will have brought down its various recommendations, and the House will be asked to consider further amending legislation to extend the operation of the Egg Industry Stabilization Act into the future.

Mr MILLER (Prahran)—This is a short but most important Bill which extends for one more year the quota system under the Egg Industry Stabilization Scheme. The Bill is significant for a number of reasons. The egg industry is one of the most important primary industries in Australia. In Victoria, as the honorable member for Sunshine has indicated, it is a $40 million industry. It is important in the sense that it provides a most valuable foodstuff for an extraordinary range of people throughout the Victorian community.

If one examines the nature of the industry, one can see that it is one of the few non-subsidized industries in Victoria. It is self-supporting, and deserves to receive support.

The orderly marketing scheme has operated in Victoria for a number of years, and the quota system has operated since 1972. There are 850 producers in Victoria with quotas ranging from a maximum of 150 000 hens to a minimum of a few more than twenty. The Marketing of Primary Products Act 1958 imposes a quota for producers with more than twenty hens. The 850 producers can be split into categories of very small producers, for whom the quotas do not have much significance, and those commercial producers to whom the quota system is critical.

When the quota system was introduced, a great deal of over purchasing of quotas took place, and, as has been indicated, some manipulation and abuse of the system occurred. One may ask what the Government's attitude is to the quota system. It can only be described as confused and confusing.

The Minister in his second-reading speech indicated that he wanted to get rid of the quota system, but unfortunately he did not say how, when, where or under what circumstances he would do so; he made only a vague general reference to it. The Minister must make a decision either to abolish or not to abolish quotas. He has now left the House during a debate concerning one of the most important matters affecting primary industry.

It is of real concern to many consumers and producers in Victoria that the Government has not yet decided what its attitude on quotas will be. The Government has decided in principle to set up a committee to investigate the matter. That is fine, but honorable members do not know who the members of the committee will be, what its terms of reference will be, when the committee will meet, and when it will initiate discussions on the subject. I make a respectful submission to the Minister that, when and if this committee gets under way, its terms of

reference, which have not been determined, should be sufficiently broad to allow the quota system to be seen in the context of the entire industry. There is no point in simply taking quotas out of the wider context of the poultry industry and considering them in isolation. They must be seen in the broader context so that, when the terms of reference are prescribed and drafted, the members who will sit on the committee of inquiry will be able to examine the quota system in its widest possible context.

If that is done, when any evaluation of quotas is made, the recommendations will be positive, not biased, narrow or myopic, and they will provide some positive support for producers and consumers alike. The slow approach of the Government and its glacial attitude toward this most important problem that faces the egg industry are typical of its whole approach towards the industry, because the legislation itself is temporary.

In 1972, when it was intended to introduce the original legislation, Victoria was the only State in which temporary legislation was introduced. Victorian producers, unlike those of any other State, have had a maximum of only three years under the quota system in which to operate and plan their production. This is an atrocious way in which to run any business, especially under a Government that is supposed to foster the concept of promoting rugged individualism, the capitalist approach to life and the good, orderly management of business.

Nobody can plan in the future without knowing where his business is going, and without knowing how to best market his product. People will not know how to make the best use of their capital; they will not know whether to borrow money or upgrade their farms or put in modern and more expensive equipment and machinery. They will not be able to approach banks or other lending authorities for finance to make their operations more effective.

The temporary nature of the legislation is another indictment of the Government's attitude towards the poultry industry. In other States where the temporary quota system has not obtained, growers have had a great deal of certainty and could indulge in forward planning, but the approach of the Victorian Government has been one of "ad hockery" personified. The growers in New South Wales are much better off under the system that operates in that State than are Victorian producers.

As the honorable member for Sunshine indicated, the quota system should be seen in the context of a valuable orderly marketing scheme, and the Opposition certainly supports that concept. Prior to the introduction of the orderly marketing legislation, there was a great deal of over production of eggs among producers who would otherwise have been forced out of the industry, and that would have been highly undesirable from many points of view. The orderly marketing scheme has resulted in the continuation and viability of many small poultry farmers, which is a highly laudable and desirable objective.

It must be seen in the wider context of a national approach and of the complementary legislation that has been introduced in a number of States, which makes good sense of the rationalized orderly approach to an industry which does not recognize State boundaries. Eggs can be easily transported from one State to another. The Minister's threat to abolish the quota system was designed to try to bring other States into line with the Victorian approach. It is my view that the quota system ought to be continued.

The honorable member for Sunshine also indicated that, in the organization of the Victorian Egg Marketing Board, greater representation should be allowed for producer and employee representatives, and this would be introduced under a Labor Government.

Reference has been made to the demotion of Mr Hudson. I understand that his successor, Mr Carter, is doing a first-rate job, but nevertheless the

circumstances in which Mr Hudson was demoted have caused deep concern to producers throughout the industry.

I have had much personal experience with many officers in the Victorian Egg Marketing Board and I know that the contribution to the scheme made by Mr Bain, the manager, Mr Harrison, his deputy and many of the other officers and inspectors has been of the highest possible calibre. They have shown professionalism in the management and operation of the egg marketing arrangements in Victoria, and I should like to go on record as commending them.

The Bill has shortcomings; its temporary and temporizing nature means that those criticisms which may be levelled against it cannot be easily resolved. Ultimately, when the committee of inquiry is set up, I urge the Minister to make certain that the terms of reference, which are so vital to any committee of inquiry, be broad enough to allow whoever is charged with the responsibility of investigating the egg industry in Victoria to do so in a proper, complete and thoroughly adequate manner.

The motion was agreed to.

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

ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL

The debate (adjourned from November 1) on the motion of Mr I. W. Smith (Minister of Agriculture) for the second reading of this Bill was resumed.

Mr FOGARTY (Sunshine)—The Bill is designed to extend the numerical strength of the Victorian Abattoir and Meat Inspection Authority and to extend the many areas of representation on that authority. During the debate, the Opposition may appear to be critical of certain areas of administration of Government policy dealing with the functions of the authority, but it acknowledges the important role of the authority and the work it has done since its inception in 1973.

Any criticism made by the Opposition will be sound and constructive and based on the general needs of the meat industry in Victoria. The Opposition will not oppose the basic principles of the Bill, but during the Committee stage it is its intention to move amendments to clauses of the Bill to provide a more realistic representation of the Victorian meat industry on the newly constituted authority. It will be necessary to analyse closely areas of policy and administration in need of change to meet the demands in the industry brought about by changed circumstances, particularly in marketing.

The authority has many functions at this stage. To be quite frank, on occasions, with or without Government intervention, the authority has squibbed the issue. This has occurred in respect of the Derrimut complex, the Melbourne city abattoirs and sale-yards complex and other matters, including dual inspections.

The first item of business of the authority, in the view of the Opposition, should be matters dealing with carcass classification. Carcass classification is under the control of the Australian Meat and Livestock Corporation and the Australian Agricultural Council, but the Victorian Government has bought into this subject by financing certain projects at Donald and other centres. That is one area to which the newly appointed authority will have to give very serious consideration. Whether or not the carcass classification scheme will be practicable at this stage in a mechanical sense is a matter of conjecture. As a matter of policy, the Opposition believes in carcass classification as a means of describing a carcass. The burning question is who picks up the tab.

Another important decision to be made by the newly constituted authority will be that of dual inspection. A further important decision of the authority will be the future of livestock selling at municipal sale-yards.

Mr I. W. SMITH (Minister of Agriculture)—On a point of order, the Bill does not refer to the manner of livestock selling or, for that matter, carcass classification. The honorable member should return to the Bill.

Mr FOGARTY (Sunshine)—On the point of order, I have already indicated that it is the intention of the Opposition to move an amendment that will give greater representation on the authority. Once greater representation is given to the authority, it means that a rethinking will be undertaken in certain areas of administration of the Abattoir and Meat Inspection Act.

The SPEAKER (the Hon. S. J. Plowman)—I uphold the point of order. At the time the Minister raised the point of order, I had been scanning the Bill to see whether I could find reference to what the honorable member for Sunshine was referring to. If the honorable member wishes to move an amendment which would encompass what he is talking about, I would have to see the context of it before ruling on whether his comments are relevant.

Until the honorable member moves the proposed amendment, he must stick to the contents of the Bill, which does not encompass more than the make-up of the authority and the changed membership of the authority. The amendment should be moved in the Committee stage, and therefore I suggest that the honorable member's comments at this stage be brief. If he wants to expand his remarks, he may do so during the Committee stage.

Mr FOGARTY (Sunshine)—I shall not dwell on it. The newly constituted authority will have many areas of importance to consider. I have mentioned some. Others are uniform legislation between the States, collective buying, Prices Justification Tribunal inquiries——

The SPEAKER (the Hon. S. J. Plowman)—Order! The honorable member is straying beyond the ambit of the debate. He has made a general reference to the extended terms for the authority to look at.

Mr FOGARTY—I hope that in the future the authority will not take the attitude that it has taken in the past on legislation dealing with the meat industry in Victoria. In the past the authority has not exercised its rights. Successive reports from the Abattoir and Meat Inspection Authority for 1976, 1977 and 1978 have pointed out quite openly that the Melbourne city abattoirs do not meet the requirements of the authority.

The SPEAKER—The Bill deals with change of membership of the authority and the operation and duties of members of the authority. It is a narrow measure and I do not propose to allow debate to spread further than that.

Mr FOGARTY—It was hoped that in the future the Abattoir and Meat Inspection Authority would be embraced in the new Victorian Meat Industry Authority. I was trying to get those points across.

The Opposition objects strongly to the make-up of the authority. It is to have one representative of the Country Abattoirs and Wholesalers Association of Victoria. I ask the Minister: Who are the Country Abattoirs and Wholesalers Association of Victoria? There are about 70 country abattoirs or meat processing establishments, and the association has been formed only in recent months. There is an affinity between that association and the Meat and Allied Trades Federation of Australia. Section 5 (1) (*d*) of the principal Act reads:

> One shall be a person nominated by the Minister for Local Government as a representative of local government bodies owning or operating abattoirs;

I know of only one such municipality—Mildura. Other abattoirs are owned by the municipality or shire and are leased out. The Melbourne city abattoirs are on Crown land under the control of the Melbourne City Council and are leased to Protean Holdings. The Richmond city abattoirs are leased to Protean Holdings, and other abattoirs are owned or under the control of a municipality or shire.

There are therefore two areas on which the Opposition casts grave doubts. The first is that one member shall be a representative of the Country Abattoirs

and Wholesalers Association of Victoria, an association about which very little is known, which has been recently formed and which is an affiliate, directly or indirectly, with a large meatworks association. I refer to the Meat and Allied Trades Federation of Australia. Section 5(1) (*d*) relates to a person nominated by the Minister for Local Government as a representative of local government bodies owning or operating abattoirs.

Most conspicuous by its absence is an organization representing employees in the industry. In the short time that I have been a member of this House, I have heard many honorable members opposite severely criticize the Australasian Meat Industry Employees Union. I believe most of that criticism was unjust. How can one ignore an organization which is registered with the Conciliation and Arbitration Commission as an organization of employees, and not even give it consideration when forming a body to deal with the workings of the important meat industry in Australia? The Government has completely ignored the meat industry in Victoria.

At odd times members of the Government party have shown interest in the meat industry union. Only a fortnight ago, a Minister suggested that a discussion take place with the secretary of the union. That discussion took place. It was an all-party discussion and the honorable member for Rodney was present. He appreciated the discussion with the secretary of the union. The directors of the Co-operative Farmers and Graziers Direct Meat Supply Ltd have suggested that I may be able to arrange a meeting with the Australasian Meat Industry Employees Union of Victoria, which I will do in the near future, but these people appreciate the contribution that that organization makes to the general welfare of the industry. They appreciate it in a physical way only when they are in trouble.

The Government cannot ignore an important section of the meat industry in Victoria and Australia in all legislation put before this House and then expect that union to act responsibly when the Government or any other authority is in trouble. The organization is part of the meat industry in this State. The industry has more than 11 000 members and each section of the industry is dependent on the other. The Government does not appreciate that the employee is an important part of the industry.

It is the intention of the Opposition during the Committee stage to move that the Australasian Meat Industry Employees Union of Victoria be given some representation in the management of the authority, thereby providing a contribution towards the general welfare of the meat industry. Wally Curran, the secretary of the union has worked in the industry since he was a youngster. He knows the industry completely. When he goes before the Arbitration Commission to put a case for better wages and conditions of the members, he is able to front up with the best legal eagles the employers can bring against him for one reason—he knows what he is talking about and he knows the industry.

It would be of benefit to the industry that in an authority such as the Abattoir and Meat Inspection Authority, instead of some Joe Blow who knows some Minister and has gained his position through jobs for the boys and so forth, there be a man vested with responsibility by election of his membership who will be able to contribute a sound and logical argument on behalf of the membership to ensure that the meat industry in Victoria prospers. I hope that, during the Committee stage, when the matter is raised again the Government may see logic in the argument and accept an employee in the industry as an important part of the industry.

There is nothing new in this suggestion. Recently the House debated the Egg Industry Stabilization (Amendment) Bill. At a Federal level, Mr Jack Petrie represents the employees in that industry. In the industry with which I was connected and with which the Minister of Agriculture has some affinity —the dairying industry—Mr Pat Gallagher represents the employees and Mr Lyal Shelley is on the advisory council

of the Australian Dairy Corporation and Mr Lyle Shelley is the employee representative on the advisory council to the Australian fishing industry. Men cannot be left completely isolated and forgotten until there is a time of trouble.

The SPEAKER (the Hon. S. J. Plowman)—The honorable member is arguing the case for the amendment now; it should be left until the Committee stage.

Mr FOGARTY—The Opposition opposes the constitution of the authority. It does not oppose the fact that it has been extended. It does not agree that some organization recently formed should have representation over and above the employees in the industry. It challenges the right of some local council that is leasing its works to a private enterprise firm to have representation over and above employees in the industry.

Mr HANN (Rodney)—The National Party supports the Bill which is largely a transitional measure. Various members of the authority come up for re-election or reappointment in 1980 and therefore it is essential that this Bill be passed and changes made. The additional amendment is to include on the authority representatives of what is known as the Country Abattoirs and Wholesalers Association of Victoria. In some respects it may be a pity that this had not been done earlier because of what has occurred with the authority throughout Victoria. It has closed down smaller slaughterhouses. In some instances that has been done with justification but many of the slaughterhouses have been working for 50 years or more with no major disadvantages to the health of the community. Yet the authority is closing them down. Many of the smaller butchers do not operate their slaughterhouses and have to rely on the larger slaughterhouses which have been established.

In the area that I represent, there are about half a dozen of these abattoirs. There is one at Nathalia, one at Cohuna, one at Kyabram, one at Tongala and one at Gunbower where people have shown initiative and built elaborate structures compared with the old slaughterhouse with which we were familiar in country areas of Victoria. The inclusion of a representative of the Country Abattoirs and Wholesalers Association of Victoria also reflects the change in attitude, in that an association now represents these people.

Reference has been made to the role of the Abattoir and Meat Inspection Authority, and it has meant major changes in meat inspection within the State. From time to time, problems arise as to dual inspection and, where possible, the Minister has endeavoured to reduce those problems. Now the export side is virtually controlled by the Federal authorities and the local trade by State authorities.

On stock numbers, the low rate of kill has created a surplus of meat inspection. However, it is difficult to know what to do with employees in that situation; industry should not be expected to carry them.

The other question is the operation of the authority in respect to the various abattoirs under its control. The Melbourne city abattoirs receive considerable attention in the report of the Abattoir and Meat Inspection Authority. For some time, the abattoirs have been under a cloud as to the standards which apply there.

The SPEAKER (the Hon. S. J. Plowman)—The honorable member is straying from the terms of the Bill which deals with the membership of the authority.

Mr HANN—If I may comment briefly on that, Mr Speaker, in the Minister's second-reading notes he referred to the fact that, unless the Bill is passed in this form, it will not be possible to reappoint members of the authority after January 1980. It would seem to indicate that the Bill will create a small amount of flexibility. It is not my desire to pursue the matter at any great length. However, in passing, I refer to the fact that, from January 1980, the authority will have certain responsibilities, one of which is to examine closely the standards which it applies, standards in which the Minister has been involved.

I refer to the abattoirs at South Melbourne which were closed by the authority and which the Minister saw fit to

reopen and to grant a period of time in which to upgrade the facilities to a certain standard. I do not know whether that standard has yet been reached. Perhaps the Minister will clarify the issue. It seems that dual standards apply.

The SPEAKER (the Hon. S. J. Plowman)—I ask the honorable member to come back to the Bill. It does not relate to standards.

Mr HANN—It goes back, Mr Speaker, to the problem of the country abattoir situation. Membership from country abattoirs is being introduced. Country abattoirs have been forced to upgrade their facilities because the authority has been strict, yet a dual system operates because the authority has not been equally strict in the metropolitan area. That is as far as I wish to take the point.

The National Party supports the Bill and hopes that some of these problems will be overcome in the future.

Dr COGHILL (Werribee)—One of the major provisions in the Bill is the appointment of a representative of the Country Abattoirs and Wholesalers Association of Victoria, a new body which, fortuitously for the Minister, arose very shortly before the Bill was drafted, put to Cabinet and introduced into this place. One of the major reasons for introducing this new representation is that there has been much concern among smaller operators that their interests have not been well served by the present authority. Those smaller interests have felt that the membership of the authority is stacked very much with interests and representatives of the large operators, especially the export operators, and that their voice has not been heard, with the consequence that they are being squeezed just for the amount of business they need to ensure their viability.

I illustrate that with some comments from annual reports published by the authority. In its report for the year ended 1975, the authority reported on a reference made to it by the Minister regarding the throughput of abattoirs in Victoria. It pointed out that the maximum daily killing capacity of Victorian meatworks at that time for cattle was 13 565 and for sheep, lambs and calves 91 943. If one assumes that there are about 225 killing days each year, that is 3 052 125 cattle per year and 20 687 175 sheep, lambs and calves. No figures were available for the actual numbers of animals slaughtered in that particular year.

The SPEAKER (the Hon. S. J. Plowman)—Can the honorable member relate these comments to the reconstitution of the membership of the authority?

Dr COGHILL—I am attempting to establish that the current membership of the authority has been seen to be heavily stacked with metropolitan, larger-operator interests, to the disadvantage of the smaller country operators. I wish to illustrate that point by explaining the actual rates of killing at Victorian abattoirs as against their capacity. The killing rates have been very low over several years. This creates problems for the smaller country abattoirs, whereas the larger operators have been able to continue at relatively low rates of kill.

As an honorable member out of his place interjects, this has been a consequence of there being too many abattoirs. In 1976 the rate of killing of cattle was about 74 per cent of the theoretical maximum, and for sheep, lambs and calves it was 53 per cent. If one continues through to 1978, the figures were 98 per cent for cattle and 54 per cent for sheep, lambs and calves. During that time, the numbers of licensed abattoirs and slaughterhouses fell slightly from 166 to 140; but over the same period—and this has occurred despite the very low rates of kill which severely threatened the viability of many of these abattoirs—new licences were issued to extend the capacity of some of the larger abattoirs and also to establish new abattoirs. These include the licences referred to by the shadow Minister, the honorable member for Sunshine.

The smaller operators believe, if there had been a restraint on the growth in killing capacity—and the authority has the responsibility to keep that matter under review—the viability of the smaller abattoirs would have been greater. Since the 1978 figures, there has been quite a plummeting in the numbers of stock available for slaughter in Victoria, and this has driven even more abattoirs to the wall. Certainly it has been one of the factors threatening the viability of the Co-operative Farmers and Graziers Direct Meat Supply Ltd abattoirs at Brooklyn which have previously been the subject of debate in this place.

The SPEAKER (the Hon. S. J. Plowman)—Order! I ask the honorable member to relate his remarks to the constitution and membership of the Abattoir and Meat Inspection Authority.

Dr COGHILL—Certainly, Mr Speaker. The point I have been attempting to establish is that, because of this concentration of larger operators on the authority, especially the export operators, the viability of the smaller country operators, who now form the membership of the Country Abattoirs and Wholesalers Association of Victoria, has been jeopardized by the issue of new licences for extensions to existing premises. There has been a low prevailing rate of kill because of low stock numbers and high abattoir capacity. Even those low numbers have fallen further in recent years, and particularly in recent months.

The other major point raised by the shadow Minister was the need for representation of employees on the authority. There has been some reference during the debate to the vital employees in the abattoirs, the meat inspectors. Many of the major problems which have occurred in Victoria and in other parts of Australia have been due to disputes between Commonwealth and State meat inspectors where there is dual inspection such as exists in Victoria at present. Honorable members will be aware of the draft report published on 21 September on this matter. The report makes it clear that the major difficulties of dual inspection arise from this conflict. These industrial disputes are virtually demarcation disputes between Commonwealth and State inspectors and they create difficulties in production and added costs. They are not in the best interests of the producers or, indeed, of the consumers. If the inspectors, as employees, were represented on the authority, this would——

Mr COLEMAN (Syndal)—On a point of order, Mr Speaker, the honorable member for Sunshine has indicated that he will move an amendment. The point now being canvassed by the honorable member for Werribee could well be covered in the proposed amendment.

The SPEAKER (the Hon. S. J. Plowman)—The honorable member for Sunshine referred to union representation. The honorable member for Werribee is referring specifically to representation of inspectors, and that point is not encompassed in the proposed amendment.

Dr COGHILL (Werribee)—That is correct, Mr Speaker, I am speaking of the meat inspection staff, both State and Federal. The Minister will be aware, as are most other honorable members, of the conflicts which have arisen between Commonwealth and State meat inspectors and the difficulties which led to the draft report published on 21 September 1979 proposing that there should be a new joint Commonwealth-State meat inspection authority. The Minister has been good enough to make available to me a copy of the Victorian Government's submission to that inquiry and its comments on the draft proposals.

This is obviously not the time to debate those draft proposals, but I seriously suggest that honorable members examine them closely. I am not convinced that the proposals put up by the Government are in the best interests of the industry in Victoria, nor am I convinced that the Minister has taken sufficient personal interest in this issue. Certainly the final submission which he made available to me is not signed by him but by a senior officer. This highlights the need for representation of meat inspection staff on the meat

inspection authority so that these problems can be ironed out at that level instead of being allowed to simmer away, creating perpetual difficulties for producers and consumers of meat in Victoria.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 8404 s. 5)

Mr FOGARTY (Sunshine)—I move:

Clause 2, page 2, sub-clause (1), insert the following paragraph to follow paragraph (*b*):

'(*c*) For paragraph (*d*) there shall be substituted the following paragraph:

"(*d*) one shall be a person nominated by the Victorian Trades Hall Council as a representative of employees engaged in the meat industry;" '.

Clause 2, page 2, line 4, omit "(*c*)" and insert "(*d*)".

I have explained at length the reasons why the meat industry union should be represented on the Abattoir and Meat Inspection Authority. A doubt was expressed about who would be replaced. I suggested the person nominated in proposed new section 5 (1) (*h*), which states:

one shall be the representative of the Country Abattoirs and Wholesalers Association of Victoria.

From the information I have received, it appears that that body has a membership of 70. I do not know who they are. The other group I mentioned is the group nominated in section 5 (1) (*d*) of the principal Act, which stipulates:

one shall be a person nominated by the Minister for Local Government as the representative of local government bodies owning or operating abattoirs.

The representation provided by that subsection would also be covered by the representative to be appointed under proposed new section 5 (1) (*h*). Therefore, the amendment I have moved suggests the replacement of section 5 (1) (*d*).

It has been estimated that the labour content of taking an animal from farm gate to plate multiplies five times. Every section of the industry is completely dependent on the others. They include the producer, the processor, the saleyard employee, the transport worker, the wholesaler and the retailer. The skilled butchers and meat workers are more numerous than any others and they should be represented. That is why I have moved the amendment. The employee is an important part of the industry and should be represented on the authority. That would be of benefit to the authority, as the honorable member for Rodney well knows after his conference with the industry last week.

Dr COGHILL (Werribee)—I strongly endorse the remarks made by the honorable member for Sunshine. Meat industry employees are, numerically, among the most important people in the meat industry, as the honorable member pointed out. Approximately 11 000 people are dependent for their livelihoods on the meat industry. They are subject to extreme hardship because of the vagaries of the industry, the ups and downs in production, and the switch in production from one abattoir or slaughter house to another. They have suffered because of the over-capitalization to which the former chairman of the authority referred when he said:

At present we have 100 per cent overcapacity. In fact, the industry is grossly overcapitalized.

That statement appears in the May 1978 issue of *Grazing*, the publication of the former Graziers Association.

Those of us who represent the western suburbs are painfully aware that many meat workers have suddenly been thrown out of work because of the effects of this gross over-capitalization. Many of them enjoyed what they thought was secure employment in one abattoir but suddenly discovered, certainly with little warning, that the abattoirs at which they worked were to be closed for an unknown period and they would have to find alternative sources of income. That has created grave difficulties and hardship for these men and their families and it has contributed, quite significantly, to the levels of unemployment prevailing in these areas.

If an employee representative were on the authority the severe effects of over-capitalization on the abattoirs and the people who work in them would be brought home to the authority. The representative would be able to make the authority understand the need to prevent any further extension of killing capacity until demand rose. For those reasons, I strongly endorse the proposed amendment.

Mr I. W. SMITH (Minister of Agriculture)—I would not say forever and a day that I was opposed to the amendment, although I am opposed to it on this occasion. The Committee should be aware that the Bill is designed simply to cover a transition period, during which the name change of the Victorian Farmers and Graziers Association will be adopted and an organization of country abattoirs that has not previously been reported will be represented.

I hope, through discussion, and particularly through the Federal Government inquiry into meat inspection services, a new negotiated position will be arrived at that will lead to a much more satisfactory inspection service. When that has been achieved it will probably be appropriate to overhaul all the provisions of the principal Act and of the Bill. I should then like to give consideration to the amendment moved by the honorable member for Sunshine. I have not had the opportunity of contemplating this and discussing it with the industry, which I should want to do first. The Government is opposed to the amendment at this stage.

Mr HANN (Rodney)—The National Party, although sympathetic to the proposal put forward by the honorable member for Sunshine, is inclined to support the Minister on this occasion, because the matter should be given more consideration. For that reason, the National Party opposes the amendment.

The Committee divided on Mr Fogarty's amendment (Mr A. T. Evans in the chair)

Ayes	..	29
Noes	..	44
Majority against the amendment	..	15

AYES

Mr Cain	Mr Roper
Mr Cathie	Mr Rowe
Mr Crabb	Mr Sidiropoulos
Mr Edmunds	Mr Simmonds
Mr Ernst	Mr Simpson
Mr Fogarty	Mr Spyker
Mr Fordham	Mr Stirling
Mr Ginifer	Mrs Toner
Mr Hockley	Mr Trezise
Mr Jolly	Dr Vaughan
Mr King	Mr Wilkes
Mr Kirkwood	Mr Wilton
Mr Mathews	*Tellers:*
Mr Miller	Dr Coghill
Mr Remington	Mr Walsh

NOES

Mr Austin	Mr McGrath
Mr Balfour	Mr McInnes
Mr Birrell	Mr McKellar
Mr Burgin	Mr Mackinnon
Mrs Chambers	Mr Maclellan
Mr Coleman	Mrs Patrick
Mr Collins	Mr Reynolds
Mr Crellin	Mr Richardson
Mr Dixon	Mr Ross-Edwards
Mr Dunstan	Mr Skeggs
Mr Ebery	Mr Smith
Mr Evans (*Gippsland East*)	(*South Barwon*)
Mr Hamer	Mr Smith (*Warrnambool*)
Mr Hann	Mr Tanner
Mr Hayes	Mr Templeton
Mr Jasper	Mr Thompson
Mr Jona	Mr Weideman
Mr Kennett	Mr Whiting
Mr Lacy	Mr Williams
Mr Lieberman	Mr Wood
Mr McArthur	*Tellers:*
Mr McCance	Mr Brown
Mr McClure	Mr Cox

PAIRS

Mr Amos	Mr Borthwick
Mr Culpin	Mr Ramsay
Mr Gavin	Mr Trewin

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.

SHIRE OF OMEO (TOURIST GOLDMINE) BILL

This Bill was received from the Council and, on the motion of Mr BALFOUR (Minister for Minerals and Energy), was read a first time.

CANNED FRUITS MARKETING BILL

The debate (adjourned from November 20) on the motion of Mr. I. W. Smith (Minister of Agriculture) for the second reading of this Bill was resumed.

Mr FOGARTY (Sunshine)—This Bill is important because it is complementary to legislation which was passed by the Commonwealth Government in recent weeks. In introducing the Bill, the Minister mentioned the mirror legislation which deals with the canned fruit industry in Australia and, in this instance, in Victoria. It is accepted that during recent years the Australian canned fruit industry has undergone trying times because a large percentage of the market has been lost because of Britain's entry into the European Economic Community.

The Opposition believes that orderly marketing is essential in all primary industries. It is unfortunate that, in this instance, in the initial stages many fruit trees in the north of Victoria were pulled out under "operation tree pull", but this was necessary to stabilize the industry. As a result of that operation, there is a rationalization of certain areas of production.

The Commonwealth Government saw fit to introduce legislation to establish the Australian Canned Fruits Corporation under the Commonwealth Canned Fruits Marketing Act 1979. This measure is complementary and will not be opposed by the Opposition. The proposed legislation will be a deterrent, in certain areas, to producing fruit for unprofitable markets. In the past a large percentage of the production of canned fruits was sold uneconomically to overseas markets and to supermarkets.

The step taken by the Commonwealth Government is realistic and can only add to the stabilization of the canned fruits industry in Victoria. There have been misgivings in some quarters, but the future will show that the steps taken at Commonwealth level and endorsed at State level are realistic.

Mr ROSS-EDWARDS (Leader of the National Party)—This Bill has the wholehearted support of the National Party.

Mr Wilkes—And the honorable member for Shepparton.

Mr ROSS-EDWARDS—Not only the honorable member for Shepparton, but of all honorable members who represent the canned fruit growing industry areas. I pay tribute to some of the people who have been involved in supporting this measure and in ensuring that it reached this stage. I pay particular tribute to the office bearers of the Northern Victoria Fruitgrowers Association, the Peach and Apricot Growers Association and the Federal member for Murray, Mr Bruce Lloyd, who has given his wholehearted support to this Bill. I also pay tribute to the Honorable Ian Sinclair, the former Federal Minister for Primary Industry, who, once he was convinced that it had the wholehearted support of growers and the general support of canners, ensured that the proposal went ahead.

Complementary legislation will also be passed by the State Governments of Queensland, New South Wales and South Australia. Federal legislation is also required. Few industries have suffered more than the canned fruits industry because of the entry of the United Kingdom to the Common Market. The growers also suffered because of severe price cutting between certain canneries on the home market in Australia.

This measure establishes a stabilization scheme. The industry has agreed that, initially, the equalization market will comprise those markets in Australia, the United Kingdom, Ireland, Scandinavia and Japan. The returns from sales in those countries will be equalized, but this will not apply to returns from other markets. The scheme will basically involve the acquisition, by the Australian Canned Fruits Corporation, of all canned fruits produced each season. The net proceeds of all sales on the equalization market will be pooled, and, the net proceeds from sales to non-pool markets will be paid directly to the cannery concerned.

This measure provides authority for the corporation to borrow from the Reserve Bank which will finance the purchase of the canned fruit crop each year. The Australian Canned Fruits Corporation is established under the Commonwealth legislation, and will

consist of a chairman and 10 members, 5 members representing canners, 3 representing growers, 1 representing the Commonwealth of Australia and 1 independent member. An Australian Canned Fruits Industry Advisory Committee is also established under the Commonwealth Act. The purpose of that committee is to advise the corporation on such matters as the countries which should be part of the equalization market.

The proposed legislation is exciting and shows a welcome degree of co-operation between the Commonwealth Government, all State Governments, the fruitgrowers' organizations and the canners.

I am confident that the scheme is in the best interests of the industry. I am equally confident that goodwill within the industry will ensure that the inevitable teething problems will be overcome and that as a result of this measure the growers will be the real beneficiaries.

This measure is due to come into operation on 1 January 1980 so it must be passed by Parliament during this sessional period. I am sure I have the support of everyone in wishing it every success because it is vital for a very important Australian industry.

Mr HANN (Rodney)—I, too, support the Bill. It has the widespread support of the fruitgrowers and the canneries in the area I represent. If one looks back three or four years at the desperate plight of the canned fruit industry in the Goulburn Valley and at the period since then, one sees a dramatic turnaround in the profitability of those who have managed to survive. Many were forced out of production by the "tree pull" scheme and others were forced out financially. This year, in the Goulburn Valley, production is virtually only half what it was in 1970.

Legislation to introduce a stabilization scheme for the canned fruit industry is a result of discussions with all sections of the industry. I pay tribute to my Federal colleague, Mr Bruce Lloyd, who was one of the instigators of this legislation and who played a big part in having it formulated. There is no doubt that stability within the industry is necessary if it is to survive.

The Leader of the National Party has already indicated that the canned fruit industry was one of the victims when the United Kingdom entered into the Common Market in 1970. At that time, Australian canned fruits were prominent in the United Kingdom market but were gradually moved out because of the European Economic Community arrangements and superseded by canned fruits from countries closer to the United Kingdom. In addition, unfortunately, various canneries, particularly in Victoria, entered into a price war two or three years ago which cost the industry millions of dollars. That situation could not be tolerated in future because the only victim is the fruitgrower.

If prosperity is to reign in this industry there must be stability and reservations are held by some honorable members, even some on the Government benches, regarding this measure, but one hopes that the industry will keep a close watch on how it progresses and that, if there are difficulties, they will be quickly ironed out so that no one section of the industry can monopolize it under the proposed measure.

The powers of the corporation are to:

(*a*) Purchase canned fruits;

(*b*) sell or dispose of, or make arrangements for the sale or disposal of, canned fruits;

(*c*) manage and control all matters connected with, or arising out of, the handling, storage, protection, transfer, shipment or sale of canned fruits;

(*d*) promote the sale and consumption of canned fruits whether in Australia or overseas;

(*e*) do such things as it thinks fit in order to improve the methods of production, storage, transport and marketing of canned fruits; and

(*f*) do all things that the corporation is required or permitted by this Act to do or that are incidental to the exercise of the foregoing powers or are

necessary or convenient to be done by the corporation for giving effect to this Act.

The Bill complements Federal and State legislation. There has been a lot of co-operation throughout the eastern States.

One hopes that there will be even more prosperity, certainly in the electorate I represent. The Kyabram Preserving Co. arrived at a situation where it was no longer profitable as a single enterprise and it transferred its marketing powers to Henry Jones (IXL) Ltd. It was fortunate that Henry Jones (IXL) Ltd saw fit to buy out the shares of the Kyabram Preserving Co. and so maintain that important and valuable industry in Kyabram. It is the largest and most important employer within the town. In the long term, it will provide a boost to the whole financial structure of Kyabram because it is already introducing new commodities that are being processed.

The initial basic arrangement relates to the canned fruit operation. Kyabram will play an important part in the operation of the Bill, which will be of long-term interest to the fruit growers. The Northern Victoria Fruitgrowers Association, in its 1979 report, welcomes the introduction of the Bill. It states that the past season was one of the most favourable on record.

Fruit growers have experienced difficult times. They experienced a couple of years when they survived only because of the generosity of their creditors. For something like eighteen months, they received virtually nothing from the canneries. In some instances they had to wait for payment to be made. Those were difficult times, but the growers are now through those difficulties and entering a period of prosperity.

It is important to recognize that, even with the changes in the industry, the fruit growers still believe they should receive a higher initial price for their fruit. That is one of the challenges of the Bill. In the long term, the growers might receive a larger and fairer return for their fruit so that they might share in the prosperity towards which the industry is moving. I join with the Leader of the National Party in supporting the Bill and wish it a speedy passage.

The motion was agreed to.

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

WHEAT MARKETING BILL

The debate (adjourned from November 27) on the motion of Mr I. W. Smith (Minister of Agriculture) for the second reading of this Bill was resumed.

Mr FOGARTY (Sunshine)—Once again the House is confronted with a measure which complements State and Commonwealth legislation. Once again, the Opposition does not oppose the Bill.

The Opposition is in complete agreement with any legislation based on the principle of orderly marketing of primary products, especially wheat. In 1946 the Australian Labor Party first introduced legislation to bring about the orderly marketing of wheat. Since then, the legislation has been amended from time to time with the result that, through the years, notwithstanding the amendments caused by changed circumstances, wheat has been marketed through the Australian Wheat Board. The board is the sole receiver and seller of wheat on the domestic and export markets.

When introducing the Bill, the Minister of Agriculture made some derogatory remarks about the New South Wales Minister of Agriculture. It was not very becoming of the Minister because, after all, New South Wales is the major wheat producing State. Naturally, that Government endeavours to get the best it can for the people it represents. It will not agree with every point of view expressed. Since then agreement has been reached. The Labor Party hopes that, arising out of the agreement between all States, the stabilization scheme will proceed for some time to come.

The wheat industry has gone through a chequered career in recent times. Disputes have gone to the High Court

and there have been recommendations made by the Industries Assistance Commission. Each decision may have effect upon the wheat industry in the future.

Since the Bill was first introduced into Federal Parliament, an area of disagreement and negotiation has revolved around the principle that wheat be delivered to the board, prices guaranteed for export sales, home consumption and domestic sales and equalized prices for growers. A definite disagreement arose concerning an upper limit for stock feed and industrial wheat feed. Amendments were made to the Commonwealth Act which dealt with discontent over payments between deliveries of wheat to the board and final payments from the board. There were delays in payment and a need arose for early payment to growers in special circumstances. Also, legislation was required to deal with other financial matters. These points were all brought about by negotiation.

The Opposition has been in close contact with the Victorian Farmers and Graziers Association, which organization is vested with the authority of looking after the affairs of wheat growers. It agrees with the Bill as passed through Federal Parliament and as placed before State Parliament.

The Opposition does not oppose the Bill and wishes it safe passage through all stages.

Mr McGRATH (Lowan)—The National Party supports the Bill. Australia was built on three important primary industries—wool, meat and wheat. It is of interest that the Bill is only complementary to Commonwealth legislation to ensure that the Australian Wheat Board remains the sole marketer of the wheat harvest.

The Federal Minister for Primary Industry, Mr Nixon, should be congratulated upon the work he has done in bringing all the States together to formulate the new wheat marketing plan. The difference is that this year it is a wheat marketing plan and not a wheat stabilization scheme.

The wheat marketing plan contains a marketing and pricing system. The Australian Wheat Board will be the sole authority for the export and marketing of wheat and flour and all other products pertaining to wheat. It is important that the Australian Wheat Board remains the sole marketer and controller of the wheat harvest. My colleague, the honorable member for Benalla, will outline many problems that faced the Australian Wheat Board during the early 1930s and 1940s when the open marketing system prevailed. The system was open to the various wheat traders to negotiate prices with the various farmers. Australia almost witnessed the collapse of the wheat industry.

A strong Wheat Board now has control of the marketing of the wheat harvest, for which wheat growers should be thankful. Any industry that has orderly marketing and control will surely have a basic and sound industry.

For this year, the guaranteed minimum delivery price has been set at $114.71 a tonne. That sounds a tremendous figure for each tonne of wheat delivered to the Australian Wheat Board, but one must subtract from that amount a freight charge of just over $11 a tonne on the average, Grain Elevators Board handling charges of $7 a tonne, a wheat levy of $2.50 a tonne and a wheat stabilization levy of $2.50, which amount to $23. Therefore, the $114.71 is considerably eroded by the time the grower receives his return for a tonne of wheat.

It was interesting to read an article in the *Stock and Land Journal* which stated that the first advance this year will increase by $39.50 a tonne, which is an increase of 53 per cent. However, one must take into consideration the guaranteed minimum delivery price, which is 95 per cent of the expected pool return.

I issue a word of caution to all farmers when they accept the 95 per cent of the pool payment. They should carry out stringent budget precautions to ensure that they are not left short of a cash flow in the months ahead in

the event that next year may be a leaner year. The 95 per cent of the pool payment will not be followed by substantial second or third advances as happened in previous years, when those advances have been considerable.

During the past ten years, the wheat growers' returns have risen by 115 per cent, but their costs have risen by 152 per cent. Therefore, if any one is thinking an immense fortune is to be made out of the wheat industry—it is a sound industry—he should remember that, with the costs growers have to bear, it is not the tremendous boom industry that everyone is advocating it is.

The stabilization fund holds $80 million and that amount, because of the extra $2.50 that will be deducted will increase to $100 million. After that $100 million has been reached, the fund will become a revolving fund.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! The time appointed by sessional orders for me to interrupt business has now arrived.

Mr MACLELLAN (Minister of Transport)—I move:

That the sitting be continued.

The Deputy Leader of the Opposition asked earlier if some indication could be given of how long tonight's sitting may be. The only indication I can give is that, with such co-operation and progress being made at this stage, I hope the House will not be required to sit later than 3 a.m. but that will depend on the continuation of the good progress. If the House is able to dispose of a number of items on the Notice Paper it would be possible to conclude the sitting earlier than that, and I should hope it does so. I shall keep in contact with the Deputy Leader of the Opposition and the Deputy Leader of the National Party regarding the matter as further progress is made during the evening.

Mr WILKES (Leader of the Opposition) (*By leave*)—I do not want to hold up the business of the House but merely to put the proposition to the Government that I should have thought any responsible Government would have said that it wants to get down to a particular item on the Notice Paper, not to hold members of the House to ransom, whether certain satisfactory progress is achieved, but to accept co-operation in reaching a particular Bill. That has not been the case. The Leader of the House has said that if satisfactory progress is made the House will rise at 3 a.m. The Opposition is not aware of what the Government regards as satisfactory progress and it would like an indication from the Minister of what he and the Government regard as satisfactory progress for a day's sitting of this House. If he could give the Opposition an indication of that, there is no doubt that both the National Party and the Labor Party would attempt to co-operate to achieve that objective.

However, the Leader of the House has said that if the business of the House is at a satisfactory level by 3 a.m., honorable members may "knock off". The Opposition does not know what the satisfactory level is and I urge the Government to make that known. An honorable member interjects that progress has not been satisfactory. I do not know what standards are used to state that progress has not been satisfactory and if the honorable member is referring to the debate on the adjournment motion moved today, I remind the House that there was a Premiers Conference on Friday which I regarded as being a very important event.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! There is no debate on Sessional Orders. The Leader of the Opposition is speaking by leave. He is now moving far wider of the point than is necessary and he is defeating his own purpose by enlarging the debate. I ask him to confine his remarks to the motion.

Mr WILKES—I am not concerned about the view of the Chair in respect of the debate. I was given leave of the House to discuss the matter raised by the Leader of the House and for the Government——

The DEPUTY SPEAKER—Perhaps I did not make myself clear to the honorable member. He is entering into a debate on the Premiers Conference, which is not necessary to this issue.

Mr WILKES—The debate that took place in the House earlier was an important debate and had there been a Ministerial statement, perhaps that debate would not have had to take place. If the honorable member suggests that there has not been satisfactory progress made, that is one of the reasons why. There is no reason why satisfactory progress cannot be reached if the Government will give an indication of its precise intentions. That is all the Opposition asks.

The motion was agreed to.

Mr McGRATH (Lowan)—It may be of interest for honorable members to note that at this stage the home consumption price of wheat is set at $138.78 a tonne and the export price is floating at $160 a tonne, so to that extent Australian wheat growers are subsidizing the consumers of this country at the moment——

Mr Wilton—That is a load of rubbish.

Mr McGRATH—I do not believe it is a load of rubbish. The same sort of system applies to stock feed and industrial wheat, for which sales run at $127 a tonne and, all in all, this Australian wheat harvest would make provisions for average harvests forthcoming of 15 million tonnes. In the electorate of Lowan the life of almost the whole electorate depends on the wheat growers remaining in a strong, viable position and the continuation of a wheat marketing plan gives the opportunity for wheat growers in that electorate, throughout the State and, indeed, throughout Australia, to make further plans for the industry to continue to be strong and aggressive. There will be many changes in the wheat industry in future as it moves through the years with further technology and further developments in wheat varieties and in sprays to control weeds. Returns will become larger for each acre. With my colleagues, I strongly support the Bill.

Mr TREWIN (Benalla)—Honorable members must recognize the importance of the legislation. The viability and the prosperity of this large industry has been under discussion and at stake for some few years. It was challenged by growers themselves in what became known as over-the-border trading, when many people would have been anxious for the stabilization legislation that was passed prior to this harvest to be abolished, and the industry put back on the open market system. Any wheat grower who thinks like that today is not in his right mind, yet people were using section 92 of the Australian Constitution to bring about a system of trading by people who were looking after their own interests without thinking of the industry generally.

The Bill will become the Wheat Marketing Act and it is significant that a new formula will be used for the price of wheat. Honorable members know that most of the wheat produced by the industry is sold overseas. The industry is reliant on overseas markets such as those of Iran, China, Russia, Germany and even England. It is of significance to the Australian wheat grower that when an overseas country has a good or poor season, it reflects on the viability of our industry. It is well known now that the Wheat Stabilization Act of the Federal Parliament in 1946 was introduced by the Honorable Reg Pollard, a member of the Labor Party in Government, who forced through the legislation in the Federal Parliament. It should also be remembered that had that Government of the day not wanted to nationalize the banks, it could have been in office years longer. However, it is also good to remember that when the Australian Wheat Board was created, on 4 September 1939, one day after war was declared and Australia became a participant in the second world war, the Prime Minister, then Mr Robert Menzies and later Sir Robert, promised the wheat marketers—the flour millers—that they would regain control of the industry when hostilities ceased.

That very statement has remained indelibly in my mind because I was one of the unfortunate people who saw the depression of the wheat industry along with the great depression of the 1930s when men walked off their farms because of the lack of viability of the

wheat industry and other industries. It was later established that the wheat industry could have stability. This has been proved. The industry has stood the test of time and in the past 30 years it has been viable. It is not a luxurious industry; it does not have unlimited prosperity; but stability has helped the industry to such a degree that it is known from year to year the price that will be paid.

The Bill takes out of existence the wheat stabilization plans which were planned and fought for by farmers who went out on the road preaching that there must be stability in the industry. Today, there has been 30 years of stability and growers are now entering a new era with a scheme that will retain stability. It is considered that there are certain freedoms in the industry that will benefit the growers and the industry generally.

Earlier, I referred to the over-the-border marketing of wheat. Without doubt, if the courts of this land were to uphold the appeal that is being made in the Uebergang case in Queensland and northern New South Wales, the industry will be in dire difficulties and there will not be the stability and the soundness of prosperity that this industry must have.

After the years of discussions with the Australian Wheatgrowers Federation and the officials of the Department of Primary Industry, a certain formula has developed, as the honorable member for Lowan pointed out. It is good to know that in the honorable member for Lowan there is a staunch wheat grower who is making his presence felt not only in Parliament but also in the electorate.

A first payment, 95 per cent of the expected return from that harvest will be made. It is based on a formula of the price of the return from the two previous harvests averaged with the expected return from the harvest this year. The first payment of 95 per cent will amount to more than $90 a tonne, and will need about $1700 million. It is an embarrassment to the Reserve Bank and an embarrassment to the Commonwealth Government that so much money will be put into circulation so quickly. The payments are to be made within three months, and instead of the whole of this amount being drawn from the Reserve Bank, it is expected that about half of it will come from this source and the other half from commercial banking enterprises. This is being requested by the Federal Treasurer. The rate of interest will be higher than normal, and will be met partly by the taxpayers. This money will take away from the commercial banking enterprise $900 million and will not be available to be loaned in the money market by the commercial banks. This is expected to lessen the impact on the economy, and the Federal Government hopes it will not increase the inflation rate.

When one studies these figures, one can recognize the importance of the industry and the impact of the money it earns on the economy. It is new money, earned annually, and is similar to the money earned from an annual wool clip.

The other important feature is that arrangements are being made through this Bill to facilitate the sale of wheat. Previously, one could not take wheat off a farm unless it went through the Australian Wheat Board, or if it was traded under section 92 of the Commonwealth Constitution, which was a grey marketing area, and led to some wheat being traded on the black market. This was done by buying in stock food, or some other such processing method. Previously, if half of a farmer's property was in one locality and the other half 10 miles away, he was not able to transport wheat from one point on the farm to another point to feed his own sheep. This Bill overcomes that anomaly, and is a welcome amendment to the original Act.

I understand that there are several amendments to be moved to the Bill. They became necessary after this legislation was drawn up by agreement between the States. The Bill is complementary to Federal legislation

and I will not make any further comments on it at this stage, but I will be interested to hear the amendments as they are moved by the Minister.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Interpretation)

Mr I. W. SMITH (Minister of Agriculture)—There is a series of drafting amendments that need to be made. I move:

Clause 3, page 3, line 24, after "Act" insert "during that season".

The amendment clarifies the season referred to in the clause.

The amendment was agreed to, and the clause, as amended, was adopted, as was clause 4.

Clause 5 was verbally amended, and, as amended, was adopted, as were clauses 6 to 21.

The heading preceding clause 22 was verbally amended, and, as amended, was adopted, as were clauses 22 to 24.

Clause 25 (Access to premises)

Mr I. W. SMITH (Minister of Agriculture)—I invite honorable members to vote against this. Later I will move for the insertion of a new clause. I will explain the new clause when it is moved.

Mr FOGARTY (Sunshine)—I expect that the Minister will give an explanation of these things, because this is the first time this proposal has come before the Opposition and the National Party. If the Minister would give an explanation, we would know what is going on.

Mr I. W. SMITH (Minister of Agriculture)—I thought I made it clear that it was necessary to omit this clause in order to move the following new clause, and when I move that, I will explain the reason for it.

The clause was negatived.

The remaining clauses were agreed to.

New Clause AA

Mr I. W. SMITH (Minister of Agriculture)—I move:

Insert the following new clause to follow clause 25:

'AA.(1) An authorized person may, with the consent of the occupier of any premises, enter the premises for the purpose of exercising the functions of an authorized person under this section.

(2) Where an authorized person has reason to believe that—

(*a*) there is on any premises wheat that is the property of the Board and is not in the possession of the Board or a person authorized by the Board, or wheat the delivery of which has been lawfully required by the Board under this Act; or

(*b*) there are on any premises books, documents or other papers relating to wheat or wheat products or to corn sacks—

the authorized person may make application to a Justice of the Peace for a warrant authorizing the authorized person to enter the premises for the purpose of exercising the functions of an authorized person under this section.

(3) If, on an application under sub-section (2), the Justice of the Peace is satisfied by information on oath or affirmation—

(*a*) that there are reasonable grounds for believing that there is on the premises any wheat, or that there are on the premises any books, documents or papers, referred to in sub-section (2); and

(*b*) that the issue of the warrant is reasonably required for purposes of, or related to the operation of, this Act—

the Justice of the Peace may grant a warrant authorizing the authorized person, with such assistance as he thinks necessary, to enter the premises during such hours of the day or night as the warrant specifies or, if the warrant so specifies, at any time, if necessary by force, for the purpose of exercising the functions of an authorized person under this section.

(4) A warrant under sub-section (3) shall specify a date after which the warrant ceases to have effect.

(5) Where an authorized person has entered any premises in pursuance of sub-section (1) or in pursuance of a warrant granted under sub-section (3), he may exercise the functions of an authorized person under this section.

(6) A person shall not, without reasonable excuse, obstruct or hinder an authorized person acting in pursuance of a warrant granted under sub-section (3) or in pursuance of sub-section (5).

Penalty: $500.

(7) The functions of an authorized person under this section are—

(*a*) to search for and inspect wheat or corn sacks;

(*b*) to search for, inspect, take extracts from and make copies of books, documents or papers referred to in sub-section (2); and

(c) to take possession of and remove wheat referred to in sub-section (2).

(8) On the taking possession, under sub-section (7), of wheat that, immediately before such taking, was not the property of the Board, the wheat becomes the absolute property of the Board, freed from all mortgages, charges, liens, pledges, interests and trusts.

(9) In this section, "occupier", in relation to premises, includes the person in charge of the premises.'

During the passage of the Federal legislation, which is the model Act on which this Bill is formulated, an amendment was moved in the Federal Parliament in the same terms as the provisions of the proposed new clause. Under the old clause, an inspector of the Australian Wheat Board had the power to enter on to premises, such as farms and places where people were storing wheat, and undertake an inspection without obtaining anyone's consent. The effect of the new clause is that the inspector must either have the consent of the owner or occupier of the premises, or alternatively, obtain the written authority of a justice of the peace.

The Federal Parliament passed this amendment because it thought it gave a safeguard to citizens in the event of an over-officious official or, alternatively, when a heated situation developed a slight cooling off period was needed. The Government agrees this is a sound principle and has therefore moved for the incorporation of the new clause in the Bill.

Mr TREWIN (Benalla)—I have not had time to read through this new clause, but I think it follows along the same lines of the clause it is replacing. The Minister said the new clause requires that a justice of the peace sign a statutory declaration to give permission to an inspector to enter on a farm. It states, *inter alia*:

If, on an application under sub-section (2) the justice of the peace is satisfied by information on oath or affirmation . . .

I am not at a loss to understand it, but I believe it is peculiarly worded, and I am concerned at the use of the words "reasonable grounds". Can reasonable grounds be given as a satisfactory reason under oath? The word "reasonable" has been used in legislation on other occasions. Is this a satisfactory wording of the Act? I do not dispute the inclusion of the provision in the Bill because it is modelled on the Federal Act, and it is complementary legislation, but I hope it will assist growers and local people who come under the ambit of this clause.

I can remember when there was illegal disposal of wheat and some people were encouraged to dispose of wheat outside the board. As a result, a provision was put into the Act to permit inspections of properties where wheat was suspected of being held illegally. I assume this new clause, as the Minister has stated, will recover what was in the principal Act. As I mentioned I have not studied the clause closely, but in my opinion it does not go far enough. Nothing should be included in legislation which provides that no action should be taken until a statutory declaration or a declaration signed by an honorary justice is provided and the honorary justice is satisfied that the information he has received on oath is satisfactory.

The provision should refer not only to the farm or to the local dealer but also to a wider field of activity in this State and should enable inspections to be made of a property if it is considered that wheat is being held illegally and outside the provisions of the proposed new clause.

The new clause was agreed to, as was the schedule.

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

GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL

The debate (adjourned from November 27) on the motion of Mr I. W. Smith (Minister of Agriculture) for the second reading of this Bill was resumed.

Mr FOGARTY (Sunshine)—The Bill is to establish three authorities to improve the grain handling facilities at Geelong and Portland. It will also establish new facilities in north-eastern

Victoria and provide for funding of major works. I was led to believe the Australian Wheat Board had formed a definite policy of only one authority being vested with the responsibility of handling these products and that in Victoria this was the Grain Elevators Board.

The Opposition admits that the bumper harvest of last season highlighted more than ever the shortcomings with storage, transport and handling facilities in Victoria and other matters relating to the grain harvest.

The Grain Elevators Board did learn from the experience of that bumper harvest, and I sincerely hope Victoria will have a bumper harvest every year, although shortcomings have been highlighted in the area of storage. The facilities at Portland are inadequate. Admittedly, Geelong has certain shortcomings and there is a need for other storage facilities elsewhere, preferably in the northern part of Victoria. There is also a need to update our rail system and our rolling-stock as this would help to overcome the inadequacies experienced in the handling of the grain harvest in Victoria.

The measure under consideration provides that instead of having one handling authority acting on behalf of the Australian Wheat Board, there will be three separate authorities under the control of the Grain Elevators Board. I do not know why they are necessary. Clause 7 (1) (*a*) provides for an authority to borrow moneys from any bank by way of overdraft and, under clause 7 (1) (*b*), an authority can obtain advances or financial accommodation from any person, whether in Victoria or elsewhere. I wonder whether the setting up of these authorities is a means of overcoming the position of obtaining loan moneys elsewhere.

The Opposition agrees that facilities at Portland, Geelong and elsewhere should be updated. However, it is at a loss to understand why a responsible body, such as the Grain Elevators Board, has not the ability to perform a task which will be vested in three authorities.

Clause 12 provides that the number of persons constituting the Geelong Grain Handling Improvement Authority shall be four, whereas clauses 13 and 14 covering the Portland Grain Handling Improvement Authority and the Country Grain Handling Improvement Authority provide for a membership of five members for each authority. I would like to know why there is a differential of one between the numbers of members appointed to the Geelong Grain Handling Improvement Authority and the other two authorities.

Mr I. W. Smith—That can be considered in Committee.

Mr FOGARTY—That is fair enough. The Opposition does not oppose the Bill because it agrees that the grain handling facilities in the areas concerned are in need of updating. It accepts the report of the Minister of Agriculture that substantial amounts of money are required namely, $20 million in the case of the Geelong Grain Handling Improvement Authority, $15 million for the Portland Grain Handling Improvement Authority and $8 million for the Country Grain Handling Improvement Authority. The Opposition sincerely hopes when the appointments to the three new authorities are made, it will not again be a case of jobs for the boys.

Mr McGRATH (Lowan)—On behalf of the National Party I indicate our support for the setting up of these authorities which will be responsible for the upgrading of facilities at Portland and Geelong and at some place in north-eastern Victoria. It is interesting to note that in the current financial year the loan funds that can be raised total $1·2 million for each authority which will provide the Grain Elevators Board with $3·6 million this financial year with which to upgrade facilities.

Honorable members heard a little while ago that average wheat crop for Australia will be 15 million tonnes and that this year we will have a record export crop of 12 million tonnes. If the Grain Elevators Board upgrades

the facilities at Geelong and Portland, it will go a long way towards helping us to export more wheat each year.

The establishment of the three new authorities is a better idea than that floated some two months ago by a spokesman for the Grain Elevators Board who suggested that a levy of $2 a tonne be placed on all deliveries to raise finance with which to upgrade facilities. This would have resulted in present-day farmers making a contribution towards the upgrading of facilities which will service coming generations of wheat growers whereas the envisaged concept in the Bill will ensure that future generations of wheat growers will also be making a contribution during the time they spend in the industry.

The proposal is also much better than that floated by the Minister of Agriculture who, prior to the May State election, suggested that an amount of $100 million was needed to be spent by the wheatgrowers in this area.

The Minyip silo committee wrote to the Minister of Agriculture and to the General Manager of the Grain Elevators Board expressing a wish for grower representation, especially on the authorities to be established at Geelong and Portland. Letters have been received from the Minister and the general manager of the board suggesting that the new authorities will be in the nature of machinery bodies to service and set up improved port facilities which will remain under the control of the Grain Elevators Board. The board, which has three grower members, will, in the main, be controlling the whole operation which will be taking place under the joint system.

Among other things, the honorable member for Sunshine mentioned the need to upgrade our storages, rolling-stock and our port facilities. I am not sure that it is necessary to upgrade many of our storages in country areas as we could be getting close to having adequate storage facilities. However, there is a real need to upgrade the rolling-stock used by VicRail to enable it to handle the grain harvest efficiently. The railway workers cannot be expected to handle the harvest efficiently with out-of-date rail wagons. Fortunately, because of concepts designed by Mr Doherty five years ago, such as the conversion of the GH wagons, these needs are being overcome. If we are to make improvements and to upgrade facilities at both Geelong and Portland, we must move now so that record harvests which will be produced in Victoria in future will be accommodated and handled satisfactorily.

Mr WILTON (Broadmeadows)—I do not understand the need for this Bill which will establish certain authorities to undertake the development and construction of various improvements in relation to the transport and storage of grain in Victoria. What is wrong with the Grain Elevators Board? The board has served the industry so efficiently over a long period that it is the only authority in this State which the Australian Wheat Board is prepared to recognize as competent in handling and shipping grain through our export ports.

Why is there a need for three separate statutory authorities employing three separate staffs and tripling overhead costs which will be borne by the wheat farmer? It must be remembered that all the costs of handling and transporting grain come out of the pockets of the wheat grower, directly and indirectly.

Where is the argument showing the need for this situation? The honorable member for Lowan made the point that an optimum of storage facilities exists in country Victoria at present, but work must be done in the port of Portland and the port of Geelong on railway sidings, berthing and loading facilities.

At present the port of Portland has a handling capacity of only 600 tonnes an hour. In modern terms, and in view of the size of shipping in the grain trade, that is an expensive way of handling wheat, especially when loading ships of the order of 55 000 tonnes at one time. In the past twelve months about 400 000

tonnes of grain have passed through the port of Portland, and at 600 tonnes an hour it is slow loading. Obviously work needs to be done there, but why cannot the Grain Elevators Board handle it? The board owns the facilities at the ports of Portland and Geelong. One wonders what will happen when, as provided in the Bill:

> Each Authority shall be a body corporate and shall have perpetual succession and a common seal and be capable in law of suing and being sued and for and on behalf of Her Majesty of purchasing taking holding selling leasing taking on lease exchanging and disposing of real and personal property for the purposes of and subject to this Act.

What will be the situation with the modern facilities at the ports of Geelong and Portland and in the country? A country grain handling authority will also be established, but the Bill does not specify in what part of the country it will operate.

Mr Fogarty—Mangalore.

Mr WILTON—Will it be just at Mangalore, or is it to control the whole country area of Victoria? What will happen to the existing grain handling and storage facilities currently operated by the Grain Elevators Board? When these authorities start functioning and coming into the home market to raise money, what are they going to do? Will the storage facilities owned by the board be upgraded? What property will these authorities acquire and control? Will it finish up that half the grain handling facilities at these ports will be owned by one authority and the other half by a different authority? Where will the coordination take place?

The Bill contains nothing to say that the Grain Elevators Board shall be the overriding authority, and nothing to say that these three separate independent statutory authorities cannot do their own thing. There is nothing to say that they must obtain approval from the Grain Elevators Board before they do this. The real purpose of the proposed legislation is to go outside the control of the Australian Loan Council. The Victorian Government and its colleagues in Canberra have not been able to come to an understanding and a working arrangement, so the Victorian Government is now going to indulge in this exercise of wasteful duplication to overcome the restrictions placed on it by its party colleagues in Canberra, and the wheat farmers will have to carry the financial burden.

The Bill provides that each authority will have a chairman and a certain number of members, and they will all be in receipt of remuneration. The Bill provides that the authority may do certain things with the approval of the Minister and subject to specified terms, conditions and limits, and it sets out a whole variety of costs that may be incurred and will have to be met by the wheat growers.

The honorable member for Lowan, who is involved in the grain industry, should have a hard look at his Federal colleagues and the policies they are pursuing which are placing the statutory authorities in a financial straitjacket and expanding overhead costs simply to cope with the problem that has been created by other members of the Liberal Party. I cannot see the logic or business sense of such an operation.

The Minister ought to explain to the House in some detail why Victoria will finish up with four grain handling authorities, considering all the arguments that have occurred in recent years in favour of having a single grain handling authority. The Victorian Farmers Union at its grain conferences year after year carried resolutions and fought tooth and nail to establish one grain handling authority. The union spent years on that campaign and led deputation after deputation to the Ministers of Agriculture of the day, and that work will be destroyed overnight by one action of the Government.

What will be the situation with the Australian Wheat Board, and have discussions been conducted with the board? No discussions have been conducted with the board, because the Minister has not even bothered to confer with the board. Honorable members have heard tonight from other speakers how important the Australian Wheat Board is to the wheat industry and how much stability it has brought to the industry. Under the terms

of the legislation under which the Australian Wheat Board operates, it can recognize only one grain handling authority in each State, so with whom will it do business, the Grain Elevators Board or one of the new authorities?

Are these authorities to become agents of the Grain Elevators Board? The Minister has given no explanation of these points. His speech was one of the shortest on record, and has provided no details.

The Bill is an exercise that will cause a considerable increase to be made in overhead costs to the wheat farmers, and before long they will rue the day it was introduced.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 5 were agreed to.

Clause 6 (Accounts)

Mr I. W. SMITH (Minister of Agriculture)—The omission of the clause will enable me subsequently to move for the insertion of a replacement clause which will expand the authority that the Auditor-General has. I invite honorable members to vote against the clause.

The clause was negatived.

The remaining clauses were agreed to.

New clause AA.

Mr I. W. SMITH (Minister of Agriculture)—I move:

Insert the following new clause to follow clause 5:

"AA. (1) An Authority shall cause to be kept proper accounts and records of its transactions and affairs.

(2) An Authority shall at the end of each financial year cause to be prepared a statement of accounts including such information as is necessary to give a true and fair view of the financial transactions and state of affairs of the Authority.

(3) The statement of accounts shall be audited by the Auditor-General, who shall have in respect of the accounts and records of the Authority all the powers conferred on him by any law now or hereafter in force relating to the audit of the public accounts.

(4) A true copy of the accounts audited by the Auditor-General shall be forwarded by the Authority to the Minister who shall cause the audited statement of accounts to be laid before both Houses of Parliament within three weeks after receiving the same if Parliament is then sitting or (if Parliament is not then sitting) within three weeks after the next meeting of Parliament.

(5) An Authority shall pay each year to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of the audit under this section.

(6) The financial year of an Authority shall be the year ending on the last day of October."

After the Parliamentary Counsel had submitted a copy of the draft Bill to the Auditor-General and the Auditor-General studied it, he made some suggestions which, if implemented, will allow for the better presentation and auditing of acounts. The terms of the recommendations were agreed to by the Government on the advice of Parliamentary Counsel. When honorable members read the proposed new clause they will agree that the amendments are self-explanatory and common sense.

Mr TREWIN (Benalla)—The National Party supports the proposed new clause, but it is interesting to note that the audited accounts will be forwarded to the Minister from, I assume, the Auditor-General, after having been placed before him by the respective authorities. The proposed new clause provides that the Minister shall cause the audited statements of accounts to be laid before both Houses of Parliament within three weeks after receiving the same, and so on.

A matter that intrigued me when the measure dealing with the Grain Elevators Board was being debated was that a report on the activities of the board was to be sought from the Minister and presented to Parliament. From memory I believe that legislation contained no provision placing any obligation on the board other than to deliver a report to the Minister. I am sure the Minister was asked whether the report should be made to Parliament, and I believe he replied that it need not and shall not be made to Parliament. I took this as referring to the audited accounts of the Grain Elevators Board. The Minister may be able to help me on this matter because I am depending on my memory of the debate on the Grain Elevators Board legislation when several alterations were made to the principal Act.

The proposed new clause will bring about a determination that is not even contained in the Act, and if the new authorities are to be responsible to the Grain Elevators Board, I wonder how this provision can be blended in.

Mr I. W. SMITH (Minister of Agriculture)—The honorable member for Benalla may well or may not have good recall; I have tried quickly to find the section of the Grain Elevators Board Act to which he referred, but I am not sure whether this is a complementary factor. Certainly the dates are complementary; the Grain Elevators Board year ends on 30 October, as does the financial year of the new authorities. The Auditor-General must go through and audit the accounts of the Grain Elevators Board in the same way as he will audit the accounts of the authorities. I am not sure, without checking, whether the same mechanism is provided for reporting to the Parliament, but that factor would be desirable in the Bill and we should concentrate on that.

Mr TREWIN (Benalla)—I accept that it is desirable to have this provision in the clause in this small Bill. However, if the provision to which I referred is not contained in the Grain Elevators Board Act, that should be examined soon to ensure that accounts from the Grain Elevators Board are presented to Parliament after having been audited. I am almost certain that this point was brought up and reference was made to the fact that it would not be repeated in Parliament.

The new clause was agreed to.

The Bill was reported to the House with amendments, and the amendments were adopted.

Mr I. W. SMITH (Minister of Agriculture)—I move:

That this Bill be now read a third time.

Mr TREWIN (Benalla)—This Bill is important to the wheat growers of this State, and I wish to refer to some of the comments made by the honorable member for Broadmeadows. He was right in most of his comments. The wheat growers will be paying anyway. The Geelong terminal will be updated, and the Minister of Transport will know when that happens. The port of Portland will be enlarged and modernized. The third change will be in country Victoria. From information that I have received, I know that assistance will be provided for the movement of a large amount of grain through the north-east of Victoria. It is well worth indicating that this harvest will bring in perhaps 500 000 tonnes of wheat from the Riverina district. The last harvest brought about 100 000 tonnes of grain from that area.

The area had been the hotbed of a marketing concern for the Australian Wheat Board to which I referred in the debate on another Bill. I should like the establishment of a storage the size of which can be determined by those who do the research and have the responsibilities for making the decisions. No doubt it will be the members of this authority. It could be so positioned at the junction of railway lines that it could give a quick turn around of trucks. Train loads of grain could be loaded at silos, taken not a great distance and then emptied and returned to the silos.

One of the great problems in the past from the north-east has been that it has not been the last area in the State to commence harvesting, but has commenced about the middle of the harvest and there has been much concern about the availability of rail trucks. Already this year trucks have been put into stations in the north-east. Some of the stations have no grain to load.

The passing of this Bill will enable the setting up of a country grain storage facility—I will accept a north-eastern grain storage facility—and Mangalore would be the natural location. It is of interest that this is the only authority that will have a grower member. This is essential because the authority will be dealing with a large area from which more grain will be drawn, and it will be servicing that area. It will not have as its prime objective the upgrading and updating of facilities such as those at Geelong and Portland.

The motion was agreed to, and the Bill was read a third time.

YOUNG FARMERS' FINANCE COUNCIL BILL

The debate (adjourned from November 27) on the motion of Mr I. W. Smith (Minister of Agriculture) for the second reading of this Bill was resumed.

Mr FOGARTY (Sunshine)—The Bill establishes a Young Farmers Finance Council. It amends the Rural Finance and Settlement Commission Act 1961. The Opposition has been waiting expectantly for this Bill to arrive. Prior to the last State election, the Liberal Party indicated that it would introduce a scheme to assist young farmers. In April of this year, Mr Miner from Saskatchewan, Canada, visited Australia at the invitation of certain organizations, including the young farmers of Victoria. He was able to address a large number of meetings and to meet the former Minister for Primary Industry in the Australian Government, Mr Sinclair, and place before those authorities a scheme which has operated in Saskatchewan for eleven years and had assisted 2000 people to enter farm life.

The Opposition expected that the Bill would provide something to offer young farmers. In the *National Farmer* immediately after the election, under a heading, "Land Bank Prospects Brighten", the following appeared:

> Prospects for the establishment of an Australian Land Bank to inject new capital and young people into farming are improving following the verbal support of two State Governments.
>
> The Victorian Liberal party pledged a $5 million Land Bank scheme would be set up if it was returned to office, and the New South Wales Government has also expressed interest in the scheme.
>
> The aims of Land Bank would be:
>
> - To preserve the social fabric.
> - to help young people get into farming.
> - to supplement the amount of capital moving into farming.
> - to assist in adjustment towards more viable farms.
> - to stabilise the farm scene.

That provided something for the young farmer to look forward to. In country Victoria, apart from the major problem of unemployment, a big problem is providing a scheme whereby young farmers are able to enter into the occupation of their choosing and to which they have been raised—farming. In his second-reading speech, the Minister said openly that for a young farmer to purchase a farm at this stage he would require $150 000 to $200 000. The Bill provides for the Government, through the Rural Finance Commission, to act as a guarantor. On simple arithmetic, taking round figures and using a 10 per cent interest rate, which is an unrealistic figure, $15 000 interest would have to be repaid each year without touching the principal. The Opposition believed the State Government would come up with a more realistic scheme.

The States of Victoria and New South Wales are seriously considering a land bank scheme and Tasmania also has a minor land bank scheme.With each State introducing its own legislation to deal with the financing of farms for young farmers, Australia will have a situation similar to that which existed 100 years ago where there were varying gauges in the national railways, which it took two world wars and a couple of depressions to overcome. The Opposition believes any scheme of this nature should be national in character and State legislation should be complementary. However, it will not oppose the Bill because any attempt by any authority to assist young farmers to enter the vocation of their choosing will be supported by the Opposition.

Although the Opposition will not oppose the Bill at this stage, it is extremely disappointed that the Bill is of such a minor nature, relying only on the Government authority to act as a guarantor and not giving assistance to the young farmer taking on a farm.

The Minister has referred to the Saskatchewan scheme. It has been widely reported that the former Minister for Primary Industry mentioned

that the Saskatchewan scheme would suit Australian conditions. The objectives of the scheme were:

to increase the opportunity of farmers to sell their land at fair prices,

to assist the maintenance of the family farm by ensuring that they may be transferred from generation to generation without competition,

to assist keeping family farms viable by enabling them to lease additional land,

to encourage young people to enter farming (without a large equity requirement),

to allow established farmers to sell their land and lease it back, freeing capital for other purposes.

The Opposition is disappointed with the Bill, which should have been broader and more realistic. The only saving grace is that, in his second-reading speech, the Minister mentioned that an inquiry will be set up into leasing matters.

Mr HANN (Rodney)—I support the Bill on behalf of the National Party. It is interesting to trace the history of young farmer establishment schemes. The National Party has strongly proposed the establishment of such a scheme in the past two election campaigns, more particularly in the recent State election when the National Party in its policy statement indicated that it would propose a young farmers establishment scheme. The scheme proposed by the National Party was elaborate and would have given preference to farm employees and share-farmers who wished to purchase their first farms and to demonstrate their ability to work and to use their experience. The proposal was similar to the land bank proposal where the Rural Finance Commission would purchase suitable self-contained viable farms and lease them for a period of years to suitable applications with the option of purchase. The scheme also provided for lending finance up to 80 per cent of the market value of the property to young people in that category.

Subsequently the Government supported a young farmer establishment scheme which was also related to the strong support given to such a scheme by the United Dairyfarmers of Victoria and particularly the young farmer movement. The young farmers in this State had a representative of the land bank from Saskatchewan in Canada visit Australia and he had discussions with the various Governments, including the Commonwealth Government, on the possible establishment of some form of young farmers establishment scheme. As a result of that, the Minister indicated that the Government would establish a young farmers' settlement scheme in Victoria. The National Party was somewhat surprised at the initial format of the scheme introduced.

Mr Fogarty—Disappointed?

Mr HANN—Surprised. I believe many of the young farmers have been disappointed by it because they believed that before now they would be able to make use of such a scheme, but it will not be in operation until the new year, at least eight or nine months after the election. By the time the council is formed and applications are processed, it could be almost twelve months before allocation of a guarantee is made.

One of the changes which have occurred between what was originally proposed and what is now presented to Parliament is that, whereas honorable members and the public of Victoria believed there would be finance available for young farmers through this scheme, only guarantees will be provided in the first stage. Admittedly, the finance council to be established by the Bill will have the task of advising and assisting the Minister on the development of schemes for the purchase of farming land or improvements by the council for lease or sale to young persons, or otherwise to assist young persons to become established in farming. In pursuance of this function, the council should report to the Minister within twelve months of the date of proclamation of the Act or such later date as the Minister may approve. One would certainly hope that it will not be a later date, especially for the first report.

If it is to be of any value, the scheme must expand into other areas of financial support. One frustrating aspect from the point of view of a young farmer is that no reference is

made in the Bill to interest rates. There is obviously a belief by the Government that people will be prepared to keep interest rates down if they are able to get a guarantee. That may be the case, but I do not believe it will automatically be the case, so in some respects the Bill has a limited application. If a guarantee is provided to a young person who wishes to purchase a farm, to require that person to pay interest rates running in the market at a particular time—even if one considers the current bank overdraft rate of just over 10 per cent—places that young person in a difficult situation. By the time he meets his interest bill, there is very little left over to pay off the capital.

One of the success stories of the Rural Finance Commission in the past has been that it has been able to keep interest rates down so that people could pay back a small percentage of capital each year over a period. One would hope that the guarantees may make possible a situation whereby vendors will be encouraged to keep interest rates down to around 8 per cent, which would be a more realistic level, but I am doubtful that that will occur.

In some respects, it is difficult to see how the Bill will make a dramatic improvement in the current situation for young farmers. However, one must wait and see. I have no doubt that there will be young people who wish to make use of the guarantee provisions and there will be vendors who will be given greater confidence to leave their finance in farms with young people.

I accept the comments of the Minister in his second-reading speech in which he indicated that solicitors encourage people to take most of their money out when they sell a farm and, in many instances, to invest it with the legal firm concerned on the basis that they will receive a higher return than the current ruling return, and with greater security. In more difficult times prior to the last couple of years, there were situations where vendors did lose money on some farm deals, so the Bill should give such people greater security. In that situation, one can envisage the Government being called upon to meet some of these guarantees, unless it is prepared to match its assistance to young farmers with more emphasis on orderly marketing, another matter which is in the hands of the Minister of Agriculture.

Applications must be made through the finance council for guarantees. In the early stages, perhaps that is the logical way to do this, but I would have thought that it would be for the finance council to accept the policy and for the commission to implement that policy so as to avoid any additional workload in having to go through the finance council.

The National Party welcomes the Bill as the first stage of assistance to young farmers, believing it is vital to encourage young people to remain in the rural industries of this State, especially in a father-and-son situation. These situations are probably the worst examples one sees. In the time I have been in Parliament, there have been a number of such instances, more so in the earlier years, because in the later years the Rural Finance Commission has adopted a more generous approach to the question of providing finance for farmers' sons, especially to purchase a family farm. It has always been a difficult area and one where the commission even yet is limited in the amount of assistance it can provide simply because of its limited resources. For that reason, this is an area in which the Government needs to be more generous in providing financial assistance. If one could encourage farmers who wish to retire to sell out to their sons or daughters, and if the Government provided those younger people with an opportunity of using their energy at a younger age, that would benefit all primary industries.

The provisions of the Bill will apply not only to farmers' sons but also to share farmers, and people involved in primary industry will benefit as well. The National Party wishes to see the implementation of a wider young farmers' settlement scheme as soon as

possible and hopes that the Young Farmers' Finance Council will come up with provisions for that fairly quickly.

In selecting personnel for the finance council, one hopes that the Minister will choose people who have had experience in borrowing money and have been involved on that side of the market. People who have been in the situation of having farms handed down from generation to generation are not aware of the difficulties of having to borrow and then repay their interest bill and their capital. One hopes that the Minister will look for people who have had experience in that area and who will therefore be sympathetic to the needs of young people who have to borrow large sums of money to purchase a suitable farm.

The National Party welcomes the Bill and looks forward to seeing it expanded to a wider young farmers' settlement scheme in the future.

Dr COGHILL (Werribee)—The Bill represents little more than window dressing to disguise a large scale retreat from the promises made by the Liberal Party during the election campaign. It typifies its approach to demands to improve the access of young people to farming, both at the State and national level. Neither of the Conservative parties can hold its head high in this regard.

I quote from a speech by the former Federal Minister for Primary Industry, Mr Sinclair, to the Australian Council of Rural Youth in Melbourne in July this year when he said:

> Last year the Government legislated to establish the Primary Industry Bank of Australia, which was specifically designed to provide long term loans at concessional interest rates for a variety of purposes in the primary sector, including the purchase of a first farm.

It is worth examining that claim made by the then Country Party Minister in the Federal Coalition Government. A question was placed on notice in the Senate and it was answered on 23 October. The question was:

> How many loans has: (*a*) the Primary Industry Bank of Australia made for the purchase of a first farm since the bank opened; and (*b*) the Commonwealth Development Bank made to borrowers purchasing their first farm during the same period.

The answer provided by Senator Carrick was:

> (*a*) The details of the number of loans that the Primary Industry Bank of Australia has refinanced through prime lenders in respect of first farm purchasers are not available to that Bank.
>
> (*b*) The Commonwealth Development Bank has advised that since 6 November 1978 (the date on which the Primary Industry Bank commenced lending operations) 183 loans totalling approximately $6·3 million have been made to borrowers purchasing their first farm.

Clearly, the Primary Industry Bank has not been monitoring what was supposed to have been one of its important roles. Just as the Federal Government and the National Party at the Federal level have fallen down in this regard, so has the Victorian Liberal Government.

The Bill before the House arises from a commitment made in the rural policy speech delivered by the Premier on Friday, 20 April this year in which he said, in part:

> We will
>
> . . . . . .
>
> Establish a new scheme to enable qualified young farmers to acquire their own farms with Government financial assistance.

Any young person hoping to become a farmer and reading that would have expected some direct financial contribution to be made by the Victorian Government under this scheme. As stated by the honorable member for Sunshine, a statement was reported that $5 million would be made available by the Treasurer for the establishment of such a scheme. There is no such provision in the Bill before the House.

The Minister went further in describing the type of scheme which would operate. He is reported in *Stock and Land* on 23 August 1979 as having said, at Dookie Agriculture College:

> He said that it would be run along similar lines as the Saskatchewan Land Bank Commission, which had placed 2200 farmers on 400 000 ha (one million acres) in the Canadian State since it was formed in 1972.

That was a clear and explicit commitment by the Minister which clearly has not been met in the Bill. The Minister has offered no explanation of his inability to honour the Liberal's clear promise on the matter. Young people who hope to become farmers

but who cannot do so because of financial restrictions will be extremely disappointed by the Liberals' failure yet again to honour an important promise.

A further aspect which should be considered by honorable members in examining this Bill is that people who will be eligible for assistance through the council will be eligible for assistance only in the form of a guarantee. At present the Bill provides that the minimum age shall be 25 years and the maximum age 40 years. Not many people in the community would consider that a person of 39 years of age was likely to become a young farmer. Most people would believe that young farmers should be under 35 years of age, perhaps even under 30 years of age. The upper limit of 40 years of age seems extremely high and it may well lead to assistance being provided to people whom the community does not accept as people who should become young farmers.

At the lower end of the scale, I point out that people of eighteen years of age are generally given responsibility for the management of their own affairs and the borrowing of money in all other aspects of life, yet in this case, without explanation, the minimum age at which a person can become eligible as a young farmer under the scheme is 25 years. That is a view that would not be accepted by the community in general and it is certainly not a view that would be accepted by young farmers' organizations. I suggest that the Minister should amend the age limits and lower them in each case.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to division into Parts

Mr I. W. SMITH (Minister of Agriculture)—I shall respond briefly to the honorable member for Werribee, who has criticized me from time to time for being absent from the Chamber when he was addressing the House on matters of agricultural interest. I notice the honorable member scuttled out, having made his miserable, depressing non-contribution to the debate on this useful Bill.

The Government has three years in which to honour its promises. The Bill makes a start within the first twelve months to help some people along the road to owning their own farms. It also sets up a structure on which to soundly base the wider scheme that will follow and will fully meet the Government's promises. That will certainly be done within the three years and I hope it will be done by this time next year. Those commitments were made prior to the election and they will certainly be honoured. The honorable member for Werribee, who is renowned for his pessimism, will, I hope, concede with some optimism—which would be a refreshing change—that the scheme will succeed at that stage.

The clause was verbally amended, and, as amended, was adopted, as were the remaining clauses.

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

TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL

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

Discussion was resumed of clause 22 (Amendment of No. 6849 s. 1)

Mr McINNES (Gippsland South)—This is a difficult clause and I am sorry the honorable member for Morwell is not present owing to an indisposition. Although the clause is obviously applicable to any mineral fuel resource area in Victoria, it has special significance in the area of the Latrobe Valley and in the electorate I represent, where there are substantial reserves of brown coal.

Victoria is fortunate that in an energy-short world it possesses substantial reserves of mineral fuel resources that are available, provided that development capital is available,

for export and domestic consumption. It is relevant, in discussing planning, to examine some of the costs involved, because they must tailor our thinking about what will happen in the future. It has been said that if it were necessary to build a plant tomorrow using only proven technology, the only process available for the conversion of coal to oil would be the Fischer Tropsch process being used in South Africa's Sasol plant, which would cost $3000 million in capital investment to provide 80 000 barrels of oil a day. That is more than four times the present investment in the off-shore oil fields for a return of one-fifth of what one oil well is producing.

Therefore, when talking about planning matters and the reservation of coal areas for the production of oil, it is obvious that we are discussing enormous sums and, as a State and a nation, we have to consider whether it is advisable to acquire land to provide power when it may be that in the distant future we will move to the use of renewable sources.

Broken Hill Pty Co. Ltd believes other technologies could be used, but even these are, at best, encouraging and are not conclusive. The cost would be approximately $2000 million for a thermal efficiency of about 70 per cent. Therefore, this State should not run away with the idea that by locking up large areas of Victoria it will be providing for the community in the best way. The Committee is now discussing a Bill that in the short term—30 or 50 years rather than the longer periods that could be envisaged because we have brown coal reserves for some 200 years—will have the effect of imposing restrictions in substantial areas of Victoria and on the lives and assets of the people who live there.

The problem will be translated, in the first instance, to the sorts of difficulties I mentioned earlier today. Families may have acquired land on the outskirts of the Latrobe Valley that now comes within the interim development order. They may suddenly find that their land is to be acquired, probably within 30 years, and they will decide to dispose of it. Even if it is not to be acquired for 30, 40 or 50 years, there is an immediate impediment placed upon the land. This has been recognized by the Government in connection with payment of compensation in the State Electricity Commission area, but it has not been so clearly recognized in areas outside those involved with the State Electricity Commission. An area of 30 000 hectares has been reserved for almost immediate requirements of coal resources for that utility.

No doubt some people are facing hardship and the Minister has been good enough to set up a number of hardship hearings. I hope to hear from the honorable gentleman that the problems of the individual families have been solved. They are human problems and involve some people who are in the closing stages of long and useful lives and who may be suffering from medical problems. This is a matter of concern to them. There should be close and generous consideration of their claims for compensation and they should receive support from this or any other Government. The Bill indicates that there will be provision for compensation and it may be considered that it is more effective than earlier legislation. In human terms, it is certainly not spelt out clearly, as one would believe. For instance, clause 22 (1) (*e*) states:

> where as a result of such direction it will be necessary for the planning scheme or schemes to include a provision in respect of the operation of which compensation may be payable under this Act, that such compensation will be payable—
>
> (i) by the Crown; or
>
> (ii) by a specified authority.

What would be the position if a private corporation or private enterprise decided to develop the coalfields near Yarram in the electorate I represent? There are other large areas to the east of the Loy Yang coal area which, it has been suggested, should be developed by private enterprise. It is not clear what part private enterprise will play. People who have land in that area may find themselves holding it against the time when some developer

with resources of a high overseas content will develop it. What conpensation will the Government require of those people? Will the Government have to be involved, or will it be a matter of direct negotiation?

One of the complaints that is frequently voiced against the State Electricity Commission of Victoria is that it negotiates, but whether it negotiates fairly is another matter. The State Electricity Commission has the upper hand and can take its time in negotiating. I understand that recently the commission has been looking more and more at market sales and using them as a guide even though these sales are affected by the reluctance of banks to provide finance. There has been a substantial reduction in values. Added to that is the fact that many people who believed they were establishing an asset found that the asset was no longer theirs to develop and so they became forced sellers. This has the effect of degrading market values and the price they receive in compensation.

In the case of land bought by the Housing Commission on the basis of its suitability for subdivisions, not necessarily in the immediate future but a long time ahead, the Government was most generous. One would have thought, in those circumstances, that the Government was justified in acquiring broadacre land at broadacre values on the basis of establishing a satellite town which a developer would not have developed because of the difficulty of providing services. In buying a large area of land ahead of demand, the Government could have openly bought it at a lower price and then developed it. I am sure that even the landholders of the time, who were farmers, would have had no objection, but a middle man has somehow heard of the Government's intention and bought land and held it for a comparatively short period of from six months to three years and has made high gains out of it. That is reprehensible. It is obvious that those speculators had inside knowledge and reaped the benefit.

Genuine people, who are not speculators but who intended to hold land for their own purposes, are now placed in a position where there is a blemish on the land and they are forced to negotiate. The Government should be fair. Individual cases have been brought to my notice and to the notice of the honorable member for Morwell as it is close to the area he and I represent—some of the land is within the area I represent and I am sure it will occur increasingly in my electorate because this is a broad Bill on the question of mineral and fuel resources anywhere in Victoria.

Natural resources extend well beyond the Latrobe Valley and, in fact continue out to sea and become the dipping strata containing the off-shore oil field. The Bill will have a substantial effect on families in Gippsland, if not on communities. If it were found that the township of Yarram or a part of the Latrobe Valley had coal resources that should be exploited for oil, the township or the area in the Latrobe Valley would disappear off the map. That happened in Yallourn. The only redeeming factor about Yallourn was that the town was built in 1925 as a temporary town which will eventually disappear. A couple of weeks ago the last meeting was held of the Yallourn Town Council.

How far should we move in gobbling up the next town? Do we move into Yarram in 20 or 30 years and say that the town is in the way and it will have to be moved? That is not unrealistic. The huge dredgers which dredge the coal for the benefit of Australia gobble up huge areas. They would consume a town the size of Sale with a population of 15 000 in eight years and finish up with a hole 200 feet deep. Any town in Gippsland is at risk.

I mentioned the high cost of developing energy. An over-all energy policy is urgently needed. The Government must decide whether it is better to protect communities and towns against the use of resources or whether alternative resources should be developed. Should we limit development and stretch the life of the area by

another 100 years, or should we say we are going to gobble it up when we want it? That is what the Bill enables the Government to do.

It simply gives notice that mineral fuel resources areas will be so declared and that the municipality or the responsible authority, will adjust its own planning and co-ordinate it with the fuel resource area. There is an assumption that compensation will be paid in the case of the Crown or a specified public authority such as the State Electricity Commission or the Gas and Fuel Corporation.

There is no question of what will happen if companies such as Conzinc Riotinto of Australia Ltd, the Kaiser corporation of America or the Esso group decide to undertake similar schemes. We will have to wait until that happens and, presumably, enact fresh legislation.

The present provisions are upsetting to the communities involved. About 30 or 40 years ago it was anticipated that coal would be taken from one relatively small area. That has now blossomed out to include substantial areas of Gippsland. The reality must be accepted and we need to draw on present mineral fuel resources.

The Government is spending about $400 000 a year, on alternative technology. A much greater effort ought to be put into developing technology that will not simply consume resources. These are not renewable resources and we ought to consider options including renewable resources.

The National Party realizes that for the moment this is the problem that confronts us, but I warn the Government that it ought to tread more warily and be sympathetic when dealing with what are far-reaching implications. It should take a hard look at alternative resources that will not simply destroy our valuable land.

Mr CAIN (Bundoora)—I support some of the remarks made by the honorable member for Gippsland South. The Opposition shares some of the concern he expressed. That concern has perhaps been best articulated by the honorable member for Morwell, who has been deeply involved in the matters that are the subject of this provision. The Opposition expresses some general uneasiness about the provision that relates to the mineral fuel resources areas. We have no quarrel with the principle that is sought to be served by the preservation of these areas for the people of Victoria. However, in the short time available, I wish to express, as it were, by proxy, some of the reservations that are uppermost in the mind of the honorable member for Morwell, and thus, in turn, express the views of the people of the Latrobe Valley.

The first concern they have is that they believe this is an important matter and warrants the introduction of a separate Bill. They believe it ought not to be tacked on to this measure and seen as an afterthought to this Bill which makes general amendments to the Town and Country Planning Act.

The second concern of the people in the valley is that no real consultation has taken place with them about these provisions. There are some who believe the measures are quite Draconian, and some support can be found for that view when one examines the provisions of clause 22 (1). They give wide powers to the Governor in Council, acting on the advice of the Minister, the Treasurer, the Minister administering the Mines Act and the State Co-ordination Council. Concern has been expressed that no provision is contained for consultation to be undertaken with the local community prior to action being taken under this clause. No attempt has been made to ascertain the views of the people in the valley on how the wide powers ought to be exercised. As the honorable member for Gippsland South said, the Bill will closely affect people who live in the Latrobe Valley and have lived there for many years. It will affect their homes, their livelihood, their future and that of their children.

The last matter about which concern has been expressed is that the people in the valley do not have much confidence in what the Government has already undertaken in regard to the

whole matter. There is strong feeling that the Government has failed to honour an undertaking regarding compensation to those who expressed and proved what they believed to be a hardship in areas where the land is affected by the present interim development orders. It will be recalled that the present Minister for Minerals and Energy in a Ministerial statement gave certain undertakings regarding the ways in which those persons who establish hardship would be considered and what would be done about their desire to seek immediate relief. I understand some persons in the area believe that those undertakings have not been honoured. The reason that has been given is that the Government has not had sufficient funds to do as it wishes in that regard. Whatever the reason, the people believe they have been let down, so at the moment there is an air of distrust about the whole issue. For those reasons, not because of the principle that this part of the Bill seeks to embrace, the Opposition opposes the measure now and will do so during the Committee stage.

As I indicated during the previous debate, the honorable member for Morwell had hoped to be able to take part in the debate and express the views of his constituents about these and other matters. I express those views on his behalf and as proxy for the honorable member, as they have been strongly put by him as being the views of a number of people and organizations in the Latrobe Valley. In the circumstances the Opposition opposes the clause.

Mr LIEBERMAN (Minister for Planning)—I thank the two honorable members who have just spoken for their comments. I do not intend to traverse at length the various considerations of the clause. I note that both the Opposition and the National Party apparently support the principle of the clause. Yesterday I gave notice to the House that during this day's sitting a Bill would be introduced to deal with certain aspects of the lands which are affected and which the honorable member for Gippsland South mentioned. That Bill is intended, with the leave of the House, to be the subject of a second-reading speech, and will lie over until the autumn sittings of Parliament to enable the owners who are affected, as the honorable members correctly pointed out, to consider the impact of its various clauses.

It is my sincere wish and that of the Government that this initiative will alleviate the concern and apprehension of the people involved, and I hope it will provide a balance and restoration of what they regard as their right. Time will tell in that regard.

The Committee divided on the clause (Mr A. T. Evans in the chair).

Ayes	..	37
Noes	..	37

AYES

Mr Austin	Mr McClure
Mr Balfour	Mr MacKellar
Mr Birrell	Mr Mackinnon
Mr Brown	Mr Maclellan
Mr Burgin	Mrs Patrick
Mrs Chambers	Mr Plowman
Mr Coleman	Mr Ramsay
Mr Collins	Mr Richardson
Mr Crellin	Mr Skeggs
Mr Dixon	Mr Smith
Mr Dunstan	(*South Barwon*)
Mr Ebery	Mr Smith
Mr Hamer	(*Warrnambool*)
Mr Hayes	Mr Templeton
Mr Jona	Mr Thompson
Mr Kennett	Mr Weideman
Mr Lacy	Mr Williams
Mr Lieberman	*Tellers:*
Mr McArthur	Mr Cox
Mr McCance	Mr Tanner

NOES

Mr Cain	Mr Roper
Mr Cathie	Mr Ross-Edwards
Mr Crabb	Mr Rowe
Mr Edmunds	Mr Sidiropoulos
Mr Ernst	Mr Simmonds
Mr Evans	Mr Simpson
Mr Fogarty	Mr Spyker
Mr Fordham	Mr Stirling
Mr Ginifer	Mrs Toner
Mr Hann	Mr Trewin
Mr Hockley	Mr Trezise
Mr Jasper	Dr Vaughan
Mr Jolly	Mr Walsh
Mr King	Mr Whiting
Mr Kirkwood	Mr Wilkes
Mr McGrath	Mr Wilton
Mr McInnes	*Tellers:*
Mr Matthews	Dr Coghill
Mr Miller	Mr Remington

PAIRS

Mr Borthwick	Mr Amos
Mr Reynolds	Mr Culpin
Mr Wood	Mr Gavin

The CHAIRMAN (Mr A. T. Evans)—According to precedent, I cast my vote with the Ayes. The Ayes therefore have it.

The clause was therefore agreed to.

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

BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL

The debate (adjourned from November 15) on the motion of Mr Ramsay (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr SIMMONDS (Reservoir)—The Bill seeks to deal with a situation which the Government has been incapable of resolving other than by giving an opting in and out provision for subcontractors in the building industry. There is some concern at the failure of the Government to bring subcontractors into the scope of the long service leave provisions in the building industry in the same way as other workers are brought in. A reason for the introduction of the Bill is that the Government has found it impossible to find the resources to enforce the original legislation.

It is a reflection on the sub-contractors of the industry that they have sought this legislative measure to avoid the coverage for long service leave which is applicable to workers in the industry. The Opposition indicates that it wishes for a better solution to the problem. However, until such time as there is a universal application of long service leave to all workers regardless of the employer and the industry, the Opposition acknowledges that the Bill is necessary to deal with the immediate problem. Prior to the Bill going into its Committee stage, I shall move a contingent notice of motion.

The Bill was read a second time, and it was ordered that it be committed.

Mr SIMMONDS (Reservoir)—I move:

That it be an instruction to the Committee that they have power to consider an amendment to amend Section 19 (1) (*l*) of the Principal Act so that any interruption to the service of a worker in the building industry (other than those interruptions or absences of a kind mentioned in other parts of subsection (1)) between periods of employment in the building industry that does not exceed nine months, be extended to twenty-four months and which would be deemed to be continuous service for the purposes of the Act.

The House divided on the motion (the Hon. S. J. Plowman in the chair).

Ayes	..	..	37
Noes	..	..	37

AYES

Mr Cain	Mr Remington
Mr Cathie	Mr Roper
Dr Coghill	Mr Ross-Edwards
Mr Crabb	Mr Sidiropoulos
Mr Edmunds	Mr Simmonds
Mr Ernst	Mr Simpson
Mr Evans	Mr Spyker
(*Gippsland East*)	Mr Stirling
Mr Fogarty	Mrs Toner
Mr Fordham	Mr Trewin
Mr Ginifer	Mr Trezise
Mr Hann	Dr Vaughan
Mr Hockley	Mr Walsh
Mr Jasper	Mr Whiting
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	
Mr McGrath	*Tellers:*
Mr McInnes	Mr Miller
Mr Mathews	Mr Rowe

NOES

Mr Austin	Mr McClure
Mr Balfour	Mr McKellar
Mr Birrell	Mr Mackinnon
Mr Brown	Mr Maclellan
Mr Burgin	Mrs Patrick
Mrs Chambers	Mr Ramsay
Mr Coleman	Mr Richardson
Mr Collins	Mr Skeggs
Mr Crellin	Mr Smith
Mr Dixon	(*South Barwon*)
Mr Dunstan	Mr Smith
Mr Ebery	(*Warrnambool*)
Mr Evans	Mr Tanner
(*Ballarat North*)	Mr Templeton
Mr Hamer	Mr Thompson
Mr Hayes	Mr Weideman
Mr Jona	Mr Williams
Mr Lacy	
Mr Lieberman	*Tellers:*
Mr McArthur	Mr Cox
Mr McCance	Mr Kennett

PAIRS

Mr Amos	Mr Borthwick
Mr Culpin	Mr Reynolds
Mr Gavin	Mr Wood

The SPEAKER (the Hon. S. J. Plowman)—Order! The result of the division is Ayes 37, Noes 37. The numbers being equal, it falls to the Chair to give a casting vote. In order to give the House the opportunity for further consideration, I cast my vote with the Ayes.

The motion was therefore agreed to.

The Bill was committed.

Clauses 1 to 11 were agreed to.

Clause 12, relating to continuous service

Mr SIMMONDS (Reservoir)—I thank the House for the opportunity of discussing something which I believe is important. I move:

Clause 12, page 5, line 2, insert the following paragraph to follow paragraph (c):

'( ) In paragraph (1) for the word "nine" there shall be substituted the word "twenty-four";'

At present an employee in the building industry who is nine months out of the industry can attract long service leave entitlements, regardless of that break from the industry. By this amendment, the Labor Party seeks to increase that time to two years. The nature of the industry is such that workers are engaged in it for varying periods, but may for one reason or another, perhaps due to shortage of work in the industry, have to find alternative employment or be unemployed. This has been recognized to the extent that although the period has been nine months in Victoria, in New South Wales the employers and employees in the industry have agreed to four years being the period which operates in that State to cover this contingency. I do not believe the employers and employees in Victoria are any less persons than those in New South Wales.

The fact that the situation operates in New South Wales without any real detriment to the industry ought to be a sufficient indication that no disruption would take place in the industry if this provision were introduced in Victoria. It would protect people who, for one reason or another, are out of the industry, usually because of the extensive unemployment in the industry or the fact that from time to time it is necessary for persons to find work outside of the industry to survive. This should not be used to break the substantial service workers have for the purpose of long service leave. It does not count in the compiling of long service leave; it simply means that their continuity is not broken.

I have discussed this with the Minister, and I do not think I breach any confidence when I say that the Minister regards the Bill as an agreement between the master builders and the unions in Victoria, and that is the end of it. The Government has some responsibility, if it is to be seen to govern, to examine the industrial conditions in Victoria and it ought to legislate on the basis of justice and equity.

I move the amendment and place that relatively small proposition before the Commitee. Its impact on the industry and Act will be minor, but large in principle in respect of those people who will be affected by it.

Mr McINNES (Gippsland South)—I am somewhat surprised to have sprung upon us consideration of this amendment. As the honorable member stated, the building industry is one in which there are great fluctuations, and contractors and employees are heavily dependant upon contracts. With the industry perhaps moving into a recession, the only question that ought to be considered is whether nine months is a fair and reasonable time to go through the cycle of unemployment or whether it ought to be extended to two years.

The National Party has some reservations about an open-ended extension. Two years is a long time for people to be out of work and not find alternative employment. The building industry covers a variety of trades. In the case of a severe downturn in the economy, it would seem reasonable that the chance of getting employment is stronger for workers in this industry than for others in the community.

However, as the long service leave provisions in the building industry are already comparatively flexible to cover

exigencies of their particular situation, there is a case probably for extension, and the National Party sees no great harm in extending the period, except it does seem that some finite limit should be put on it. With that reservation, the National Party is inclined to support the amendment.

Mr RAMSAY (Minister of Labour and Industry)—I am disappointed in a way that the National Party declared its position without hearing the arguments of the Government on the proposal. The Government has grave reservations about it, as I will explain in a few minutes. The honorable member for Reservoir suggested that the motivation of the Government in this legislation should be an interest in justice and equity. I claim that is the position that the Government takes in all its industrial legislation.

The proposal in the amendment was put to the Government late last year by interested parties, that the Building Industry Long Service Leave Act should be amended so as to extend the carry over of accrued service in the industry from the present nine months to two years. I remind the Committee that the existing provisions of the Act are very generous, and as a concept of long service leave in the building industry they are unique. In no other industry is there the opportunity for long service leave to be earned by an employee working for a number of different employers. This has been introduced into the building industry because of the unique character of the industry, and it is not necessary for the period of employment to be with the one employer. There is no need for it to be continuous employment. Continuity of service in the industry is not broken even though the worker is unemployed, or employed in some other industry for periods up to nine months.

The proposal put forward now is that the period of nine months should be extended to 24 months. The original basis for the legislation was that the trade unions and the employer associations in the building industry came to the Government with an agreed scheme, with a request that the Government provide it with a statutory basis. This was done through the Building Industry Long Service Leave Act.

So far as this proposal is concerned, no such agreement has been established between the employers and the unions involved. When the matter was put to the Government by the Trades Hall Council, the question was forwarded by the Government to the employer organizations involved in the building industry, and each opposed the change.

The Government would be looking for the same level of consensus within the industry for amendments to the Act as was apparent when the original proposals for the Act were introduced. For that reason, the Government is opposed to the amendment at this time.

Mr WALSH (Albert Park)—The Opposition is disappointed that the Government will not accept the amendment. The Government did not want to give the Opposition an opportunity to debate the amendment. It is not too much to ask the Government to extend the time to 24 months because many workers in the building industry work on a complex that might last three or four years, and then, when there is insufficient work in the industry, they have to take a job elsewhere to earn a living.

At times, building workers have been out of the industry and have had to look for part-time work or other jobs. A person may have worked in the building industry for four years, then had to go out of the industry for fifteen months because he could not get a job in the industry which he was used to doing. He may then find another job in the industry for another four years, and when that complex finishes and there is a slump once again in the industry, again he has to find a job outside the industry to support his family. He may be a builder's labourer, a brickie's labourer or a tradesman, and it is in a worker's interest to stay in the trade he knows best. A worker could be four years in the industry, one year out of it, four years in it and, after nine years, if this legislation is passed, he would not be entitled

to long service leave. He could work for fifteen out of seventeen years in the industry and would not qualify for long service leave.

The Opposition does not think this is a harsh amendment. There may be a slump and there may be a boom in the building industry. The Opposition asks the Minister and the Government to reconsider the amendment because workers in the industry may never qualify for long service leave.

Mr McINNES (Gippsland South)—Having heard the Minister's comments on the agreement within the industry, I am concerned that we could be bringing in a period of two years rather prematurely. I recall the debate on the long service leave Bill when this question of concession was raised, and nine months was considered a reasonable period. Earlier, I indicated my concern that perhaps the amendment proposed to extend it too far. If it is extended in this Bill to two years, why not three or four years? That is the problem. It is a question of whether the industry itself is in agreement.

I recall that the original Bill was difficult to formulate, to tie together a rather loose industry, and I believe it should not be amended beyond that period unless there is a consensus within the industry.

Mr SIMMONDS (Reservoir)—It has been interesting to witness the verbal gymnastics in this debate, but one principal has been overlooked. The amendment does not cost anyone any money and does not alter the entitlement of persons in the building industry. It merely preserves continuity of service in certain circumstances. Those honorable members who represent country electorates should reflect on the position of people in country Victoria who are most likely to be affected. There will be no additional payment of long service leave. The break in employment in the building industry is not calculated for the purpose of long service leave.

I am amazed that the Minister can say there is no agreement. In all agreements there are two parties and the two parties do not always agree about the scope of the final decision. In many cases of conciliation and arbitration somewhere along the line there is an umpire and in this case a decision is made by the legislators. To say that because one party will not agree we will never legislate is an act of abdicating responsibility. I am surprised that the Minister has adopted this attitude because he is conservative.

I am also surprised that members who represent areas like Geelong and Ballarat, which will be most affected, do not support the amendment. The two years suggested in the amendment is a modest proposition, given that the provision in New South Wales is for four years. The amendment should have attracted universal support and I can only describe the Minister as the Scrooge of Christmas 1979.

Mr BIRRELL (Geelong West)—Building workers are fortunate because no other group in the community receives a similar concession. To permit those workers to receive all rights even after they have been out of the industry for two years is an unfair differentiation. The honorable member for Reservoir says it will not cost anything. Why not give everyone the same concession and not just those employed in the building industry?

When this provision was first introduced I thought it was generous in the extreme as it allowed a period of nine months' absence from the industry. The honorable member for Reservoir has obviously picked up a New South Wales provision. Victoria does not have to adopt the same provision. Victoria has its own ideas. A generous agreement has been reached and so far adhered to which should cover most people, if not all, in the industry. In fact, a nine-month time-lag is provided for getting in and out of an industry, but in those cases long service leave ought not to be included as something people deserve from an employer.

Mr RAMSAY (Minister of Labour and Industry)—This debate should not end with the Opposition claiming that the Government is unreasonable and stingy.

When compared with other industries, the provisions of the Act are extremely generous. I restate the position that the existing terms of the Act received the full agreement of the industry when the Act was introduced. In the absence of further agreement, the Government is not prepared to have the Act amended.

Mr WALSH (Albert Park)—The present Act is unreasonable because the building industry is an unusual industry. People in the industry are not employed permanently like the employees of General Motors-Holden who clock on for 365 days a year, less holidays and week-ends. Building industry workers may not be able to get another job when a building is completed. The Opposition is not asking for a period of 48 months as in New South Wales but for 24 months so that the people in Victoria who are out of work will not lose their long service leave entitlements. I hope that those who are now out of work will receive employment shortly. They are now receiving unemployment benefits. If they are out of work and have to get a job in another industry for over nine months they will have no long service leave rights. That will mean that those people will have to get a job for fifteen or twenty years to qualify for long service leave. The Government is unreasonable in not accepting the amendment.

Mr GINIFER (Keilor)—Victoria is out of step regarding its long service leave provision because a person must work for ten years before he can receive *pro rata* long service leave. In other States they have to work for only five years. Victoria should try to get into step with the other States so that there is reasonable uniformity on long service leave provisions.

The Committee divided on Mr Simmonds amendment (Mr A. T. Evans in the chair).

Ayes	29
Noes	44
Majority against the amendment	15

AYES

Mr Cain	Mr Rowe
Mr Cathie	Mr Sidiropoulos
Mr Crabb	Mr Simmonds
Mr Edmunds	Mr Simpson
Mr Ernst	Mr Spyker
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Ginifer	Mr Trezise
Mr Hockley	Dr Vaughan
Mr Jolly	Mr Walsh
Mr King	Mr Wilkes
Mr Kirkwood	Mr Wilton
Mr Mathews	*Tellers:*
Mr Miller	Dr Coghill
Mr Roper	Mr Remington

NOES

Mr Austin	Mr McGrath
Mr Balfour	Mr McInnes
Mr Birrell	Mr McKellar
Mr Brown	Mr Mackinnon
Mr Burgin	Mr Maclellan
Mrs Chambers	Mrs Patrick
Mr Coleman	Mr Ramsay
Mr Collins	Mr Richardson
Mr Crellin	Mr Ross-Edwards
Mr Dixon	Mr Skeggs
Mr Dunstan	Mr Smith
Mr Ebery	(*South Barwon*)
Mr Evans	Mr Smith
(*Gippsland East*)	(*Warrnambool*)
Mr Hamer	Mr Tanner
Mr Hann	Mr Templeton
Mr Hayes	Mr Thompson
Mr Jasper	Mr Trewin
Mr Jona	Mr Weideman
Mr Lacy	Mr Whiting
Mr Lieberman	Mr Williams
Mr McArthur	*Tellers:*
Mr McCance	Mr Cox
Mr McClure	Mr Kennett

PAIRS

Mr Amos	Mr Borthwick
Mr Culpin	Mr Reynolds
Mr Gavin	Mr Wood

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.

LIQUOR CONTROL (AMENDMENT) BILL

The debate (adjourned from November 21) on the motion of Mr Ramsay (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr EDMUNDS (Ascot Vale)—Mr Speaker, you will be fascinated to know that the Government has decided to amend the Liquor Control Act to enable

and authorize the sale and disposal of liquor at a Melbourne food and wine festival to be held in the Fitzroy Gardens one Sunday afternoon in March. You, Sir, will also be interested to know that the best food will be available from Melbourne's restaurateurs and quantity and quality Australian wine will be available for what will undoubtedly be a happy, but not boozy, picnic afternoon.

The second provision which it has been necessary to include in the measure has been to ensure that a regulation-making problem brought to the notice of the Government by the Subordinate Legislation Committee is rectified. The Opposition does not oppose the Bill.

Mr TREWIN (Benalla)—The National Party does not oppose the measure. It is interesting to note that Sunday liquor trading is becoming more evident and one by one occasions when liquor can be legally disposed of and consumed are creeping into our society. A regulation has just been made under which, for seven days a week, the Mount Buffalo chalet becomes a fully licensed hotel or whatever it might be called.

It appears that there will be some type of wine and food festival. I do not know whether it is to be a festival to challenge the Rutherglen wine festival, which is held along the River Murray. The festival to which the Bill relates will be held in the Fitzroy Gardens in the metropolitan area.

I am not sure whether the proposed new festival will be the first of many such festivals to be held. Social life in Victoria, and also in many other States, is being challenged by the actions of the Government in, firstly, making provision for the issue of licences to dispose of and consume alcohol and, secondly, giving power and authority to the Police Force to check everyone leaving these places by the setting up of random breath stations.

Our social life is something which we must cherish and guard, but the actions of the Government mean that it is being affected in some way. Some honorable members might think a food and wine festival is for the benefit of the community, but others see little benefit to the community and wonder why the legislation is being enacted.

It is known that the provisions of the Liquor Control Act will be considered next year and it has already been mentioned in the House that the existing provisions relating to the consumption of alcohol will be widened. The community is trying to cut down the road toll and it has been successful in improving the position on the roads. However, I emphasize that measures such as this do not assist in reducing the road toll and that is an opinion I have formed from traversing the highways of this State nearly every day. I can understand the actions of drivers, whether it be seven o'clock in the morning or seven o'clock in the evening, and I can realize why publicity is sometimes given to certain incidents in which they are involved.

The National Party has no objection to the Bill. It is supposed to cover only one occasion but I wonder on how many other occasions similar legislation will be sought in the future.

The motion was agreed to.

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

MOTOR ACCIDENTS (AMENDMENT) BILL

The debate (adjourned from November 29) on the motion of Mr Ramsay (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr ROWE (Essendon)—The principal Act provides a scheme of benefits and payments to persons injured in motor accidents. These payments were assessed on the basis of 80 per cent of a person's income after taxation and prior to any accident. It was never intended that payments made by the Motor Accident Board should be subject to taxation. This is certainly the case in all the other States of Australia, where payments are not subject to any taxation, and the majority of benefits, for fairly obvious reasons, are paid to maintain injured persons and families on a weekly basis.

As far back as June 1975, the Motor Accidents Board, in its annual report, referred to the problem of payments under the scheme and the taxation on those benefits. On page 7 of its report, the board stated:

> The Board finds it quite inequitable that applicants in the only mainland State to adopt a "no-fault" system should have to pay Commonwealth income tax while motor accident compensation or damages in other mainland States is not subject to taxation.

In June 1976, the following year, the board also mentioned the fact that this matter remain unanswered and was before the Supreme Court of Victoria. The board made the further comment that similar schemes in the United States of America were not subject to Federal tax.

In June 1977, the board stated on page 7 of its annual report:

> The Board believes that a Victorian who receives benefits under the Motor Accidents Act 1973 should be in the same position for taxation purposes because the benefits received are often simply a pre-payment of the same type of damages as are recovered interstate. However, the Board awaits the result of the legal issues concerned in this matter.

In the case which went before the Victorian Supreme Court, it was held by Mr. Justice Jenkinson that the sheer regulatory nature of the payments removed any doubt that they were of an income nature, and therefore assessable under section 25(1) of the Act. Mr Justice Jenkinson held that the payments were not designed, and it was never the intention of the Act, to be compensation for any permanent loss of income earning capacity, especially in the capital-loss sense. Therefore, the Opposition supports the measure and hopes it enjoys a speedy passage through the Parliament.

Mr B. J. EVANS (Gippsland East)—The honorable member for Essendon has very accurately explained the purposes of the measure which the National Party supports.

The motion was agreed to.

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

PROBATE DUTY BILL

The debate (adjourned from November 27) on the motion of Mr Thompson (Treasurer) for the second reading of this Bill was resumed.

Mr JOLLY (Dandenong)—The major consideration under this Bill is to provide exemptions for an estate passing from a grandparent to a grandchild. Although the Opposition will not oppose the Bill, it will move a reasoned amendment because it is concerned at the direction in which the Bill is moving. It would be correct to say the Bill reflects the reactionary values underlying the 1979–80 State Budget. This is discovered when one analyses the various State taxes in the Budget. In particular if one refers to the items which exhibit a reduction in tax rates, it will be noted that they are in the areas of land taxation, gift duty and probate duty. It is well known that those reductions in tax rates will mean that the small wealthy groups in the community will be the main beneficiaries. These are the type of tax initiatives taken in the 1979–80 State Budget.

If one considers the tax increases imposed in the Budget, apart from the deal of confusion which arose over the stamp duty on the sale of new and used cars, one finds that they are all increases in indirect taxes. The philosophy of the Government is clearly to slug the poor or lower income groups in the community. Members of the Opposition reject the philosophy underlying the tax changes—that the poor should pay more. We do not regard that as a desirable philosophy. The Government seems to base its tax policies on inability to pay rather than ability to pay. That is a matter of great concern.

Before making some detailed comments about the Bill and the second step towards the abolition of probate duty, I draw attention to the significance of probate duty in terms of the total State taxation. In 1978–79 the total revenue collected from probate duty was $62·2 million. That accounted for 5·3 per cent of total State taxation. In the financial year 1979–80 the estimated revenue is $48 million. That is a

substantial reduction on the revenue for the previous financial year—a reduction of just over $14 million. It reflects the moves by the Government to from probate duty exempt estates passing to children.

In 1979–80 it is estimated that probate duty will yield about 3·6 per cent of total State taxation. The definition of State taxation in this context includes licence fees. The major concern of the Opposition is that one of the rare capital type taxes which exists in Australia is in the process of obliteration, and the Government has the clearly stated objective that probate duty will be abolished. It is important to recognize the significance of reducing a tax like probate duty, because it means that if there is a given level of Government expenditure, revenue must be found from other sources. There will be a switch in the tax burden and members of the Opposition are concerned that the Government will continue on its present path of increasing the tax burden on those who can least afford it. That is really the implication of the total abolition o probate duty.

I shall focus firstly on the equity and the economic implications of such a tax move, and secondly I should like to highlight that Victoria is out of step internationally as far as the abolition of this type of capital tax is concerned.

There are strong grounds for the retention of probate duty, firstly in relation to the equity consideration which is always a major consideration when one assesses what form of tax should apply at either a Federal or State level. Members of the Opposition believe in the principle of ability to pay, but apparently that is not the principle adhered to by the Victorian Government. Its principle is based upon the inability to pay. The Opposition believes ability to pay must take into account vertical and horizontal equity. Honorable members who have studied tax issues would be aware that in regard to horizontal equity, an attempt is made to ensure that persons with the same ability to pay, pay the same total amount of taxation. When one considers capacity to pay one must not only consider income but the wealth of the person paying the tax.

Vertical equity relates to the degree of progression or regression of any tax system. The evidence available in Australia on the degree of progression of the taxation system as a whole, including income tax, suggests that over all Australia has a proportional taxation system at best. At the State level, most of the taxes imposed do not relate to ability to pay, and the taxation system in Victoria is highly regressive.

I concede that probate duty may not be the best form of capital transfer tax. Other forms of capital transfer tax could be considered, but the major point of concern in considering the approach of this Government to probate duty as reflected in this Bill is that there is no intention of retaining any form of capital transfer tax or capital tax in this State. There is simply the objective of abolishing probate duty. That seems to be the overriding consideration. The question of what form of taxation should replace probate duty when it is phased out altogether receives scant consideration by the Government.

Mr Ross-Edwards—The Opposition would bring back probate duty, would it?

Mr JOLLY—When dealing with the issue of probate duty and capital transfer, one finds that the whole issue needs to be included. It may well be that an inheritance tax is a more appropriate form of capital transfer tax than probate duty. An inheritance tax differs from probate duty or from a death tax by the fact that in the case of an inheritance tax the tax is placed on the beneficiary rather than on the total value of the estate. Some arguments could be advanced in support of an inheritance tax compared with probate duty. For example, it taxes the individual in receipt of the benefit arising from an estate and that means that one is taxing on the basis of ability to pay of a person who is living and is able to use the income to purchase goods and services in the community.

Secondly, it probably would provide an incentive for people to break up concentrations of wealth in the community. Clearly if a large wealth holder decides, under an inheritance system, to distribute his wealth by either gift or on death to a large number of people, that assists in the objective of breaking down concentrations of wealth in the community. On the basis of those two criteria an inheritance tax may be superior to probate duty. However, there are greater difficulties associated with the administration of that tax, and other considerations would have to be taken into account.

When a decision is made to abolish probate duty, the Government should have a clear idea as to what other taxes will be used to account for the shortfall in taxation. Even despite the Government exemptions it will yield $48 million in 1979-80—so it is still a significant revenue raiser. Not only should the Government be aware in the short term of how it will make up the shortfall in taxation receipts, but it should consider appropriate taxation measures over a period of time.

The Opposition supports the retention of probate duty. Unlike the Government and members of the National Party it believes in equality of opportunity. It does not believe in the perpetuation of a myth but in trying to make equality of opportunity a reality. If capital transfer taxes are removed altogether, whether in the form of probate duty or by the exclusion of an inheritance tax, it will simply mean the perpetuation of inequalities of wealth in the nation. That means that not only do the rich and super rich have a head start but the poor and lower income groups in the community are placed at a severe handicap. If it is desired to make equality of opportunity a realistic goal, it seems highly desirable to have a capital transfer tax designed to reduce the inequalities of wealth in the community. That clearly is not one of the objectives of this Government.

This leads me to the next issue that should be considered—I have already touched on this to some extent—the revenue raising objective of any taxation. The Government must consider closely the composition of taxes at the State level. The values of the Government in respect of taxation policies should be clearly specified and the implications on the redistribution of wealth of the tax mix should be explained in full to the Parliament. At present honorable members have no explanation and I believe that is unsatisfactory. The revenue raising objective will become more and more important because as a result of this Government supporting the concept of new federalism, there has clearly been a decision at the Federal level to transfer the responsibilities of raising tax from the Federal level to the State level. This means, more than ever before, that State Governments will have to think clearly about the objectives underlying their tax systems and be prepared to raise taxes in ways which are equitable and which minimize the economic effects of any increase in taxation.

That leads me specifically to consider the economic effects of capital transfer taxes, in this case, probate duty. Frequently, the opponents of taxation argue strongly against income tax on the ground that it provides a disincentive to work. In the case of probate duty and capital transfer taxes, no such objection can arise because they are not directly associated with the work effort. The disincentive-to-work argument has no strength when one considers probate duty.

A second argument often advanced in the literature and by opponents of capital transfer taxes relates to the effect of taxing accumulations of wealth. It is generally argued—and I do not disagree with the proposition—that it is to some extent a tax on savings because it means that there is less incentive for people to accumulate wealth if they know that, when they attempt to pass that wealth on, a substantial proportion of it will be subject to State taxation. In the past,

particularly in the 1960s, it has been argued strongly, that would be undesirable, that it would place the State and the nation as a whole at a disadvantage if the effect of the tax measure was to reduce the savings ratio.

In the context of the late 1970s and going into the 1980s, that economic argument is no longer valid; and the Treasurer would be aware of the savings ratio right throughout Australia. Looking at the total level of savings in a year as related to total income, at the present time the savings ratio prevailing in Australia is 16 per cent. From the evidence available, the same sort of level applies in Victoria. That 16 per cent needs to be compared with the savings ratio which applied towards the end of the 1960s. At that time, the savings ratio was below 10 per cent, around 9 per cent, so one can see that in the decade from the end of the 1960s to the end of the 1970s the savings ratio has increased by about 7 per cent, an enormous increase. As a result, consumption expenditure is lagging.

Honorable members know from arguments advanced by the conservative Australian coalition Government and by this State Government before arbitral authorities, notably the national wage case bench, that there is a desire to reduce the savings ratio. One of the arguments advanced in suggesting that inflation should be reduced before stimulating the economy is that, by reducing the inflation rate, you reduce the savings ratio. One of the arguments advanced is that, with a high rate of inflation, people tend to save more. The major argument used—and the Victorian Government is one of those who argue along these lines, that inflation must be reduced in order to reduce the savings ratio—indicates that the Government should consider the effect of its taxation policies on the savings ratio.

The retention of a capital transfer tax would help to reduce the savings ratio. It is accepted widely in the literature and it is accepted by our opponents that that is the position. So the step towards the abolition of the capital transfer tax means that there is an additional incentive for the savings ratio to increase. That is desirable in economic terms because the Government wants to reduce the savings ratio. By doing so it will increase consumption expenditure and Victoria desperately needs that because retail sales are stagnant and new motor vehicle registrations have fallen in recent months; so by introducing policy measures which are likely to increase the savings ratio, it indicates the contrary direction of this Government because one of its objectives stated openly and publicly is to reduce the savings ratio, yet one of its major taxation initiatives has the effect of increasing the savings ratio and therefore reducing consumption expenditure. That reduction will in turn reduce employment opportunities in Victoria and add to the already serious unemployment problem.

The third economic effect on which I wish to make brief comment is that, unlike the array of indirect taxes introduced in the State Budget, the decision to reduce probate duty has no direct effect on the consumer price index. In other words, the Government is forgoing revenue as a result of extending probate exemptions to grandchildren, but there is no corresponding reduction in the CPI, so the converse position in respect to indirect taxes does not apply. The Government increases indirect taxes and in turn increases the CPI. However, when it chooses to reduce taxes it does so in an area which has no effect at all on the CPI. This again highlights the contradictions of the economic policies of the Government.

Given the consideration of equity and economic effects of capital transfer taxes, and probate duty in particular, I make one other reference to the area of equity considerations or social considerations. That is to point out to the House that the most recent detailed inquiry into Australia's taxation system undertaken by the Taxation Review Committee, better known as the Asprey committee, strongly recommended the retention of probate duty.

Despite that recommendation, Victoria has committed itself to the abolition of probate duty, having been led along this track by the banana republic of Queensland.

Mr Ross-Edwards—It is no republic.

Mr JOLLY—That is true—it is very Royalist. However, it is clear that the initiatives to abolish probate duty came from Queensland which, not only because of its climate, is becoming known as the geriatric State. Given that and the equity arguments, I would like to put capital transfer taxes and probate duty in an international context. Victoria's policies should be seen in an international context.

In making reference to this position, I refer to an article written by the economics editor of the *Age*, Kenneth Davidson, relating to death duties. I quote from that article which appeared in the *Age* on 7 May 1979:

> As far as I am aware, Australia is the only advanced Western economy in which governments at the Federal and State levels are abolishing death and gift duties.

That point should be noted by honorable members. Further on the article states:

> According to the Organization for Economic Co-operation and Development report on the taxation of net wealth, capital transfers and capital gains of individuals, published this year, Australia will be the only one of the 21 countries surveyed which will not have at the Federal level at least one of the following forms of taxation—net wealth, transfer (inheritance or estate) or capital gains.

Australia will be the only one of 21 OECD countries surveyed not to have any form of capital tax. That indicates the conservative values of the Government and how out of line Victoria is with the international scene.

Further on the report notes the arguments advanced in support of capital taxes and they are summarized in the article:

> The report suggests that capital transfer taxes such as estate and gift duties may be most effective as a means of reducing inequality in the distribution of wealth.

The Government is clearly not interested in reducing the inequalities of the distribution of wealth. The article continues:

> "They insure that in the long run large accumulations of wealth are broken up . . . as in most countries inheritance is a major source of inequality in the distribution of wealth," the report says.
>
> "Also they may be more acceptable (than wealth taxes) because of the feeling that an inheritance is unrelated to the efforts of the heir and because they may be less of a disincentive to the accumulation of new wealth."

Not only is Victoria out of line with what is happening overseas, but the implication also is that, in addition to accepting inequalities of wealth such as currently exist in Victoria, the Government moves to ensure that those inequalities will be perpetuated because there is nothing in the policy measures advanced which will reduce inequalities of wealth in this State.

I quote from an article which appeared in the January 1979 *OECD Observer* under the heading "Taxation of Capital. Some Policy Options", because the questions posed in that article are the sorts of questions which should be considered by the Victorian Government. The Opposition has already indicated that there is an urgent need to inquire into the Victorian taxation system. The lead-in to the article states:

> Although all OECD countries tax capital or capital gains—such taxes are often among the oldest on the statute books—they do so in many different ways. Recently there has been a renewal of interest in the role of such taxes in overall tax policy and vis-a-vis economic and social policy aims.

Of course, the renewal of interest has not been with this Government.

> The taxation of capital combines to an unusual degree consideration of the basic principles of tax policy and complex operational difficulties. Should the progressive element in direct taxation be extended to include capital gains on grounds of equity? If the answer is in the affirmative, how should capital gains be defined, and what rates and exemptions should be applied? Should the transfer of wealth through gifts or bequests at death be taxed according to the circumstances of the donor or those of the recipient? Is a tax on net wealth needed to reduce inequalities in wealth or would it affect too adversely the propensity to save, to invest and to take risks? How are

assets and their accretion to be valued so as not to impose upon taxpayers excessive compliance costs and yet provide adequate safeguards against evasion and avoidance?

They are the types of questions that should be given detailed consideration by the Government. However, honorable members know by the haste with which the various tax measures coming before the House are prepared, that there has been no detailed consideration of such questions, notwithstanding that the Federal Government intends to impose more tax responsibility on the States.

This leads me to the reasoned amendment that I wish to put forward on behalf of the Opposition. I move:

That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and re-drafted to—(*a*) exempt all estates valued at less than $150 000; and (*b*) completely exempt from probate duty estates which are left to—(i) a de-facto spouse; (ii) a wholly dependent brother or sister; (iii) a parent by a child; and (c) exempt from probate duty the net value of a farm, where the deceased person was a genuine full-time primary producer and the farm is left within the immediate family of such deceased person.'

The SPEAKER (the Hon. S. J. Plowman)—Is the amendment seconded?

Mr CAIN (Bundoora)—I second the amendment.

Mr JOLLY (Dandenong)—The reasoned amendment, first of all, indicates that the Opposition is not in favour of completely abolishing probate duty. Secondly, it highlights the wrong way in which this Government has gone about phasing out probate duty, because the method chosen gives priority to the wealthy and super-rich in this community. The major concentrations of wealth will be passed on from one generation to another, not just to the children, as was the previous position, but now to the grandchildren. The position is that the privileged position of a small enclave of wealthy families in this State will be protected and perpetuated. That is the major objective underlying the proposed exemption.

As I indicated, the first step in the abolition of probate duty was the abolition of probate duty on estates passing to children, and now we are witnessing the second step which is the abolition of probate on estates passing to grandchildren. The wealthy get first consideration by this Government. It is not known how many people will benefit from the amending legislation or what will be the distribution of these benefits, because the Government does not provide any information in this respect, and this is always the position.

What is known, is that the Bill is designed to protect the privileged position of the wealthy enclave to whom I previously referred. There is no attempt to place probate duty on wealthy estates over a certain level; that is how I know the wealthy groups in the community, who choose to pass on their wealth to their children or grandchildren, will be totally exempt from probate duty. In this way, the privileged few will be protected.

The Opposition has advanced a proposal whereby all estates valued at less than $150 000 will be totally exempt from probate duty. Such a provision would encompass by far the overwhelming majority of Victorians, and that seems to be the criterion that should be considered, rather than whether all the wealthy should be exempted, as this Government seems to be intent on doing. This approach would ensure that the wealthy members of this community pay their fair share of taxes.

I have made it quite clear that the maintenance of a capital transfer tax is necessary if the concentrations of wealth in this community are to be broken down. The Government, in introducing this Bill—and from our examination of the probate duty proposal—has no intention of breaking down concentrations of wealth. The Government goes around talking about equality of opportunity, but it perpetuates the myth and will never make it a reality.

The second part of my reasoned amendment deals with the question of a *de facto* spouse. It is disturbing that probate legislation effectively deals with a *de facto* spouse as a stranger. Under the provisions of the present probate duty legislation, an estate passing to *de facto* spouse is subject to full probate duty. Apart from this being unsatisfactory, it needs to be stated that this is not the position in other States. As I understand it, Victoria is the only State that does not make provision for *de facto* spouses. That is a most unsatisfactory situation and places Victoria out on a social limb. The Opposition advances the same argument in regard to brothers and sisters living in a family-type relationship, because if a brother or sister dies, full probate duty would be payable on the deceased person's estate. As the honorable member for Burwood is aware, I was about to come to my concluding remarks. For some reason, members of the Government party seem to be concerned about the hour. I do not understand why, as it is only 2.20 a.m.

I point out that the Bill highlights the Government's piecemeal approach to taxation policies. It is time the Government faced up to its fiscal responsibilities. As I have indicated and as other members of the Opposition will indicate, the Victorian Government has taken the view that probate duty should be reduced and that means there will be increases in indirect taxes. One of the indirect taxes that had to be increased was the stamp duty imposed on the sale of new and used vehicles. Had it not been for a last-minute compromise in order to get the majority of the members of the National Party on side, there would have been an increase of 40 million in revenue from an 80 per cent increase in that stamp duty.

The Government will be forced into that situation again if it abandons a taxation measure that raises a significant amount of revenue. There is no choice. If Victoria gets rid of the only capital transfer tax it has and commits itself to indirect taxes, those are the sorts of measures the Government will have to take. That will have a retrogressive effect in social terms. It will discourage consumption expenditure and increase unemployment. That is the approach which has been adopted by the Victorian Government.

In my view the Bill represents the height of fiscal irresponsibility, particularly when these issues must be considered in the context of the so-called new federalism, under which the transfer of responsibility for raising revenue will rest more and more with the States. There is an urgent need to undertake a full inquiry into Victoria's tax system and a capital transfer tax would have to be the first item on the agenda.

The Government should set out in a discussion paper the economic and social effects of the various taxes and indicate where it stands on particular taxes. It should specify the objectives underlying the tax system. It should identify the criteria that will in future apply to various tax measures and spell out the distributional impact of any tax measures introduced in the Budget. The revenue-raising effectiveness of different tax measures varies considerably, as does their effect on the capacity to pay.

All these factors have to be considered if the Government is serious about trying to establish a logical and rational tax structure. From what I have seen of its taxation policies, particularly those demonstrated by the Bill, I believe that is not the Government's objective.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party fully supports the Bill and rejects the amendment moved by the honorable member for Dandenong. The abolition of probate duty and gift duty has always been firm National Party policy and, quite frankly, Victoria was forced to take this move after Queensland showed the way. Once Queensland, with a National Party Government—and I make no apologies for that—abolished probate duty and gift duty in one fell swoop——

Mr Cain—It forgot gift duty.

Mr ROSS-EDWARDS—Queensland abolished gift duty and probate duty at the same time. Unless the other States followed suit, they were in danger of losing tremendous capital investment to Queensland because people were streaming north. They are still streaming north but, now that Victoria is getting rid of probate duty, they are not going at the same rate. The National Party makes no apology for leading the fight in Victoria to get rid of probate duty. The Government had no answer. It was forced to succumb to that argument.

The amendments to the principal Act proposed by the Bill would be supported by members of the Opposition if they thought about them. If no probate duty is applicable on estates passing to children, it is logical that grandchildren should also be exempted because an accident could easily mean that an estate would pass to a grandchild and not to a child. It depends on who dies first in an accident. In the case of simultaneous death, in law it is assumed that the older person died first. If a grandchild were not exempted in that situation substantial probate duty could be imposed although a different set of circumstances would exempt the estate. Logically, the Opposition should support the Bill.

Mr Crabb—What a lot of nonsense! Why should we support the Bill?

Mr ROSS-EDWARDS—If it is the law that estates passing to children are exempt from probate duty, in all fairness the same situation should apply to grandchildren left without parents.

Mr Jolly—What about *de facto* spouses?

Mr ROSS-EDWARDS—The National Party is much more concerned with children than with *de facto* spouses. Members of the National Party have some standards and we will stick to them. The Government gave an election promise to get rid of probate duty completely during the life of this Parliament. I am delighted that the first step has been taken within six months.

Mr Jolly—What tax will you increase?

Mr ROSS-EDWARDS—I point out to the honorable member that probate duty is one of the most inhibiting factors in a free enterprise society. People who have built up their businesses, whether in the farming community, secondary industry or retail trade, are inhibited by its imposition. If a Government wishes to encourage people to make their lives successful, it should not impose probate duty.

I shall give members of the Opposition a short lecture, which they may understand. The Opposition misunderstands the character of the average Australian. He is a capitalist at heart. He wants to get out and accumulate wealth. That would sum up 90 per cent of the Australian public. The average Australian may not accumulate money, but it is his aim to do so. He wants to do it and he wants to pass that money on to his children. Whether the Opposition likes it or not, that is right. If members of the Opposition continue with their theoretical attitude of imposing probate duty, every time they speak they will lose more votes. I am advocating what the Australian voter wants.

Mr Jolly—He does not want any taxes.

Mr ROSS-EDWARDS—The most unpopular tax in Australia is probate duty.

Mr Jolly—What do you base that on?

Mr ROSS-EDWARDS—If a poll were conducted, putting income tax aside, of all taxes—such as pay-roll tax, probate duty, gift duty—it would be found that probate duty was the most unpopular. Another factor the Opposition overlooks is that when fortunes are passed on from generation to generation, the people who do not work will soon dissipate their money.

Honorable members interjecting.

The ACTING SPEAKER (Mr Birrell)—Order! The House has just heard a long and controversial dissertation from the honorable member for Dandenong who was heard in complete silence. This

speech is no less or more controversial and I ask honorable members to hear the Leader of the National Party in silence.

Mr ROSS-EDWARDS—The point I was making is that from my observations seldom have I seen money which has passed from one generation to another retained by the beneficiary where people who have received that money have not worked. Time and again, if those people were inclined to not work, the money was soon dissipated. If the inflation rate continues that tendency will increase.

Mr Jolly—What about those who work hard and do not start with wealth?

Mr ROSS-EDWARDS—I put myself in the category of someone who did not start with wealth and who has worked hard. I am proud to be one of those people. It is most unfair that probate duty should have to be paid on assets going to grandchildren if they are not payable on assets going to children. Whether the second or third generation dies first is an accident of fate.

I understand that the proposed legislation will be proclaimed on 1 January 1980, and I ask the Treasurer to use his best endeavours to ensure that that takes place because every day of delay brings unfairness to an added number of people.

The Opposition persists with its argument on every occasion probate duty is discussed, but it fails to understand the character of the Australian citizen. The Opposition has no understanding of how he thinks and so long as it is the policy of the Opposition to keep probate duty in this country it will not gain the support of the people at the poll.

Mr CRABB (Knox)—The Opposition has previously put forward the proposition that all estates valued up to $150 000 should be exempt from paying probate duty.

Mr Ross-Edwards—And all others payable?

Mr CRABB—That is a lie. I will talk about that lie. It ought to be well known to all honorable members that it has been clearly stated on many occasions in this House that the Opposition believes that estates passing to spouses should be exempt, including those passing to *de facto* spouses. The Government and the National Party have never supported that proposition.

Mr Kennett—Why do you put all the emphasis on *de facto* spouses?

Mr CRABB—Because currently the Government is taxing *de facto* spouses at 34 per cent of the estate left to them. That puts them in the situation where, if the family home is left to a *de facto* spouse it is necessary for the *de facto* spouse to sell the home to pay the probate duty and the woman or man and perhaps children are left destitute. Members of the Government party may laugh and sneer, but that is a real, human problem which the Government ignores. I do not know whether the Government is pandering to the voters in the wealthy electorates.

The Opposition supports the abolition of probate duty on modest estates with a value up to $150 000. That is a generous definition of "modest". If the honorable member for Noble Park, who is interjecting, thinks he is going to die and leave an estate valued at $150 000 he is in better financial circumstances than most.

Another case the Opposition believes should be exempt, apart from modest estates and *de facto* spouses, is the wholly dependent brother or sister. If two sisters live together into old age, when one dies and the home is left to the remaining sister it is necessary for her to pay probate duty at the rate of 34 per cent on the entire estate which places her in severe difficulties. I will repeat the proposition again for the benefit of the members of the Government party. The proposition that has been put forward repeatedly by the Opposition and which that liar there has listened to in the past——

The ACTING SPEAKER (Mr Birrell)—Order! That is a most unparliamentary term and I ask the honorable member to withdraw that statement.

Mr CRABB—Mr Acting Speaker, you put me in a dilemma. If I may address you——

The ACTING SPEAKER—There is a ruling that, as words of that order are unparliamentary, the honorable member

should withdraw them. There is no argument.

Mr CRABB—I withdraw them. The suggestion by any member from any side of the House, whether he be a Minister or a back-bencher, that the Opposition intends to reintroduce probate duty for *de facto* spouses, brothers and sisters, a parent or a child, or for anyone in the other circumstances enumerated in the amendment moved by the honorable member for Dandenong, is a lie.

The fact is that *de facto* spouses, illegitimate children, dependent brothers and sisters are currently being taxed at irresponsible rates and are being driven into penury by the Government the Minister for Community Welfare Services is part of. It is driving those people into destitution, but the Government will not remove probate duty.

As the Minister for Community Welfare Services laughs with all the charm of a white pointer, the reality is that countless thousands of *de facto* spouses, dependent brothers and sisters and illegitimate children have been forced into destitution by the callousness and ignorance of the Government. To suggest that they are picked up under the hardship provisions is not reasonable—it is nonsense.

If two sisters have lived together, one dies and leaves the home to the other sister, the remaining sister will be liable to pay probate duty at the rate of 34 per cent. The proposition that the Opposition puts forward is that no one should pay probate duty on estates of up to $150 000. The honorable member for Caulfield says that is nothing to his constituents—it is a trifle because all the people in his electorate are wealthy; he has expectations of leaving an estate in excess of $150 000. The ordinary, average Australians, about whom the Leader of the National Party is so concerned, do not expect to be leaving estates in excess of $150 000. The only people who would expect to leave estates of those dimensions are members of a very special group of the community.

The proposition that the Labor Party has consistently put forward in the House is a balanced one under which all estates up to $150 000 will be exempt from the liability to pay probate duty. Estates passing from spouses, whether legal or *de facto*, would be treated in the same way; illegitimate children would be treated the same as legitimate children; dependent brothers and sisters would be treated the same, and an estate left to a parent by a child ought to be exempt.

Mr Ross-Edwards—What about grandchildren?

Mr CRABB—Why should an estate passing to a grandchild be treated differently from an estate passing to anyone else? The proposition we put is that an estate valued up to $150 000 ought to be exempt from duty, to whomever it passes, whether it is to the children next door, a nephew, a niece, a brother or sister or anyone else. That is reasonable.

We say that tax ought to be paid on estates of large proportions, for instance, of $1 million, $5 million or $10 million. About one-quarter of estates are valued at over $150 000, as I recall. If the honorable member for Burwood, who is interjecting, is really concerned about the matter, he can consult *Hansard* and see that the Opposition has done its homework extremely well in these matters. I will come to that in a moment, but I shall deal first with the rural community where it is accepted that a problem of illiquid estates exists.

Duty ought to be paid on large estates, although there are occasions when the required capital cannot be raised. The situation of the family farm deserves specific consideration in that regard. The lifestyle represented by the family farm in this community has been supported for a long time and all sections of the community want to keep supporting it. Certainly it is supported well by subsidies and tax advantages at present, and, in the Opposition's view, it would be rather silly to force family farms to be liquidated through probate duty if in every other respect they are being given tax concessions and subsidies.

Mr Kennett—That is not what your amendment says.

Mr CRABB—The honorable member for Burwood has been through the taxation policy of the Labor Party with a fine tooth comb on a number of occasions, and perhaps knows it as well as I do. Certainly by now he is well aware that the policy of the Opposition on family farms is that where a family farm is passing from the hands of a genuine farmer to the hands of another genuine farmer within the family, it ought not to be dutiable, and that seems to be an entirely reasonable proposition. That is what is stated in the proposed amendment.

A fundamental part of the debate is whether probate duty has validity, and doubt has been cast on that by the Leader of the National Party, who wants to abolish probate duty entirely. He claims that half the population is streaming northward to the arms of Bjelke-Petersen because no probate duty is payable in Queensland. The Leader of the National Party somehow worked this in with the support of free enterprise, which was somehow linked with the abolition of probate duty, and he told us that the principal aim of the average Australian was to accumulate wealth and pass it on to his progeny. The reality was perhaps better reflected in what the Leader of the National Party said next, which was that in his experience people dissipate the fortunes that are left to them.

Mr Ross-Edwards—I said that the tendency is to dissipate it if people do not work.

Mr CRABB—The Leader of the National Party has this dual concept of the average Australian who on the one hand is accumulating wealth to leave it to his children, and those who, on the other hand, are conspiring to dissipate it. The average Australian he meets is not the average Australian that I know and that I believe most of us know.

Honorable members interjecting.

The ACTING SPEAKER (Mr Birrell)—Order! This will be my last warning. If the honorable member for Burwood interjects again, I will ask for a motion to exclude him from the House. I want him to shut up.

Mr CRABB—Thank you, Mr Acting Speaker. The reasons why people work and try to attain wealth are far more complex than merely to pass it on to their children. Indeed, nowadays one's children are liable to be mature before one dies. I should hate to think that my children were waiting for me to die before their bread came home. I am not leaving anything to my children either! I hope to live to three score and ten years, and if I die at 70, my children will be aged 50 years, and I should think by that time that they ought to have established themselves reasonably well and will not be dependent on my croaking before they can set themselves up in the Government's free enterprise system or anything else. What I leave to my children will be largely irrelevant to their lifestyle, and so it ought to be.

Mr Acting Speaker, to provide justification for the contention that probate duty is a tax on capital, I refer the House to——

Mr Ross-Edwards—Karl Marx.

Mr CRABB—The clever dick here, the possum who is being very clever says, "Karl Marx". That is very funny! I do not know whether Karl Marx ever exercised his mind over probate duty but if he did I am sure a reading of his views on that would be much more interesting than reading the contribution of the National Party tonight, or any other night, because all that honorable members can derive from the crass nonsense of the temporary leader of the National Party, who is only there until the honorable member for Rodney plucks up his courage to knock him off, is what we are told about free enterprise. To the National Party free enterprise means the abolition of probate duty. Honorable members should examine the position in the United States of America, the home of free enterprise. They have probate duty and every country in the western world has a capital tax—most of them have two capital taxes. If the Government with

its Federal coalition counterpart manages to abolish probate duty altogether then Australia will be the only country in the western world that has no capital tax whatsoever.

All of the Organization for Economic Co-operation and Development countries support free enterprise and to hear that proposition coming from a member of the National Party, who in substance voices support for the free enterprise system, is a type of exercise in Socialism. It is great stuff, but when the price for a commodity is not nearly high enough, he is the first seeking a floor price for wool, wheat or anything else but then we cannot have a Socialist system.

The reality is the Government is intent upon putting Australia's taxation system on the road to ruin because if there is not a capital gains tax a tax will be imposed on everything else and even income tax will be higher. The only option available to the Government——

Mr Maclellan—You sound like a Labor shop steward.

Mr CRABB—I do not know what the Leader of the House knows about shop stewards but he knows very little about industrial relations. If this country does not have a tax on capital then it will have higher taxes on everything else or fewer services provided by the Government.

Mr Mackinnon—More efficient services.

Mr CRABB—The honorable member for Box Hill says "More efficient services". Honorable members witnessed what happened in the Housing Commission and know that 30 per cent of the trains run late. The House also knows that the Department of Youth, Sport and Recreation has got into trouble over its subsidies and that the Trotting Control Board has purchased flood prone paddocks, but yet the honorable member wants to talk about efficient services. Good grief, man, if ever there was an example of inefficient services, then it is the Victorian Government and if ever there was a Government which needed cleaning out it is the Victorian Government.

The Opposition is claiming that the Government is seeking to abolish the last capital tax, probate duty, with the urging of the National Party—the anti-Socialist party.

The Opposition is claiming that the Government is intent on abolishing the only capital tax which exists in this country, to abolish it completely, not just on the savings of the ordinary worker but even on the savings of the successful but small businessman. Now the Government is attempting to abolish probate duty on the multi-millionaires of this country. Honorable members are talking about abolishing altogether the tax payable by the multi-millionaires of this country. The spokesman from the National Party is shaking his head and saying "No, they pay tax." Well, we will see. Honorable members have seen these people who have been able to afford to hire smart lawyers paying no tax at all.

Mr Jolly—And not even pay-roll tax.

Mr CRABB—I am grateful for the interjection for it is true that some have been smart enough and they do not pay pay-roll tax and the Premier would know that better than most honorable members.

I refer to a submission made to the Asprey inquiry by the Federal Treasurer in 1974. It is a brief quote but it is worth reminding the House of it. It states:

> If Australia had no death duties and did not impose any other form of capital tax Australia would be in an exceptional position on this aspect of capacity to pay. It would be the only advanced western country levying no other direct tax apart from income tax.

What we have in this country, or will have by the time the Government is intent upon following Bjelke-Petersen's lunatic taxation policies, will be a situation where the Government will have to put a surcharge on income tax, or introduce a value added tax, or perhaps slugging the motorists—perhaps we will have the fuel tax doubled next year!

If we do not tax wealth, we will have to tax income or consumption. That is the reality of the option which the Government has to face, and every time it takes another dig at probate duty, it will be putting another tax on something else.

The principle that the Opposition puts is that it is fair and equitable to tax the larger estates at the time they change hands.

Mr Ross-Edwards—You want to put back probate tax.

Mr CRABB—The Leader of the National Party interjects. One almost begs for the day when the honorable member for Rodney will take over because honorable members will then not have to put up with the inane interjections they have to listen to now. The Leader of the National Party asks whether we want to put back probate tax. The Opposition has answered that question time and again and it has said time and again that there should be no probate duty payable on any estate up to $150 000; no probate duty payable on estates passing between spouses, including de facto, and there should be no probate duty payable on a family farm——

Mr Jona—For grandchildren, yes?

Mr CRABB—How does the Minister arrive at that? I repeat that up to $150 000 there should be no probate duty—even if it is left to the Government. There should be no probate duty payable on a genuine farm passing between members of a family, and in the view of the Opposition that is a fair and equitable probate system.

The reason there needs to be probate duty on estates in excess of $150 000 is for those considerations which I have described. The reason there needs to be probate duty payable on estates of $1 million or $2 million is because no tax has been paid on it before—because income tax has not been paid on it before.

The honorable member for Brighton scoffs at that suggestion, but surely she knows that no-one has ever been able to accumulate $1 million out of earnings which were subject to income tax. No-one can do that; it is impossible. The way that the large estates are accumulated is through capital gains, on which tax is not paid.

Mr Weideman—What about the estates on which probate duty is paid every time it passes down the line?

Mr CRABB—Notwithstanding the assessment of probate duty, the estate continues to accumulate through capital gains.

Mrs Patrick—What about the Scottish lairds?

Mr CRABB—I do not know, I spoke about farmers and dealt with their position a moment ago. The reason for imposing taxation at the time an estate changes hands is because up to that point in time no tax has been paid and the Opposition believes probate is a far more equitable system than to apply a wealth tax similar to that which has applied in Switzerland for the past one thousand years. It is a better system to exercise a taxation capacity at the time an estate changes hand as the only way anyone accumulates an estate of $1 million is by non-tax earnings, non-taxable income or non-tax accretion of wealth.

It is fair and reasonable that that ought to be taxed at some stage.

Mr Ebery—You are talking about capital gains now, are you not?

Mr CRABB—The brains trust has just woken up. The honorable member for Midlands has woken up at last; he has really thought there is something there. I knew the honorable member was pretty sharp when I heard him sing at the Christmas party. The Opposition is talking about capital gains. Australia does not have a capital gains tax, although most other countries do. The Government taxes everything in a big lump when daddy dies; that is the system. If the Government did adopt the proposition Australia would be no different from any other country. The Government says, "We will not tax when daddy dies. We will not tax it at all. Instead, we will not tax the people who make capital gains, we will tax the worker harder and harder and we will do it through income, petrol and sales

taxes and every other conceivable form of tax so long as it does not affect the farmers".

I recommend the amendment and the contribution made by the honorable member for Dandenong, to the House.

Mr THOMPSON (Treasurer)—This has been an extraordinary debate. The Opposition has spoken at enormous length about all the sorts of moves that may be made in the future, but little reference was made to what is contained in the Bill. The Bill provides a simple amendment to exempt children from the payment of probate duty. That is the third move in the Government's goal of removing probate duty. The first one was to remove the payment of probate duty where the estate was passing from one spouse to another. The second was where property was passing from parent to children and the third, a logical third, was to remove the payment of probate duty where property is passing to grandchildren. I urge the House to pass the simple, worth-while, desirable Bill.

The extraordinary aspect about the amendment is that it exempts everybody except the grandchild. In other words, the Opposition adopts an amendment, the main aim of which is to exempt the grandchild by a reasoned amendment which looks like an unreasoned amendment and exempts everybody except the grandchild. It is an open go for the *de facto* spouse but not the grandchild. What an extraordinary measure, an open slather for the *de facto* spouse but not for the grandchild.

Mr Crabb—What has the Government got against *de facto* spouses?

Mr THOMPSON—When the honorable member for Knox suggested that the Government was bleeding to death the *de facto* spouse who could not afford to pay——

Mr Crabb—Without selling their homes.

Mr THOMPSON—The honorable member should just wait and listen. I interjected, pointing out that those people will be covered under the hardship clause. The honorable member for Knox regarded that as absolute rubbish and as misleading honorable members. It so happens that tonight in the House I signed a form to exempt a *de facto* spouse from paying probate duty.

Mr Crabb—Why does the Government not exempt them altogether. If the Government recognizes the problem, it should act upon it.

Mr THOMPSON—That is an example of the accuracy of these arguments. The significant point is that this type of relief is available. That is strongly denied by the honorable member for Knox.

Mr Jolly—At the whim of the Treasurer.

Mr THOMPSON—It so happens I signed the exemption in the House tonight.

Mr Jolly—How many?

Mr THOMPSON—It is not a question of how many, it is a matter of whether that type of relief is available. It refers to a specific woman whose husband died. She was his *de facto* spouse for 33 years and the recommendation was that she should pay no probate duty whatsoever and that she should be completely exempt from the payment of $794 on the basis of hardship. Obviously, I was not misleading the House, but the honorable member for Knox should know that relief is available on a hardship basis to people in that category.

That is a third leg in the provision of relief from probate duty under a system embarked upon by the Government three years ago. It is supported by Victorians. It is obviously supported by the grandchildren of Victorians and it demands the quick support of the House on a reasoned basis so that honorable members can get home.

Mr REMINGTON (Melbourne)—I am somewhat surprised at the excited agitation of honorable members supporting the Government who, like honorable members of the Opposition, belong to the middle class of Australian society.

The Opposition's amendment would cover the vast majority of electors who vote for the Government and the electors it purports to represent. Honorable members tonight heard a Minister who did not understand the amendment. The Deputy Premier and the aspiring Premier

delivered a confused speech in which he supported an element of the Opposition's amendment because he cited a case where an exemption had to be granted to a *de facto* spouse in a situation where assistance was needed.

It is all right for the Deputy Premier to big note himself and put himself in a Godfather position where he can dispense some form of charity to a specific *de facto* spouse. However, it is not all right that the specific prerogative he exercised should flow to all *de facto* spouses as a right in law.

Government party members are so excited and stimulated—they rarely participate in debate—that they obtain a lot of personal enjoyment out of hearing their own hilarious interjections and that is as far as their contributions go. Not many Government party members are ready and willing to jump to their feet and participate, logically and constructively, in debate. Those honorable members rely upon interjections to get their names in *Hansard*. The amendment provides for the exemption of all estates valued at less than $150 000. The Melbourne electorate contains a cross-section of people. At least 95 per cent of the people in that electorate would not own estates valued at $150 000. I suppose a number of people in East Melbourne would own estates of that value. They would be people in the high income bracket whose estates could well afford to carry probate duty. People in Flemington, Kensington, North Melbourne, Carlton and Carlton South do not amass estate in their lifetime to the value of $150 000. Only a few members of the Government party would have net assets to the value of $150 000, despite the lucrative income that they receive temporarily when working in this place. The amendment provides also for the exemption of:

> estates which are left to—(i) a defacto spouse; (ii) a wholly dependent brother or sister; (iii) a parent by a child; and (c) exempt from probate duty the net value of a farm, where the deceased person was a genuine full-time primary producer and the farm is left within the immediate family of such deceased person.

That is a fair and reasonable amendment which does not warrant the excitement and concern expressed by members of the Government party when the honorable member for Knox made his contribution to the debate. The Leader of the National Party became extremely excited, as he traditionally does on the question of probate duty. He stands on his record. He is consistent in his stand. One thing I like about a politician is a level of consistency. Probate duty is not new. It dates back to the Roman days when there was a 5 per cent duty on all estates. That is how old the tax is.

Mr THOMPSON (Treasurer)—I raise a point of order. This Bill does not change the Roman rate of probate duty, and I suggest the honorable member is wandering far from the provisions of the Bill.

The ACTING SPEAKER (Mr Birrell)—I do not uphold the point of order but I ask the honorable member at this hour of the sitting to try to keep as closely to the amendment as possible.

Mr REMINGTON (Melbourne)—Thank you for rejecting the point of order made by the Treasurer. I do not disagree with your ruling, Sir, but I totally reject your advice. The time element, whether 3.15 a.m. or 3.15 p.m., is totally irrelevant to members of the Opposition. This tax dates back to the Roman times. The first Bill dealing with probate duty was introduced into the Victorian Parliament on 16 December 1870. I read the *Hansard* report and on 16 December 1870 no speaker argued against the introduction of probate duty. The concept of probate duty has been accepted widely throughout the world for several hundreds of years, but when one hears the remarks of the National Party and members of the Government party one is led to believe this something new. In 1870 the concept was accepted by the people as a reasonable means of obtaining from people who acquired substantial wealth, funds for the development of this new colony and for the payment of the commitments that the State had, and still possesses.

The Premier has said that the loss of income by the concessions in probate duty would have to be picked up in other charges—increased rail charges and so on. That sparked off the debate about the concessions and the loss of revenue which must be picked up in some other way. The only way in which that can be done under the new federalism concept is in flat taxes that do not take into account whether one is an elderly citizen worker, a primary producer or a wealthy businessman. It is an iniquitous way of raising tax without consideration of the income or capacity of the person to pay.

On the general principle of probate there is a degree of capacity to pay. The Labor Party recognizes that because in this amendment it exempts estates up to the value of $150 000. Probate duty operates only in wealthy areas. I agree with the Leader of the National Party that in January 1977, by abolishing probate duty in Queensland Mr Bjelke-Petersen brought about a dramatic change in the redistribution of income and wealth in Australia. I did not agree with that change but as the pace had been set, other States had to toe the line. I certainly condemn Mr Bjelke-Petersen for that action and many of the other actions that he has taken. It was a watershed decision that forced other States to follow similar lines. I was a bank manager and I know that the amount of capital that went to Queensland was immense. I hope a future Federal Government will take over the whole responsibility of probate tax so that is can be properly administered, and if the States want to drop out of the field, they may do so. At a Federal level the difficulties presented by Mr Bjelke-Petersen will be overcome.

Mr Thompson—Is that the new Hayden policy?

Mr REMINGTON—That would be the general philosophy of the Australian Labor Party. The Federal level would recognize that there would be more benefit to the electors throughout Australia if estates up to the value of $150 000 were exempted. At a Federal level that would be totally acceptable to the vast majority of electors.

The concept put forward by the honorable member for Knox is correct because there is no wealth tax in Australia. According to the Organization for Economic Co-operation and Development report on the taxation, of net wealth, capital transfers and capital gains of individuals published in May 1979:

> Australia will be only one of 21 countries surveyed which will not have at the Federal level at least one of the following forms of taxation—net wealth, transfer (inheritance or estate) or capital gains.

Victoria is out of step with 21 major countries in the world and, as a result, the Fraser and Hamer Governments have to resort to other iniquitous means of raising revenue by unpopular methods. It is fairer and more equitable for an estate valued at more than $150 000 to be subject to probate duty.

I solidly support the amendment and I would expect all honorable members to do so. If the honorable member for Frankston, who interjects repeatedly, paid attention he would realize the logic of the proposition put forward by the Opposition and would support the amendment.

Mr CAIN (Bundoora)—The principal argument advanced by the Opposition has never been answered by the Government. There is a simple way of examining the matter. The proposal by the Government, and this is the latest of three steps, leaves a gap about which honorable members have not been informed. Honorable members are entitled to expect, despite the lateness of the hour, to know what is intended to replace a tax that has yielded considerable amounts of revenue to the State for many years.

All honorable members acknowledge, as did the Premier only a few hours ago, that Victoria has a diminishing base from which to collect State revenue. When a significant contributor to that base is taken away, Parliament should be told what is intended to replace it.

Most people in the community would prefer a tax that casts a burden where it can best be borne rather than one that casts a burden on all persons regardless of capacity to pay, and that is what is happening. When one examines the Budget and studies stamp duty tax and the fuel tax of six months ago, one can reach only one conclusion—that indirect taxes will result which will slug those who can least afford to pay. That is what the Government intends to impose more and more on the State regardless of capacity to pay, that conclusion is inescapable unless the Government can inform the Opposition now what will replace the revenue lost by the abolition of probate duty. The Government will not tell the Opposition that; it has never told the Opposition; it simply ignores the question. It is time Parliament demanded that the Government informed it of its intentions.

Members of the Opposition, particularly the honorable members for Dandenong, Knox and Melbourne, have put a powerful case on why probate duty ought to be retained. Those honorable members have clearly pointed to the benefits that probate duty can bring if it is properly, sympathetically and charitably administered, as it would be under a Labor Government. The Opposition states simply that at some level—and if honorable members do not regard $150 000 as a reasonable level, they should inform me of what is—there is a requirement to make a contribution once a generation. Most families would prefer probate duty to be paid upon the death of the testator than to pay higher taxes during the lifetime of the testator.

I challenge any honorable member to state that that is not so. If proper provision is made for the family farm, what fairer tax is there? Never mind the amount, just embrace the principle. What fairer tax is there than one which occurs once a generation? If the Government does not want to charge probate duty, it should state what other taxes it intends to propose, otherwise the Opposition can only reach the one conclusion that I have stated, which is endorsed by the performance of the Government over the past few months. No other conclusion can be reached than that week after week and month after month people will be slugged by indirect taxes which, as the honorable member for Dandenong stated, will affect those who are poorer and who can least afford them.

That may be Government policy, but it is not Labor Party policy and members of the Opposition reject it totally. Government members should state what they intend to replace for a tax that has virtues in the collection of revenue and in philosophical and social contributions for the redistribution of wealth. Yet all the Government wants is to ensure that those who have to spend their money to survive and who bear the heaviest burden of taxation make up the deficiency. No member of the Government has given an explanation of the intentions of the Government and until an explanation is forthcoming, Parliament is entitled to say that the Government is out to slug the people of the State through indirect taxation.

The House divided on the question that the words proposed by Mr Jolly to be omitted stand part of the motion (Mr A. T. Evans in the chair).

Ayes	44
Noes	29
Majority against the amendment	15

AYES

Mr Austin	Mr McClure
Mr Balfour	Mr McGrath
Mr Birrell	Mr McInnes
Mr Brown	Mr McKellar
Mr Burgin	Mr Mackinnon
Mrs Chambers	Mr Maclellan
Mr Coleman	Mrs Patrick
Mr Collins	Mr Ramsay
Mr Cox	Mr Richardson
Mr Crellin	Mr Ross-Edwards
Mr Dixon	Mr Skeggs
Mr Dunstan	Mr Smith
Mr Ebery	(*South Barwon*)
Mr Evans	Mr Smith
(*Gippsland East*)	(*Warrnambool*)
Mr Hamer	Mr Tanner
Mr Hann	Mr Templeton
Mr Hayes	Mr Thompson
Mr Jasper	Mr Trewin
Mr Jona	Mr Whiting
Mr Lacy	Mr Williams
Mr Lieberman	*Tellers:*
Mr McArthur	Mr Kennett
Mr McCance	Mr Weideman

NOES

Mr Cain	Mr Roper
Mr Cathie	Mr Sidiropoulos
Dr Coghill	Mr Simmonds
Mr Crabb	Mr Simpson
Mr Edmunds	Mr Spyker
Mr Ernst	Mr Stirling
Mr Fogarty	Mrs Toner
Mr Fordham	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Walsh
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	*Tellers:*
Mr Mathews	Mr Miller
Mr Remington	Mr Rowe

PAIRS

Mr Borthwick	Mr Amos
Mr Reynolds	Mr Culpin
Mr Wood	Mr Gavin

The motion was agreed to.

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

ADJOURNMENT

Victorian School for Deaf Children—Philip Morris Ltd—Housing Commission land at Frankston North—Insurance costs—Ascot Vale autistic centre — Particulate lead — Ormond Special School — Melbourne City Council decision — State Electricity Commission news article

Mr MACLELLAN (Minister of Transport)—I move:

That the House do now adjourn.

Mr FORDHAM (Footscray)—Recently, the parents association of the Victorian School for Deaf Children forwarded to me and, I expect, to the Assistant Minister of Education material indicating their belief that a major crisis threatens the education of deaf children in Victoria next year unless immediate steps are taken to encourage and enable qualified teachers of the deaf to return to schools and services for the deaf. Otherwise, these children will have to be taught by teachers who are not qualified to undertake that responsibility.

The parents association has referred to a statement prepared by the principals of six major Government schools and services suggesting that, at the end of this year, some 50 teachers will leave the field of deaf education and that only sixteen new teachers will complete their training. The parents and principals concerned have suggested that there are two major reasons for this impending crisis. The first is the recent procedure adopted for the promotion of teachers. The requirement to obtain promotion requires teachers of the deaf to move out of their field of expertise. The second point is that it has been suggested that there has been a significant reduction in the number of teachers of the deaf being trained. There is a suggestion that there has been a lack of liaison between the department's Special Services Division and the institutions training teachers for deaf.

It is unquestionably the duty of the Minister to ensure that every effort is made to recruit an adequate number of qualified teachers of the deaf. Honorable members all accept that the children concerned are already suffering enough in life through their handicap and would hope that the Minister will ensure that adequate trained teachers are made available in order to allow these children to reach the fulfilment of their talents in life. I hope the Minister will give an assurance that he will investigate the matter as soon as possible.

Mr SIMMONDS (Reservoir)—I raise with the Minister for Police and Emergency Services a matter I raised previously. The use of industrial thugs at Philip Morris Ltd has led to a situation which was created when the company dismissed a shop steward and a fellow trade unionist, resulting in 100 members of the two unions involved taking action. In an attempt to break the strike, the company resorted to outrageous industrial thuggery without parallel in Australia in recent times. The company has hired, I believe, off-duty policemen to strengthen its own security force. The firm of John Maclean Bennett and Company of 118 Queen Street, operated by Colonel John Bennett, has been offering off-duty policemen, fire fighters and ambulance men $50 a shift, according to the information provided to me. This company is operated in a military fashion

by Colonel John Bennett using thugs, dogs, scab truck drivers to smash the picket line, guards armed with guns and batons patrolling the place with hoods over their faces so that they cannot be identified—I have a photograph to prove that—and trying to provoke the pickets. This will undoubtedly lead to violence. Philip Morris Ltd has also hired a pack of savage Alsatian dogs which have been used to harrass and intimidate unionists on the picket lines. On one occasion, scabs were used to drive trucks——

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I have allowed the honorable member much tolerance. He is obviously reading his submission to the House, a practice which he knows is out of order.

Mr SIMMONDS—I am quoting from notes which indicate——

The DEPUTY SPEAKER—Order! The honorable member obviously knows whether he is reading from extensive notes. If he is, he should give to the House the source of his notes. Are they the honorable member's personal notes?

Mr SIMMONDS—They are my personal notes.

The DEPUTY SPEAKER—I cannot accept they are personal notes. If he is quoting from some authority and he has prepared his statement on it, he is defying the ruling of the chair.

Mr SIMMONDS—I am quoting from my notes, but there is no problem. The information has been provided to me in consultation with the unions, and I have made notes to place the position before the House exactly as it has been put to me.

I am told that the policemen concerned are acting at the dictates of the company. I have a photograph of the police in action, of a thug with a hooded mask over his face, behind the wire gates of the company. I exhibit one of the batons that was used in this dispute. It came into the possession of a worker from one of the persons wearing the hooded mask.

I have told the Minister twice about this matter and have warned him that violence will occur. I ask him to investigate the situation at Philip Morris and make a clear statement to the House of what is taking place.

Mr CATHIE (Carrum)—I raise a matter with the Minister of Housing concerning land owned by the Housing Commission at Frankston North. The Minister will be aware that in November, about a month ago, three boys had to be dragged to safety after a cubby hole that they had built on this land—which is a vacant lot—had caved in on them.

I raised this matter with the Minister, and since then a number of local residents have contacted me. One of the residents is a woman who lives next door to the vacant land in Frankston North. She has told me, and the local media, that she has been trying for thirteen years to get the Housing Commission to grade and grass the land. She has phoned the Housing Commission at least three times a year for each of those past thirteen years, asking that they grade and grass the land in Lacenet Avenue. She said that she thought it was inevitable that children would be hurt playing there. Although it is four adjoining blocks, the land slopes very steeply down to the street and most of it is soft sand.

Following a telegram I sent to the Minister at the time, I received a reply on 28 November stating that steps to determine council's current opinion on the need for this reserve have been put in hand. It is now a fortnight or more since that was written.

I was in touch with the Town Clerk of the City of Frankston today. The council has not received any communication from the Housing Commission concerning use of this land. However, the Frankston council does have two reserves which are very close to this area, within two hundred yards, one at Indigo Court and one at Monterey Boulevard. In its view, there is no need for the land to be reserved for the purpose of a playground.

I put to the Minister, once again, the urgent need for priority housing and welfare housing in the Frankston area. I believe the four vacant blocks would be suitable to provide a programme to build houses, and I urge the Minister to make those funds available immediately.

A housing report that was submitted by the housing officers of the Frankston council points out the need for low-cost housing in the district. I am equally concerned, with the school holiday period coming up, that there could be further accidents on this land unless appropriate and urgent action is taken by the Minister.

Mr BROWN (Westernport)—I raise with the Minister of Consumer Affairs a discriminatory matter concerning present fire premiums in country Victoria. Insurance companies are obliged to charge a fire levy based upon the basic premium. The levy, I understand, is paid to the State Government for the maintenance of the Metropolitan Fire Brigades Board and the Country Fire Authority.

In the past twelve months, the charges have escalated. In November 1978 the levy for the Metropolitan Fire Brigade was 24 per cent, and for the Brigade was increased to 38 per cent, On 1 December 1978, the levy for the Metropolitan Fire Brigade was 27 per cent and for the Country Fire Authority 37 per cent. From 1 September 1979, the levy for the Metropolitan Fire Brigade was increased to 38 per cent, and for the Country Fire Authority it was increased to 44 per cent.

From those figures it is clear that there is a discrimination against country Victoria. It is wrong that country levies should be higher, particularly when the local rural fire brigades are manned by volunteers and local communities are engaged in fund-raising activities to support their local brigades, which does not occur in the metropolitan area.

I ask the Minister to investigate the situation, and I conclude by quoting figures. The basic premium levy for charges payable in respect of each $1000 of insurance is ·01 per cent, which is $1. The fire brigade levy in the metropolitan area is 38 cents, and in rural Victoria it is 44 cents. The situation therefore shows a clear discrimination against country Victoria, and I ask the Minister to investigate the situation.

Mr ROPER (Brunswick)—I raise a matter with the Acting Minister of Health concerning the western centre for autistic children in Ascot Vale. For some time, that centre has been in some financial difficulty. It is providing quite a detailed and difficult service for children who require a great amount of assistance, but it has been doing so without Government grants.

In September this year, following a letter that was sent to me by the Victorian Autistic Children's Association, I placed a question on notice asking whether there would be funds this financial year for the western centre. That question is still unanswered and presumably one of the reasons for that is that there are still no funds. The situation has deteriorated over the past couple of weeks, and the centre is now threatened with closure unless financial assistance is made available. The people concerned in the centre have communicated with me indicating that staff will soon have to be dismissed unless funds are made available.

The situation is fairly desperate. The economic plight of the centre has been made worse because of a new teachers' award which has significantly increased payments to teachers and assistants. The award was a catch-up provision for Education Department teachers teaching handicapped children.

The centre has an enrolment of ten, with five additional children currently under review. That does not sound too many, given the staff involvement of two full-time teachers and two part-time teachers, but anyone who has seen people attempting to work with autistic children, will be aware of the incredible amount of effort and energy required by the teachers to be able to cope and provide the programme that these children require.

At Bendigo there is one autistic child who has come to my attention and about whom I have written to the

Minister. This child can get no attention whatsoever in the Bendigo area except for one session per week at the Peter Harcourt centre, which is anything but satisfactory.

I ask the Acting Minister to expedite inquiries in his department about what can be done to assist this centre. The centre started off with great enthusiasm. A couple of years ago, it would have been disastrous if the building facilities, having been made available and the programme having got off the ground with quite a number of autistic children being able to be assisted with these services, were to diminish and go out backwards. One might also add that the inability to fund the project and a number of others for handicapped children makes a joke of the Handicapped Children's Act passed by Parliament in 1973, which was supposed to guarantee education for all children. The children at the centre are not at present receiving full-time education because the staff is not available. Every child has the right to a full-time education and it is up to the State and the Commonwealth to make sure that adequate funds are available. If it costs more to educate a handicapped child, as it almost always does, that is a cost we have to bear.

Mr SIDIROPOULOS (Richmond)—I raise with the Minister of Transport the high levels of particulate lead air pollution in Alexandra Parade. On 29 October this year the Eastern Freeway Monitoring Committee sent a letter to the Minister expressing great concern over the report on air quality studies conducted by the Country Roads Board in the vicinity of the Eastern Freeway in Collingwood, and requesting that the Minister and his Government be urged to:

investigate as a matter of urgency the effects of lead pollution and the levels at which lead pollution is detrimental to health and physical wellbeing of the population generally and of young children in particular;

extend the Country Roads Board's air quality survey beyond six months to at least measure particulate lead pollution at this site over a minimum period of two years;

undertake an extended air quality survey programme to investigate the extent of particulate lead air pollution in heavily trafficked urban area generally; and

reduce the allowed lead content in petrol or take other appropriate action sufficient to minimize the extent to which particulate lead pollution in urban areas exceeds acceptable levels.

The Minister not only failed to take action, he did not even have the courtesy to send an answer to the committee.

The National Health Medical Research Council on 19 September 1979 recommended that the maximum permissible level of lead in air in the urban environment should be 1·5 micrograms per cubic metre. The average figure for May 1979 was 3·7 micrograms per cubic metre—more than double. Over the worst three months during what the survey was conducted, May, June and July, the average measurement in Alexandra Parade was 3·6 micrograms per cubic metre.

In view of the obvious danger to the health of the community in that area, and in many other locations where high traffic volumes are concentrated, I ask the Minister whether he is prepared to take any action to protect the residents of Alexandra Parade for the health hazards associated with lead pollution.

Dr VAUGHAN (Glenhuntly)—I direct the attention of the Assistant Minister of Education to the staffing at Ormond Special School, No. 4846 at 2 Walsh Street, Carnegie. The president of the school council, Mr D. V. Potter, wrote to the Minister of Education on 9 October this year expressing the concern of the school community at the reduction of staff for 1980 and also outlining the special nature of the school, which is the only special school in Victoria catering exclusively for young intellectually handicapped children. For the benefit of the Minister, the letter also indicated the placement, support and maintenance programmes carried out by the school apart from its other programmes.

Ormond Special School was previously staffed more liberally than other special schools because of the nature of its intake. However, the staffing arrangements for 1980 seemed to indicate that the school will be treated in the same manner as all other special schools

in the State. The letter from the president of the school council was acknowledged by the private secretary to the Assistant Minister of Education on 31 October, but the school council has not heard from either the Assistant Minister or the Minister since that date.

I ask the Assistant Minister of Education to investigate the matter and to advise whether it is now Government policy that Ormond Special School be treated in the same manner as all other special schools despite its previous special treatment because of its unusual intake. If so, I ask that whether the Minister of Education will consider altering that policy or, if it is a bureaucratic oversight, whether he will consider rectifying the problem.

Mr REMINGTON (Melbourne)—I direct the attention of the Minister for Planning to the outrageous decision made last night by the Melbourne City Council, on a very close vote of 15 to 13, to amend the plot ratios in a number of selected areas on the fringes of the municipality.

The council has altered plot ratios in St Kilda Road, Jolimont, Victoria Parade and Royal Parade, all valuable approaches to Melbourne, the fringe of the central business district, the middle and outer areas of North and West Melbourne and in South Carlton. It has increased the plot ratios from 1·5 : 1 recommended in the strategy plan to 3·5 : 1 and 4 : 1 in certain areas. This will permit high-density office accommodation to be constructed in the areas.

The strategy plan was forced on the council at the behest of the Premier. One might say that he almost commanded the council to produce it and the Government provided the finance. The strategy plan has been adopted and embraced by the Premier, the Government, the Opposition, the chambers of commerce, the various retail interests and residential action groups. There is limited opposition to the plan, but last night the Melbourne City Council threw those policies out the window to provide windfall profits for a few people.

This is of importance to the Government and it is very important to the Minister for Planning. It threatens the success of the Melbourne underground rail loop, which is likely to be a white elephant. The strategy plan sited large office developments close to the outlets of the underground stations and within walking distance of them. The people who represent the central business district voted against the interests of that district and supported the alterations to the plot ratios and it is ironic that the Australian Labor Party and independent members of the council and the people representing residential areas voted against the alterations.

The Minister for Planning ought to examine the recent planning decisions of the Melbourne City Council, including this decision. He ought to confer with the council and to issue an ultimatum directing it, within, say, three months, to adopt the strategy plan. It should adopt the plan and, if it does not, the Government should take the planning powers away from the council and vest them in some other authority. Perhaps there should be an independent group of three planners who will responsibly care for the planning of Melbourne. The Minister should also assess and encourage a conference to be called by the Town and Country Planning Association at which the various architects of the Royal Australian Institute of Architects, the Australian Institution of Engineers, the National Trust and the retail traders of Melbourne, builder organizations, managers and various resident action groups would be present. A conference could put real purpose and meaning into planning for Melbourne.

The city of Melbourne is, without doubt, the most important area for planning that comes under the influence of the Minister and he should take positive action against the council.

Mr SPYKER (Heatherton)—I direct a matter to the attention of the Minister for Minerals and Energy. It relates to an article which appeared in the July 1979 issue of *SEC News* specifically in a column "Bird of the Month". I am appalled at some of the statements made in this journal. The article states:

> Dana Kukwa is a welcome addition to the potted plants in the foyer of the Traralgon regional office.

It refers to a female member of the staff. I ask the Minister to determine whether this contravenes the Equal Opportunities Act. The article gives the age of the girl and states she is not married.

The Government encourages equal opportunity, so if a person has any talent why should she be discriminated against? This column refers to female members of the staff but there should be no discrimination against the male members of the State Electricity Commission. I fully support the idea of using a half page of this journal to promote members of staff if they have a particular ability or talent, but it should be on their work ability or educational ability and not if they happen to fit in with the potted plants in the foyer.

Mr LACY (Assistant Minister of Education)—The Deputy Leader of the Opposition and the honorable member for Glenhuntly raised for my attention the provision of teachers for two special groups of children in our schools, for the 1980 school year. Those matters are under investigation as a result of correspondence, and I will pursue them further, have investigations concluded and inform the honorable members accordingly.

Mr THOMPSON (Minister for Police and Emergency Services)—The honorable member for Reservoir once again raised the question of a picket line outside a tobacco company. As I previously indicated, I see nothing special, sacred or sacrosanct about a picket line designed to intimidate or prevent other people from working. It does not seem entirely unreal that a company should provide some form of protection for people who want to work of their own free will. Nevertheless, I will make inquiries.

Mr WOOD (Acting Minister of Health)—I will take up with the Health Commission the matters raised by the honorable member for Brunswick regarding the needs of autistic children at the western centre with the Health Commission. The honorable member for Melbourne raised the matter of plot ratios in selected areas under the control of the Melbourne City Council. I will bring these matters to the attention of the Minister concerned.

Mr DIXON (Minister of Housing)—I will investigate the matter raised by the honorable member for Carrum.

Mr RAMSAY (Minister of Consumer Affairs)—I will investigate the variation between the fire brigade levies in metropolitan and country areas and let the honorable member for Westernport know the result.

Mr MACLELLAN (Minister of Transport)—I will chase up the reasons for the hold-up in arranging for a reply to the letter raised by the honorable member for Richmond and see if I can get the answers to the matters he has raised included in that reply.

The motion was agreed to.

The House adjourned at 4.6 a.m. (Wednesday).

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

FUNDS FOR RESTORATION OF OLD BUILDINGS

(Question No. 18)

Mr ROPER (Brunswick) asked the Treasurer:

In respect of the restoration of old and/or significant buildings, which grants and loans, respectively, have been made in each of the past five years specifying—(*a*) to whom they were made and for what purposes; (*b*) the amount made available and any conditions imposed; and (*c*) the total amount requested in each such application?

Mr THOMPSON (Treasurer)—The answer is:

The information sought by the honorable member is on the attached schedule, and consists of two sections—

(i) allocations by the Historic Buildings Preservation Council and

(ii) allocations from the Maldon Restoration Rund.

The Historic Buildings Preservation Council usually requires a covenant agreement with the recipient of special assistance which binds

the owner (and runs with title) to certain undertakings. These are generally—

1. Not to apply to remove the building from the Historic Building Register for a given number of years.

2. Not to apply to demolish the building for a given number of years.

3. To open the property to the public on a negotiated number of days per year.

4. To undertake specific works.

5. To repay a percentage of moneys granted if the property is sold within two years.

6. Specific requirements as appropriate.

The cost of detailing each agreement cannot be justified. If the honorable member requires details of a specific project I would be pleased to assist him.

Financial Year	*Grant or Loan*	*To whom and for what purpose*	*Amount made available*	*Special conditions (if any)*	*Amount sought*
			$ c		
1975-76 ..	Grant ..	Mr. and Mrs. Minehan, Maldon—reslating of roof	4 873.00	.. .. ..	Not applicable
	Grant ..	Oggs Pharmacy—fittings purchased for museum reconstruction	4 000.00	.. .. ..	Nil
	Grant ..	Church of England—stonework restoration at Melbourne Church of England Grammar School	25 000.00	.. .. ..	Not applicable
1976-77 ..	Grant ..	Mr. and Mrs. E. Docker—roof and other restoration work on Bontharambo	26 000.00	.. .. ..	Minimum of $10 000
	Grant ..	Reslating of roof of 160 Hotham Street, East Melbourne	448.50	.. .. ..	$500
	Grant ..	Numurkah Historical Society—general restoration of Coonanga, Numurkah	5 000.00	.. .. ..	$5000
	Grant ..	Mr. H. Crossman—roof repairs of the Rock Cavern, Beechworth	7 198.00	.. .. ..	Minimum of $10 000
	Grant ..	Mr. R. C. Moodie—roof repairs of 66 Campbell Street, Port Fairy	2 000.00	.. .. ..	$2000
	Grant ..	Mr. and Mrs. Minehan, Maldon—reslating of roof	667.50	.. .. ..	Not applicable
	Grant ..	Mr. R. Paterson—woodwork repair and repainting at Warrock Homestead, Casterton	4 000.00	.. .. ..	Minimum of $10 000
77-78 ..	Grant ..	Mary Pittard et al—facade reconstruction of Alkira House	15 000.00	$2 for $1 grant ..	
	Grant ..	Adams Pest Control Pty. Ltd.—stonework restoration at Murrindindi Station	5 000.00	$1 for $1 grant ..	Minimum of $5000
	Grant ..	Mr. J. Gregory—roofing repairs and general restoration at Longerenong Homestead	27 000.00	.. .. ..	Minimum of $10 000
	Grant ..	Mrs. R. Rzecki—re-roofing of the former Presbyterian Manse, Williamstown	9 184.00	.. .. ..	Minimum of $10 000
	Grant ..	Ballaarat City Council—re-roofing the former Ballarat Mining Exchange	35 000.00	.. .. ..	$35 000
	Grant ..	Stella Maris Club—roof repairs to St. Augustine's Roman Catholic Church, Bourke Street, Melbourne	6 000.00	.. .. ..	Not applicable
	Grant ..	Bendigo City Council—facade repairs to former Bendigo Town Hall	40 000.00	$1 for $3.. ..	Minimum of $10 000
	Grant ..	Block Arcade Pty. Ltd.—facade re-rendering at Block Arcade	25 000.00	$1 for $1 ..	Not applicable
	Grant ..	H. Erlich—verandah restoration at 313-315 Drummond Street, Carlton	5 000.00	Payment to National Trust Appeal	Minimum of $10 000
	Grant ..	Estate of L. J. Grigsby—verandah restoration of Alexandra Tea Rooms, Ballarat	10 000.00	.. .. ..	$10 000
	Grant ..	Ringen Nominees—facade restoration of Provincial Hotel, Ballarat	7 000.00	.. .. ..	Minimum of $10 000
	Grant ..	Church of England Trusts Corporation—weatherproofing and stone work at St. Peter's Church of England, Eastern Hill	4 566.00	.. .. ..	Not applicable
	Grant ..	Mr. R. Paterson—woodwork repair and painting at Warrock Homestead, Casterton	11 250.00	.. .. ..	Not applicable
1978-79 ..	Grant ..	Bendigo City Council—repair of rendered facades at Bendigo Town Hall	40 416.00	$1 for $1.. ..	Not applicable
	Grant ..	Mr. and Mrs. G. Bradshaw—stone work repairs at Coryule Homestead, Drysdale	6 500.00	.. .. ..	$5000
	Grant ..	National Trust of Australia (Victoria) restoration of stonework, roofing and other work at Barwon Park Stables, Winchelsea	25 000.00	$1 for $1.. ..	$60 000
	Grant ..	Reform Theological College, Geelong—facade repairs at the former Geelong Grammar School	2 000.00	.. .. ..	Not applicable
	Grant ..	Melbourne and Metropolitan Board of Works—re-roofing of the Point Cook Homestead	15 000.00	.. .. ..	$15 000
	Grant ..	Mrs. R. Rzecki—re-roofing of the former Presbyterian Manse, Williamstown	5 784.00	.. .. ..	$10 000
	Grant ..	Tahbilk Pty. Ltd.—re-roofing at Chateau Tahbilk, Nagambie	2 500.00	.. .. ..	Not applicable
	Grant ..	Mrs. J. Taylor—roofing repairs at The Hermitage, Barnawartha	3 300.00	.. .. ..	$2500
	Grant ..	Mr. R. Paterson—painting at Warrock Homestead, Casterton	3 000.00	.. .. ..	$10 000
	Grant ..	Youth Hostels Association—drainage and general work at Emoh, Port Fairy	10 000.00	.. .. ..	Minimum of $10 000
	Grant ..	Watts Development Pty. Ltd.—general restoration at Doleraine Terrace, Parkville	25 000.00	.. .. ..	Minimum of $10 000
	Grant ..	National Trust of Australia (Victoria)—general restoration Barwon Bank, Newtown	45 000.00	.. .. ..	Not applicable
	Grant ..	National Trust of Australia (Victoria)—weatherproofing at Woodbone, Port Fairy	12 500.00	$1 for $1.. ..	Minimum of $10 000

Financial Year	*Grant or Loan*	*To whom made and what purpose*	*Amount made available*	*Conditions*	*Amount sought*
			$		$
1977–78 ..	Grant ..	Maldon Cemetery Trust—rotunda	5 125	Works to be in accordance with architectural advice	5 125
	Grant ..	Maldon Cemetery Trust—picket fence	1 564	Works to be in accordance with architectural advice	1 564
	Grant ..	Maldon Cemetery Trust—Sexton's Cottage	1 200	Works to be in accordance with architectural advice. To be repaid from rental of Sexton's Cottage	10 650
	Loan ..		9 450		
	Grant ..	Shire of Maldon—slate paving ..	2 000	Works to be in accordance with architectural advice	2 000
	Grant ..	Shire of Maldon—railway water tower	4 700		4 700
	Grant ..	Shire of Maldon—old fire station..	4 480		4 480
	Loan ..	R. J. Nicholson—Royal Hotel verandah	3 390	(i) Repay at $50 per month over 3 years with interest at 5½ per cent; (ii) work to be in accordance with architectural advice	3 390
	Loan ..	D. J. Johns—denominational school	13 950	(i) works to be in accordance with architectural advice; (ii) property to be sold to approved purchaser only; (iii) re-payment to be either—(*a*) lump sum, interest free, within twelve months or (*b*) monthly payments of $284.53 over 7 years	13 950
1978–79 ..	Loan ..	E. L. Nuttall—Hornsby's Buildings and Argyle House	6 300	(i) Works to be in accordance with architectural advice; (ii) repayment to be by monthly payments of $120.22 over 5 years	6 300
	Loan ..	T. Westmore—McArthur's Bakery	6 700	(i) works to be in accordance with architectural advice; (ii) repayment to be by monthly payments of $127.85 over 5 years	6 700
	Grant ..	O. Trethewey—timber garage ..	400	Works to be in accordance with architectural advice	480
	Grant ..	Shire of Maldon—"Gower" school	2 750	Works to be in accordance with architectural advice	2 750
	Grant ..	Shire of Maldon—Old Gospel Hall	8 800	To be repaid if property sold ..	8 800
	Grant ..	Shire of Maldon—Tarrengower Times Office	1 200	Works to be in accordance with architectural advice	1 200
	Grant ..	Shire of Maldon—reconstruction of poppet legs—Alliance Mine	5 000	Works to be in accordance with architectural advice	5 000
	Grant ..	Shire of Maldon—R.A.R. cottage..	4 500	Works to be in accordance with architectural advice	4 500
	Grant ..	Maldon Cemetery Trust—additional work on Sexton's Cottage	1 200	Works to be in accordance with architectural advice	1 200
	Loan ..	Mrs. R. M. Young—restoration work on original cottage	1 550	(i) works to be in accordance with architectural advice; (ii) loan to be repaid from estate	1 550

INSTALLATION OF ALARM SYSTEMS IN SCHOOLS

(Question No. 247)

Mr FORDHAM (Footscray) asked the Assistant Minister of Education, for the Minister of Education:

In which schools the Education Department has installed alarm systems provided by Chubb Alarms (Vic.) Pty. Ltd. and in how many cases the system has since been replaced, indicating the reasons in each instance?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

The following schools had intruder detection systems installed by Chubb Alarms (Vic.) Pty. Ltd. and I have indicated in each instance which systems have been upgraded and for what reason.

School	*Reason for Upgrade*
Altona High School	Faulty equipment
Cooiaroo Primary School ..	Poor workmanship
Dallas Primary School	Faulty equipment
Fawkner Primary School ..	Contract not completed
Fawkner High School	Faulty equipment
Hadfield Primary School ..	Poor workmanship
Newlands High School	Poor workmanship
Oak Park High School	Faulty equipment
Olympic Village Primary School ..	Faulty equipment
Pascoe Vale Girls High School ..	Faulty equipment
Preston East High School ..	Faulty equipment
Preston North East Primary School	Faulty equipment
Syndal High School	Faulty equipment
Upfield Primary School ..	Poor workmanship
Wallarano Primary School ..	Faulty equipment
Watsonia Primary School ..	Faulty equipment
Wattle Park High School ..	Faulty equipment

The equipment at Berwick High School and Noble Park North High School will be replaced by new installations.

MENTAL HEALTH AUTHORITY REPORT

(Question No. 379)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the report of the Mental Health

Authority for the year 1977 tabled in Parliament on Tuesday, 29 May 1979:

1. Whether it is intended that a report will be provided for the eleven and one-third months of 1978 during which the Mental Health Authority was responsible for mental health services in Victoria; if so, when; if not, why?

2. Whether a copy of the report by Dr J. L. Evans on his overseas visit will be made available to the member for Brunswick, particularly the report on forensic psychiatric facilities?

Mr BORTHWICK (Minister of Health) —The answer is:

1. (*a*) There will be no report of the Mental Health Authority for the eleven and one-third months of 1978 for which the Mental Health Authority was responsible for mental health services in Victoria.

(*b*) The report for the eleven and one-third months the Mental Health Authority operated will be incorporated in the Mental Health Division Report published in the complete report of the Health Commission of Victoria for the year ending 30 June 1979.

2. Yes.

MENTAL HEALTH SERVICES IN SWAN HILL

(Question No. 383)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of Mental Health Division services in the Swan Hill area, whether the regular visits to see patients at the Swan Hill Base Hospital have been resumed; if so, when; if not, when they will be resumed?

Mr BORTHWICK (Minister of Health) —The answer is:

The psychiatric services to the Swan Hill area have not been resumed. It is hoped to resume services after further recruitment from the United Kingdom of qualified psychiatrists.

SOLAR ENERGY

(Question No. 783)

Mr GAVIN (Coburg) asked the Minister for Minerals and Energy:

1. What research into the solar energy was undertaken by the Victorian Government during 1978–79?

2. Whether the Government is aware of any research into solar energy undertaken by other bodies in Victoria?

3. How the Government keeps informed of developments in solar energy undertaken in other States or countries?

Mr BALFOUR (Minister for Minerals and Energy)—The answer is:

1.1 State Electricity Commission of Victoria.

A number of officers of the commission are members of a number of committees of the Standards Association of Australia which are in the process of preparing standards for solar heaters, etc.—AS 2002 Code of Practice for installing domestic solar water heating systems was issued in 1979.

The commission has continued to evaluate, at its Richmond laboratories, commercially available solar preheaters for water heating. It has also evaluated and aproved over 40 models of solar water heating storage cylinders which are eligible for operation on the off-peak tariff.

1.2 Gas and Fuel Corporation of Victoria.

During 1978–79, the corporation in addition to its direct involvement in the work of the Victorian Solar Energy Research Committee, undertook research into solar energy in the following areas:

(*a*) development of techniques for assessing the performance of concentrating solar collectors;

(*b*) development of improved design of gas fired water heaters for use to supplement solar energy;

(*c*) assessment of the effectiveness of low energy homes;

(*d*) evaluation of local raw materials suitable for production of gas from biomass.

1.3 Victorian Solar Energy Research Committee.

The committee has not undertaken research itself, but during the financial year 1978–79 supported projects to the total value of $549 000 consisting of six (6) demonstration installations, research programmes at academic institutions and the "Solar Energy Today" Conference held in February 1979.

2.1 State Electricity Commission of Victoria.

Yes, through the commission's membership of the Solar Energy Industry Association of Australia and the Victorian Solar Energy Research Committee and its close working contact with the CSIRO.

2.2 Gas and Fuel Corporation of Victoria.

Yes, the corporation is aware of research into solar energy undertaken by other bodies in Victoria.

2.3 Victorian Solar Energy Research Committee.

Yes, as the committee sponsors some of the research.

3.1 State Electricity Commission of Victoria.

The commission maintains a close watch on developments in solar energy research undertaken in other States and countries through—

membership of the International Solar Energy Society;

by contact with the Department of Energy, Washington, USA, and similar bodies in other countries;

presentation of papers and attendance at Symposiums (e.g. Field Testing of Solar Water Heaters—Second International CIB Symposium on Energy Conservation—Copenhagen, May 1979) which provides opportunity for personal exchange of information.

3.2 Gas and Fuel Corporation of Victoria.

The corporation keeps informed of developments in solar energy in other States or countries through direct contact with gas undertakings, appliance manufacturers, research establishments and professional bodies in the energy sphere.

3.3 Victorian Solar Energy Research Committee.

(*a*) A member of the committee was included in a Commonwealth Delegation to the USA to examine and discuss collaboration in solar energy research and development;

(*b*) Visits by delegations from—Japan, Federal Republic of Germany, People's Republic of China;

(*c*) Two members of the committee attended the International Solar Energy Society's Conference in Atlanta, Georgia;

(*d*) A member of the committee is currently the incoming President of the International Solar Energy Society;

(*e*) The Chairman of the committee is a member of the National Energy Research Development and Demonstration Council Technical Standing Committee No. 5 which deals with solar energy;

(*f*) Sponsored "Solar Energy Today" in February 1979 at the University of Melbourne which attracted some 400 local and overseas participants.

HOUSING

(Question No. 826)

Mr CATHIE (Carrum) asked the Minister of Housing:

With regard to funds provided by the Commonwealth under the Commonwealth State Housing Agreement and matched by the State Government in the financial year 1978–79:

1. Which amounts were granted?

2. Which amounts were loans, indicating the interest rates?

3. What are the sources and interest rates of the State oGvernment contributions?

Mr DIXON (Minister of Housing)—The answer is:

1. Nil.

2. The total loan money made available to Victoria was $82 451 000 at an interest rate of 4½ per cent. (Of this amount $33 920 000 had to be matched.)

3. State Treasury provided an amount of $30 000 000 at 8¾ per cent through the State Savings Bank of Victoria. The balance was provided through the borrowing capacity of each of the Ministry's four statutory authorities.

YOUTH UNEMPLOYMENT STANDING COMMITTEE RECOMMENDATIONS

(Question No. 868)

Mr MATHEWS (Oakleigh) asked the Minister of Labour and Industry:

Whether he will bring up to date and consolidate in *Hansard* the answer on recommendations of the Victorian Standing Committee on Youth Unemployment which his predecessor gave to the Leader of the Opposition on 18 May 1978 in answer to question No. 139, reported in *Hansard* at page 3447, indicating, in the case of each recommendation, the Government's response?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

As the Victorian Standing Committee on Youth Unemployment early this year was superseded by the Victorian Employment Committee, there appears to be little purpose in tracing the recommendations of the former committee.

The first report of the Victorian Employment Committee was tabled in this House on 9 October 1979.

HANDICAPPED CHILDREN

(Question No. 930)

Mr MATHEWS (Oakleigh) asked the Assistant Minister of Education:

Whether he will bring up to date and consolidate in *Hansard* the answer on notifications pursuant to section 64K (1) of the Education Act 1958 which the former Minister of Special Education gave to the member for Footscray on 19 September 1978 in response to question No. 1069 and reported in *Hansard* at page 3957?

Mr LACY (Assistant Minister of Education)—The answer is:

The question which the honorable member refers to read as follows:

"What is the number of children under or over school age who have been the subject of a notification pursuant to section 64K (1) of the Education Act 1958, and what is—(*a*) the number; and (*b*) the percentage of these children who have been—(i) the subject of an approach to the Minister of Health for his agreement to them being assessed by a Special Education Authority; (ii) assessed by a Special

Education Authority; and (iii) undertaken special education pursuant to section 64K (2) of the Act."

(*a*) No children under or over school age have been the subject of a notification pursuant to section 64K (1) of the Education Act 1958.

(*b*) (i) The honorable member will be aware that there was only one Special Education Authority established by the former Minister of Special Education. As this Special Education Authority relates to Work Education, it is not applicable to pre-school age children.

No children have been the subject of an approach to the Minister of Health for his agreement to their being assessed by the Special Education Authority (Work Education).

(ii) No children have been assessed by the Special Education Authority (Work Education).

(iii) No children have undertaken special education pursuant to section 64K (2) of the Act.

However my department has made provision for certain children who are under or over school age. Currently a parent guidance and parent education service is provided by staff from Counselling, Guidance and Clinical Services and the Special Education Division at Monnington, Kew. As at 1 October 1979, this service was provided to—

111 families with a pre-school aged hearing impaired child;

10 families with a pre-school aged deaf-blind child;

11 families with a pre-school aged intellectually handicapped child; and

2 families with a pre-school aged language disordered child.

One child under the age of 4 years 6 months, who is a resident of St Nicholas Hospital attends sessions at the Special School Annexe.

The Visiting Teacher Service is providing support for one visually impaired and 9 hearing impaired children who attend their local kindergartens.

From 1978–1979, 70 students over the age of 16 have been approved by my Department to remain at Day Special Schools so that they could continue their education.

On 5 October 1979, 49 students over the age of 21 years were attending Special Developmental Schools and 53 children under the age of 4 years and 6 months were participating in early intervention programs at these Schools; 606 people over the age of 16 were attending sessions at Institutional Special Schools; 12 over the age of 16 were attending sessions at the Special School Annexes at St Nicholas Hospital, Sunbury and Kingsbury Institutes; and 43 people over the age of 16 were attending Work Education Centres at Bendigo and Montague.

OLD BURNLEY PRIMARY SCHOOL SITE

(Question No. 1090)

Mr SIDIROPOULOS (Richmond) asked the Assistant Minister of Education, for the Minister of Education:

What plans the Education Department has for the site of the old Burnley Primary School?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

The old Burnley Primary School site is currently being developed as a community park in conjunction with the Richmond City Council.

There are no plans at present to provide any educational facilities on this site.

PORTLAND PRIMARY SCHOOL

(Question No. 1116)

Mr FORDHAM (Footscray) asked the Assistant Minister of Education:

When it is expected that the proposed Stage 3 Development involving the updating of infant school buildings, approximately 100 years old, will be undertaken at Portland Primary School, Palmer Street, Portland?

Mr LACY (Assistant Minister of Education)—The answer is:

The upgrading of the infant building at the Portland Primary School will now form Stage 2 of the proposed building project. However planning for this stage will commence once a likely committal target consistent with the priority to be recommended by the Regional Priorities Review Committee, has been established. No indication can be given at this stage of when the proposed works will be undertaken.

SPECIAL EDUCATION UNIT FOR CASTLEMAINE

(Question No. 1117)

Mr FORDHAM (Footscray) asked the Assistant Minister of Education:

What is the reason for the delay in the establishment of a Special Education Unit in the Castlemaine Inspectorate and when it is now expected that this unit will commence operation?

Mr LACY (Assistant Minister of Education)—The answer is:

Given the availability of funding and following careful consideration of requests for Special Education Units throughout the State, priority cannot be given to Castlemaine at this time.

FACILITIES FOR BURN VICTIMS

(Question No. 1131)

Mr ROPER (Brunswick) asked the Minister of Health:

Further to the answer to question No. 29 given on 11 September 1979 concerning a shortage of facilities to treat burns victims in the event of a major disaster:

1. Which hospitals have specialised beds for burns, indicating the number available in each hospital?

2. Where the adidtional units are available which can be "rapidly mobilised", indicating the number of beds?

Mr BORTHWICK (Minister of Health)—The answer is:

1.

Hospital	*No. of beds*	
Alfred	8 adults	
Royal Melbourne	8 adults	
Royal Childrens'	22 children	
Prince Henry's ..	8 adults	(5 of these beds are for cases with no respiratory problems)

2.

Hospital	*No. of beds*
Austin	22
Western General	8
Queen Victoria ..	3

DANDENONG RAILWAY

(Question No. 1187)

Dr VAUGHAN (Glenhuntly) asked the Minister of Transport:

In respect of each railway station on the Dandenong line, what was the number of outward passenger journeys in total, and for peak, off-peak, weekday and weekend travel, respectively, in 1978–79 and what was the percentage increase compared with 1974–75 and 1977–78?

Mr MACLELLAN (Minister of Transport)—The answer is:

The outward passenger journeys from stations of the Dandenong line for the years requested are:

	1978–79	1977–78	1974–75
Carnegie			
Outward Passenger Journeys	484 478	522 893	717 118
Percentage Variation	−7·34	−27·08	..
Murrumbeena			
Outward Passenger Journeys	636 617	662 474	847 021
Percentage Variation	−3·90	−21·79	..
Hughesdale			
Outward Passenger Journeys	343 847	355 388	520 841
Percentage Variation	−3·25	−31·77	..
Oakleigh			
Outward Passenger Journeys	1 168 641	1 203 805	1 423 440
Percentage Variation	−2·92	−15·43	..
Huntingdale—			
Outward Passenger Journeys	453 809	462 508	562 452
Percentage Variation	−1·88	−17·77	..
Clayton—			
Outward Passenger Journeys	945 235	956 935	1 078 396
Percentage Variation	−1·22	−11·26	..
Westall			
Outward Passenger Journeys	252 286	243 274	301 067
Percentage Variation	+3·70	−19·20	..
Springvale			
Outward Passenger Journeys	1 209 274	1 205 872	1 292 627
Percentage Variation	+0·28	−6·71	..
Sandown Park			
Outward Passenger Journeys	443 399	421 517	481 107
Percentage Variation	+5·19	+12·39	..
Noble Park			
Outward Passenger Journeys	1 174 894	1 236 231	1 462 934
Percentage Variation	−5·00	−15·50	..
Yarraman			
Outward Passenger Journeys	230 085	196 287	..
Percentage Variation	+17·22	..	..
Dandenong			
Outward Passenger Journeys	1 336 200	1 318 535	1 449 141
Percentage Variation	+1·34	−9·01	..

On the basis of passenger tallies taken at each station during February 1978 and 1979 the daily average outward passenger journeys during the weekday peak and off peak periods are as follows:

	1979		1978	
	Peak	*Off Peak*	*Peak*	*Off Peak*
Carnegie ..	623	377	675	427
Murrumbeena ..	657	391	930	474
Hughesdale ..	420	231	465	232
Oakleigh ..	2 003	893	1 692	1 032
Huntingdale ..	780	309	859	371
Clayton ..	1 299	641	1 324	669
Westall	560	330	516	246
Springvale ..	1 799	792	1 943	1 011
Sandown Park ..	608	330	549	251
Noble Park ..	1 758	794	1 686	886
Yarraman ..	65	100	322	138
Dandenong ..	2 522	1 328	2 082	1 508

Figures for 1974–75 are no longer available and tallies at individual stations are not taken at weekends.

AGRICULTURAL MARKETING PTY LTD

(Question No. 1200)

Mr HANN (Rodney) asked the Minister of Transport, for the Attorney-General:

Whether the Minister will lay on the table of the Library, all files related to an investigation by the Corporate Affairs Office into Agricultural Marketing Pty Ltd?

Mr MACLELLAN (Minster of Transport)—The answer supplied by the Attorney-General is:

I am not prepared to lay on the table of the Library the files relating to an investigation by the Corporate Affairs Office into Agricultural Marketing Pty Ltd.

Similar requests in the past have been refused on the grounds that files relating to investigations frequently contain information volunteered to the investigator on a confidential basis and it would be detrimental to future investigations if persons in possession of information had reason to fear that valuable information volunteered in confidence might become public.

If the honorable member has any particular query concerning this investigation, I would be pleased to discuss it with him.

SEAFORD FLOODING

(Question No. 1203)

Mr CATHIE (Carrum) asked the Minister of Agriculture, for the Minister of Water Supply:

1. Whether he is aware that flooding in Seaford cut off ten homes on 11 September 1979?

2. Whether the independent drainage survey conducted by the State Rivers and Water Supply Commission is completed; if so, what are the main recommendations of the survey; if not, when it is due?

Mr I. W. SMITH (Minister of Agriculture)—The answer supplied by the Minister of Water Supply is:

1. The honorable the Minister of Water Supply is aware that flooding, which affected a number of houses, occurred in Seaford on 11 September 1979 as well as on a number of other occasions.

2. The drainage investigation carried out by the State Rivers and Water Supply Commission at the direction of the honorable the Minister of Water Supply has been completed and the Commission's report has been circulated to interested parties including the member for Carrum.

The report confirms the nature and extent of the flooding problem and concludes that, in essence, the mitigation proposals suggested by the Dandenong Valley Authority represent the most effective method of dealing with this local problem.

The specific conclusions of the report are as follows:

* The flooding problems recently experienced at Buna and McCulloch Avenues are caused essentially by stormwaters which emanate from the upper parts of the catchment and outflow from the existing pipelines which are not sealed. Conversely, local runoff is not the cause of these problems.

* Sealing the existing pipelines to prevent outflows is the most cost-effective solution provided that adequate attention is given to:

(i) the detailed design and construction of new sealed inlet pits and floodgates;

(ii) the effective sealing of existing pipe joints or the replacement of short sections of the existing pipeline in critical areas along Buna Avenue.

* Subject to adequate maintenance, the drainage service provided by sealing the pipelines and providing temporary pondage for local runoff, as proposed by the Dandenong Valley Authority, would be equivalent to or better than that available in adjacent areas. It should be made clear to landholders in the area that such a scheme will not prevent infrequent and relatively minor flooding of roadways from local stormwater runoff.

* Any other scheme involving construction of new pipelines would be difficult to justify in terms of any marginal local drainage benefits and the substantial increase in capital and maintenance costs.

* The McCulloch Avenue pipeline which is an integral part of the outfall system from Skye Road should become a declared arterial drain.

DRUG WORKING GROUP

(Question No. 1235)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of assistance to the Loddon Campaspe Regional Drug Working Group:

1. When he or the Health Commission received a submission from the group concerning the need for services to assist drug users in the Bendigo area?

2. What action has been taken on the submission?

3. When it is expected that funds will be available to assist this group to expand its activities?

Mr BORTHWICK (Minister of Health)—The answer is:

1. The submission from the Loddon–Campaspe Regional Drug Working Group which was originally addressed to the Chairman, Hospitals and Charities Commission was forwarded to the Chairman, Mental Health Authority on 22 May 1978.

2. Included in the Mental Health Division estimates for 1979–80 was a request for $187 500 to be spent on alcohol and drug services in rural areas. No funds were made available when budget was brought down.

3. It is not known when funds will be available.

MANSFIELD AUTISTIC PLAY SCHOOL

(Question No. 1299)

Mr ROPER (Brunswick) asked the Minister of Health:

Whether information was supplied in January this year regarding the financial needs of the Mansfield Autistic Playschool and whether it had been the policy of the Government to provide funds to offset the deficit of previous years; if so, why no funds have been forthcoming towards covering the deficit for the 1978–79 financial year, and whether it is intended to do so, and to fund the Autistic Playschool on a regular and continuing basis?

Mr BORTHWICK (Minister of Health)—The answer is:

The honorable the Minister of Health was requested on 9 February 1979 by the Premier and Treasurer for his comments on the continued funding of the operations of the Mansfield Autistic Playschool.

Special *ad hoc* grants were made by the Treasurer towards the "other than salary costs" of the Mansfield Autistic Playschool for the financial years 1976–77, $20 000 and 1977–78 $17 000.

The Treasurer has approved of a special *ad hoc* grant of $17 000 being paid to the Mansfield Autistic Playschool for "other than 1978–79 salary costs" for the financial year 1978–79.

The Treasurer directed that any future financial assistance to the playschool will be subject to an examination of audited financial statements by the Health Commission.

(Question No. 1300)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the travelling teacher service conducted from Mansfield for the autistic, on what basis grants are made, and whether consideration has been given to providing grants to cover administrative and capital costs, particularly the provision of a vehicle?

Mr BORTHWICK (Minister of Health)—The answer is:

The Mansfield Travelling Teacher Service is subsidized under the provisions of section 12 (*g*) (iii) of the Mental Health Act 1959. Subsidy payments are based on the cost of two full time teachers and one half time teacher together with associated transport costs.

Consideration has not been given to providing grants to cover administrative and capital costs, particularly the provision of a vehicle.

TURANA YOUTH TRAINING CENTRE

(Question No. 1353)

Mrs TONER (Greensborough) asked the Minister for Community Welfare Services:

1. Whether any privileges were withdrawn from inmates prior to the riot at Turana on 14 October 1979; if so, in what circumstances such privileges were withdrawn?

2. What detention accommodation exists for the youths awaiting trial in respect of the Turana riot other than the Remand Section at Pentridge?

Mr JONA (Minister for Community Welfare Services)—The answer is:

1. Privileges, in the form of cigarettes and playing cards, were withdrawn from a group of trainees in "Batman" Dormitory during the evening of Sunday, 14 October 1979, because of repeated acts of gambling. The youths had been warned on a number of occasions during the evening about gambling, but had defied the instructions of staff. Therefore there were no options other than to confiscate the cards and cigarettes which are what is normally used as barter in gambling activities. This group of youths played a very minor part in the subsequent riotous events and no charges were laid against them.

2. Of the nine youths who are on remand on charges resulting from the riot, eight are over the age of seventeen years. The only remand facility for this age group is Pentridge. The Director-General may authorise the removal of a young person from Pentridge to Turana for remand purposes but as the alleged offences were committed at Turana it was not considered appropriate to do so.

The remaining youth is sixteen years of age and would normally be remanded at Turana. However, because he was allegedly one of the main instigators of the riot and was already on remand for a serious assault charge he was also transferred to the Remand Section of Pentridge.

SCHOOLS IN GIPPSLAND

(Question No. 1459)

Mr AMOS (Morwell) asked the Assistant Minister of Education:

What action is proposed for those schools in Gippsland without a Commonwealth standard library or without a canteen, gymnasium or with inadequate staffroom accommodation?

Mr LACY (Assistant Minister of Education)—The answer is:

The following schools are listed on the Gippsland Regions District Building Programmes to receive library extensions and/or improvements as soon as funds permit:

Stratford Primary School, Maffra High School, Yarram High School, Morwell Technical School, Traralgon Technical School, Morwell High School, Moe High School, Warragul High School, Drouin High School and Drouin Primary School.

The following schools are also listed on the District Building Programmes to receive staff and administration improvements as soon as funds permit:

Orbost High School, Lakes Entrance Primary School, Lindenow Primary School, Korumburra Primary School, Traralgon Primary School (Liddiard Road), Sale Technical School, Yallourn Technical School, Traralgon High School, Moe Primary School (Albert Street), Neerim South Primary School, Neerim South High School, Moe High School, and Warragul Technical School.

A low priority is given to the provision of canteens as funds are required for more urgent works. However, on receipt of an application from a school, the Gippsland Regional Office may give consideration to funding the construction of a canteen on a special grant basis.

With regard to the provision of gymnasia I refer the honorable member to my statement in this House on 16 October 1979 concerning the new community education activity centre programme (as printed on page 3308 of Hansard No. 13).

PROPOSED SCHOOL AT MOUNT MARTHA

(Question No. 1507)

Mr FORDHAM (Footscray) asked the Assistant Minister of Education:

Whether, in view of the present need for an additional primary school in Mount Martha, consideration will be given to opening the new school on the Glen Isla site in February 1980 rather than 1981?

Mr LACY (Assistant Minister of Education)—The answer is:

A new primary school will not be ready for occupation in February 1980 on the Glen Isla Drive site, Mount Martha.

The need for a new school is recognised although there has been a decline in the number of pupils expected to attend this new school.

It is anticipated that tenders will be called later this financial year. Occupation is expected by February 1981.

CONSUMER AFFAIRS BUREAU

(Question No. 1509)

Mr REMINGTON (Melbourne) asked the Minister of Consumer Affairs:

1. How many complaints the bureau has received about L. R. Reed and Co., Real Estate Agents of 163 Collins Street, Melbourne, with regard to the misappropriation of bond money?

2. What were the contents of the report following the visit of inspectors to this agency?

3. What further action is contemplated by the Ministry with regard to the practices of L. R. Reed and Co?

Mr RAMSAY (Minister of Consumer Affairs)—The answer is:

1. Since 1 January 1976 (date from which records are available) to date, twenty-one (21) complaints have been lodged with the Consumer Affairs Bureau against L. R. Reed and Co. Pty Ltd relating to the withholding of bond money. A further two complaints have been lodged during that period concerning the retention of holding deposits.

2. As a result of complaints received, officers of the bureau visited the offices of L. R. Reed and Co. Pty Ltd in May 1977.

The officers discussed the company's operation with a director and property manager for the company. As a result of these discussions, a number of complaints were resolved and an arrangement was made that upon receipt of any future complaint the company would be advised by phone, followed by a letter, and in turn the company would expedite its replies to the bureau.

3. It is considered that the working relationship between the bureau and management of the company is at this time satisfactory, and as a result, no further action is contemplated.

YAN YEAN PRIMARY SCHOOL

(Question No. 1510)

Mr ROPER (Brunswick) asked the Assistant Minister of Education:

In respect of the water supply to the Yan Yean primary school, what steps are being

taken to connect the water and when the work will commence and be completed?

Mr LACY (Assistant Minister of Education)—The answer is:

The Northern Metropolitan Regional Office has received a report and estimate from the Public Works Department for a new water supply to the school and residence—estimate $21 700.

The Teacher Housing Authority have been asked whether they would be prepared to pay half the cost as they to would benefit from this facility.

The School Council believes they could do the work cheaper and they are currently preparing a scheme in consultation with Public Works Department hydraulics group.

As an interim measure the existing water system has been pressurized from the holiday tank, and the Region has also arranged for water to be delivered as required.

No indication can be given at present on when the work will start and finish.

PRIVATE HAIRDRESSING SCHOOLS

(Question No. 1513)

Mr CULPIN (Glenroy) asked the Minister of Consumer Affairs:

How many complaints have been received in the past five years regarding private hairdressing schools, indicating the nature of the complaints and the action taken in relation to these complaints?

Mr RAMSAY (Minister of Consumer Affairs)—The answer is:

During the period 1 July 1974 to 30 June 1979, 4 (four) complaints have been received. Of these complaints, 3 (three) related to refund of tuition fees or deposits paid. Two have been resolved with moneys refunded to the consumers, one is still under investigation.

In the other complaint, a consumer alleged that brochures issued by a hairdressing school indicated that trainees would obtain employment at the end of the course. The complainant found that this was not so.

The matter was referred to the Trade Practices Commission, and after investigation, the company was required to comply with certain undertakings in relation to specific claims made in promoting its courses.

(Question No. 1517)

Mr CULPIN (Glenroy) asked the Minister of Labour and Industry:

1. Whether any action was taken in relation to a submission submitted to the Government by the Master Ladies Hairdressers Association of Victoria in 1976; if not, why?

2. How many private hairdressing schools are operating in Victoria, indicating—(*a*) the operators; (*b*) the number of people employed in each private salon and their qualifications; and (*c*) whether similar private schools operate in other States?

3. Whether he will take action to see that all teachers in the hairdressing industry train through the Government Apprentice School then with the appropriate industry training; if not, why?

4. How often private hairdressing schools have been inspected in the past four years and what was the result of these inspections?

5. What is the cost involved in attending a training course with the private hairdressing schools?

6. What amount of time is involved in attending a private hairdressing course?

7. What is the cost involved in attending a training course with the Government Apprentice School?

8. What amount of time is involved in attending the Government Apprentice School?

9. Whether he will give consideration to a complete investigation into the ladies hairdressing trade in Victoria on the basis of the submission submitted by the Master Ladies Hairdressing Association of Victoria; if not, why?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

1. Yes. Conferences have been held between repersentatives of the various interests in the industry in an attempt to find satisfactory solutions to the problems of the industry including those raised by the Master Ladies Hairdressers Association of Victoria in their submission to the Government dated November 1976.

2. Four.

(*a*) The Australian Academy of Hairdressing; Venus Hair College; Melbourne College of Hairdressing and Beauty Culture Pty Ltd; Vaduz Nominees Pty Ltd.

(*b*) This information is not available in my department.

(*c*) No.

3. No. The Hairdressers Registration Board's regulations require teachers in hairdressing schools operated under the Hairdressers Registration Act 1958 to qualify by passing an examination held by the Board. The board's examiners are selected nominees from the Staff of the Melbourne Technical College of Hairdressing.

4. Private schools are inspected four times a year. Inspections have revealed that in general they comply with the requirements of the regulations.

5. Information regarding the fees charged by each of these private schools can be obtained direct from the school concerned.

6. The regulations require a student to complete a course of 2000 hours of tuition.

7. Apprentices attending the Melbourne Technical College of Hairdressing are required to purchase the College uniform for $15 at

the start of their course and pay a service levy of $7 each half year.

8. Aprentices in the hairdressing trades are required to attend trade classes for six hours a week for three years during such time as schools are open for instruction. This equates to approximately 240 hours of attendance each year.

9. The Government will continue with its attempts to finalize the matters raised by the Master Ladies Hairdressers Association of Victoria with a view to settling the issues to the satisfaction of all parties concerned in the industry to the degree that that is possible.

RAILWAYS STATION BICYCLE SPACES

(Question No. 1560)

Mr GAVIN (Coburg) asked the Minister of Transport:

1. How many free spaces for bicycles are available at each railway station on the Upfield and Broadmeadows railway lines, respectively?

2. Whether any additional free spaces are proposed during 1979–80?

Mr MACLELLAN (Minister of Transport)—The answer is:

1. and 2.

Upfield line	*Bicycle spaces currently available*	*Proposed additional spaces 1979–80*
North Melbourne	..	..
Macaulay	..	..
Flemington Bridge	..	..
Royal Park	..	..
Jewell	..	..
Brunswick	..	5
Anstey	..	5
Moreland	..	5
Coburg	15	..
Batman	..	..
Merlynston	12	..
Fawkner	15	..
Gowrie	29	..
Upfield	12	..
Broadmeadows line		
Kensington	..	..
Newmarket	..	..
Ascot Vale	..	..
Moonee Ponds	..	..
Essendon	6	..
Glenberview	3	..
Strathmore	8	..
Pascoe Vale	6	..
Oak Park	5	..
Glenroy	6	..
Jacana	..	5
Broadmeadows	48	..

RAILWAYS DEPARTMENT

(Question No. 1564)

Mr GAVIN (Coburg) asked the Minister of Transport:

How many staff were employed in each branch of the Railway Department at 30 June 1979?

Mr MACLELLAN (Minister of Transport)—The answer is:

Branch		
Rolling Stock	7 307	
Traffic	5 816	(including casual labor equivalent to 13 staff working full time)
Way and Works	4 741	
Electrical	822	
Secretary's	515	
Personnel	105	
Planning	90	
Management Controls	3	
Accountancy	607	
Stores	519	
Marketing	156	
Trading and Catering	522	(including casual labor equivalent to 34 staff working full time)
Freight	1 643	(including casual labor equivalent to 21 staff working full time)
Total	22 842	

HOUSING COMMISSION HOMES, WERRIBEE

(Question No. 1574)

Dr COGHILL (Werribee) asked the Minister of Housing:

In respect of concrete homes built in the Heathdale Estate in Werribee:

1. What is the number?

2. In how many cases structural faults have been reported or detected?

3. In how many cases movements between the walls or between the walls and the ceiling have been reported or detected?

4. In how many cases distortion of the walls has been reported or detected?

5. What steps have been taken to prevent further movement of walls?

6. What steps have been taken to prevent insulating material falling through the gap between the ceiling and the wall?

7. What guarantees have been given in respect of repairs carried out in these homes?

Mr DIXON (Minister of Housing)—The answer is:

1. Forty-one.

2. Four cases reported (including one of a minor nature).

3 and 4. Three cases of movement between walls and ceilings, involving distortion of walls, reported. (These are the units referred to in (2) above).

5. One unit has had walls steel bracketted to floor. One unit has had walls regrouted. One unit yet to be rectified by regrouting of walls.

6. One unit has had cornices sealed to the walls.

7. In one case the commission guaranteed to carry out all rectification work necessary to restore the house to a condition of good Commission standard. The work has been completed by the specified date.

RAILWAY ACCOMMODATION UNITS

(Question No. 1578)

Mr CRABB (Knox) asked the Minister of Transport:

With respect to the VicRail contract of $540 878 for manufacture, supply, delivery and leasing of transportable accommodation units:

1. Which firm obtained the contract?

2. How many units are being purchased?

3. How many are being leased and for how long?

4. Whether, under the lease contracts, VicRail is required to purchase the units at the end of the lease?

Mr MACLELLAN (Minister of Transport)—The answer is:

1. Portacom.

2. Nil.

3. Sixty units are being leased for a period of three years.

4. No. However, under the terms of the leasing contract the board has the option of purchasing the units after 1, 2 or 3 years.

HOUSING COMMISSION

(Question No. 1590)

Dr COGHILL (Werribee) asked the Minister of Housing:

Further to the answer to question No. 973 given on 13 November 1979:

1. What is the type of house to which parts (*a*) and (*b*) of the answer refer?

2. What is the thermal conductivity of—(*a*) concrete walls; (*b*) brick veneer walls without reflective foil; (*c*) brick veneer walls with reflective foil; (*d*) each other type of wall indicating the type of wall; and (*e*) each type of ceiling and each type of ceiling insulation in houses constructed by or on behalf of the Housing Commission?

3. What are the former levels and recently adopted increased levels of insulation of walls and ceilings?

Mr DIXON (Minister of Housing)—The answer is:

1. The previous answer referred to a house with insulated brick veneer walls and an insulated plasterboard ceiling under a tiled roof.

2. Commission policy is to build houses in brick veneer construction almost exclusively throughout the State. A variety of different construction materials have been used for commission houses in small numbers. The most recent significant ones are included below:

The "thermal conductivity" of:

(*a*) 100 mm thick light weight concrete walls is 3·0 Watts/sq.m. degrees Kelvin;

(*b*) brick veneer walls without reflective foil is 2·0 Watts/sq.m. K.;

(*c*) brick veneer walls with reflective foil on the inside face of timber framing is 1·07 W/sq.m. K.;

(*d*) other types of wall built recently either in small numbers or experimentally:

(i) timber frame with weatherboards and reflective foil as in (*c*):—1·1 W/sq.m. K.;

(ii) timber frame with asbestos-cement sheet and reflective foil as in (*c*):—1·3 W/sq.m. K.

(iii) 100 mm thick dense concrete walls with 50 mm fibreglass insulation and plasterboard:—0·56 W/m² K.

(*e*) plasterboard ceilings with 75 mm insulation batts under a tiled roof:—0·35 W/sq.m. K.

3. The former levels of "thermal conductivity" for walls and ceilings were:

brick veneer walls (uninsulated)—2·0 W/sq.m. K.
plasterboard ceilings with 75 mm of loose-fill insulation—0·57 W/sq.m. K.

The present levels of "thermal conductivity" for walls and ceilings generally are:

brick veneer walls with reflective foil—1·07 W/sq.m. K.
plasterboard ceilings with 75 mm insulation batts—0·35 W/sq.m. K.

PROPOSED "BLUE ROCK" DAM

(Question No. 1596)

Mr AMOS (Morwell) asked the Minister of Agriculture, for the Minister of Water Supply:

Further to the answer to question No. 1422 given on 31 October 1979 concerning the possible major loss of water from the proposed "Blue Rock" reservoir on the Tanjil River along a deep lead apparently extending from the "Ballarat" mineshaft in the storage area:

1. Whether conditions exist in the vicinity of the "Ballarat" mineshaft that would allow water to enter the deep lead from the bed of the Tanjil River?

2. Whether deep leads, varying in size from a few centimetres to about thirty metres in thickness, can be found in the deepest part of basalt filled valleys in a bedrock surface?

3. Whether the State Rivers and Water Supply Commission is aware of the following conclusions recorded by the Department of Minerals and Energy's Geological Survey of Victoria on 30 August 1979 that the outcrop on the southern side of the Tanjil valley makes it apparent that the Ballarat shaft lies close to the deepest part of a basalt-covered depression in the bedrock surface; if so, whether the Minister intends to ensure that further exploratory drilling is undertaken to locate and examine the "Ballarat" deep lead where it passes out of the storage area of the proposed Blue Rock

dam, in order to assess the water loss factor risk involved before preliminary site works proceed any further and, if not, why?

Mr I. W. SMITH (Minister of Agriculture)—The answer supplied by the Minister of Water Supply is:

1. The "Ballarat" mine shaft encountered about one metre of sub-basaltic wash overlying bedrock. Above the wash is fourteen metres of basalt, extremely weathered near the surface with clay development in the jointing, overlain by soil, both providing a satisfactory seal against leakage from the reservoir.

2. Deep lead material in the vicinity is possibly up to thirty metres thick in the deepest part of the basalt-filled valleys in the bedrock surface.

3. The Water Commission concurs in the conclusion quoted. Exploratory drilling is now in progress near the "Ballarat" shaft in connection with rockfill quarry site investigation. Results will provide further detail on the subsurface geology. Water pressure testing is being done in some of the exploratory bores to examine strata permeability and seepage characteristics. Additional data thus obtained will add to detailed knowledge of the local geology but will not affect the conclusion, based on adequate present knowledge, that leakage from the reservoir via deep leads will not be a problem.

I wish to add that my colleague, the honorable the Minister of Water Supply, would be glad to arrange a meeting betweten Water Commission geologists and any member of Parliament, with interested constituents and their technical advisers, to discuss the question of the deep leads in greater depth and detail than is possible by Parliamentary questions and answers.

FACTORIES IN PRAHRAN ELECTORATE

(Question No. 1604)

Mr MILLER (Prahran) asked the Minister of Labour and Industry:

1. How many factories in the electoral district of Prahran are registered with the Department of Labour and Industry?

2. What are the main categories of manufacturing and industry classifications of these factories and what is the total number of persons employed in each category?

3. In each category how many factories employ—(*a*) less than 10 employees; (*b*) between 10 and 20 employees; (*c*) between 20 and 50 employees; (*d*) between 50 and 100 employees; and (*e*) more than 100 employees?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

1. This information is not available as records of factories registered are maintained according to local government areas. The coding system used is based on post codes, the boundaries for which do not correspond with electoral boundaries.

2. and 3. The information relating to the number of factories registered with the Department of Labour and Industry during any year is not aggregated in this form. However, if the honorable member for Prahran wishes to contact my office, I shall arrange for the primary statistical information to be made available for his perusal, subject to confidentiality of employment numbers with respect to individual premises.

PRIVATE HAIRDRESSING SCHOOLS

(Question No. 1611)

Mr CULPIN (Glenroy) asked the Minister of Labour and Industry:

Whether the Government pays subsidies to private hairdressing schools; if so—(*a*) what subsidies are paid; and (*b*) to whom are they paid, indicating the names of the schools that have received these subsidies?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

As far as I am aware, no subsidies are paid by the Government to these schools.

COMMONWEALTH TRANSPORT MINISTRY

(Question No. 1623)

Mr CRABB (Knox) asked the Minister of Transport:

In view of the proposal for Commonwealth Transport Ministry staff to transfer from Melbourne to Canberra, involving approximately 1500 people, what is the expected effect this proposal will have on the future of public transport in Victoria and on the unemployment situation in this State?

Mr MACLELLAN (Minister of Transport)—The answer is:

I do not envisage the decision by the Commonwealth Government to relocate a number of Department of Transport staff will have any significant effect on the public transport system in Victoria.

I understand that the Commonwealth Public Service Board offers assistance to those employees unable to move out of Victoria in order to find them alternative positions within the State.

Of course the move out of the State will reduce employment opportunities within the Department of Transport in Victoria.

FACTORIES IN GREENSBOROUGH ELECTORATE

(Question No. 1641)

Mrs TONER (Greensborough) asked the Minister of Labour and Industry:

1. How many factories in the electoral district of Greensborough are registered with the Department of Labour and Industry?

2. What are the main categories of manufacturing and industry classification of these factories and what is the number of persons employed in each category?

3. In each category how many factories employ—(*a*) less than 10 employees; (*b*) between 10 and 20 employees; (*c*) between 20 and 50 employees; (*d*) between 50 and 100 employees; and (*e*) more than 100 employees?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

1. This information is not available as records of factories registered are maintained according to local government areas. The coding system used is based on post codes, the boundaries for which do not correspond with electoral boundaries.

2 and 3. The information relating to the number of factories registered with the Department of Labour and Industry during any year is not aggregated in this form. However, if the honorable member for Greensborough wishes to contact my office, I shall arrange for the primary statistical information to be made available for her perusal, subject to confidentiality of employment numbers with respect to individual premises.

QUEENSCLIFF BUILDINGS

(Question No. 1672)

Mr CAIN (Bundoora) asked the Minister of Public Works:

Whether a number of buildings at the foot of the jetty at Queenscliff, previously occupied by the Pilots' Service of Victoria, have been removed; if so, whether it is proposed to replace these buildings, and in that event what buildings will be provided?

Mr AUSTIN (Minister of Public Works)—The answer is:

A caretakers's cottage and boatshed on the foreshore at the foot of the pilot jetty at Queenscliff have been demolished. A new pilot station, incorporating quarters for the Pilot in Charge, six bedrooms and a control room is being built on the same site.

In Larkin Parade, Queenscliff, the Pilot Service proposes to build a new boat repair depot, sufficient to accommodate two pilot launches and incorporating an office and storerooms and amenities for the staff. Pending completion of the new buildings, a small storeroom and a small boat shed are being retained near the foot of the Pilot Jetty.

The new buildings are necessary as a result of the changeover from the pilot cutter system to launches for the boarding and disembarking of pilots outside Port Phillip Heads.

APPRENTICESHIPS

(Question No. 1675)

Mr GAVIN (Coburg) asked the Minister of Labour and Industry:

1. How many persons commenced an apprenticeship in 1979?

2. Whether he can indicate the proportions for each major ethnic group; if not, whether he will consider changing the recording of statistics so that they could be provided in 1980?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

1. Statistical records of the Industrial Training Commission are maintained on a financial year basis.

During the year ended 30 June 1979, the commission received 12 690 notifications of commencements in apprenticeship employment. There were 10 878 indentures of apprenticeship registered with the commission during this period.

2. No. Records of the Industrial Training Commission do not identify the racial characteristics of persons who enter into apprenticeship and I do not propose to make any change in this regard.

FACTORIES IN HEATHERTON ELECTORATE

(Question No. 1684)

Mr SPYKER (Heatherton) asked the Minister of Labour and Industry:

1. How many factories are registered with the Department of Labour and Industry in the electoral district of Heatherton?

2. What are the major areas of manufacture these factories are engaged in, and what is the total number of persons employed in each category of manufacture?

3. What change has occurred in the number of factories and persons employed, in each category, in the electoral district, in the past five years?

4. In each area of manufacture, how many of these factories employ—(*a*) less than 10; (*b*) between 10 and 20; (*c*) between 20 and 50; (*d*) between 50 and 100; and (*e*) more than 100 persons and what change has occurred in the past five years in the factories under each employment category?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

1. This information is not available as records of factories registered are maintained according to local government areas. The

coding system used is based on post codes, the boundaries for which do not correspond with electoral boundaries.

2. and 4.

The information relating to the number of factories registered with the Department of Labour and Industry during any year is not aggregated in this form. However, if the honorable member for Heatherton wishes to contact my office, I shall arrange for the primary statistical information to be made available for his perusal, subject to confidentiality of employment numbers with respect to individual premises.

3. This information is not available.

WESTERN TRUNK SEWER

(Question No. 1692)

Dr COGHILL (Werribee) asked the Minister of Agriculture, for the Minister of Water Supply:

In respect of the main outfall sewer which carries effluent to the Metropolitan Sewerage Farm, Werribee:

1. What is the population of the area served by the sewer?

2. Which sections are proposed to be replaced by the Western Trunk Sewer, indicating the length and the annual cost of maintenance and repairs?

3. What is the estimated cost of construction in each year of the construction period of the replacement Western Trunk Sewer?

4. What is the estimated annual cost of maintenance and repairs of the replacement Western Trunk Sewer?

Mr I. W. SMITH (Minister of Agriculture)—The answer supplied by the Minister of Water Supply is:

1. The estimated population of the area served by the Main Outfall Sewer is 1 311 000 persons as at 30 June 1979.

2. The total length of 25·8 km (16 miles) of the Main Outfall Sewer is proposed to be replaced by the Western Trunk Sewer. The expenditure on maintenance and repairs in the current year is estimated at $458 000.

3. & 4. The project has not yet been approved for construction and the annual maintenance and repair cost has not been accurately estimated but will be lower than that required for the present trunk sewer.

Legislative Council

Wednesday, 12 December 1979

THE PRESIDENT (the Hon. F. S. Grimwade) took the chair at 10.33 a.m. and read the prayer.

ABSENCE OF MINISTER

The Hon. A. J. HUNT (Minister of Education)—I have been advised that the Attorney-General will be absent from the morning and afternoon sittings of the House today on important Government business.

PROBATE DUTY BILL

This Bill was received from the Assembly and, on the motion of the Hon. A. J. HUNT (Minister of Education), was read a first time.

QUESTIONS WITHOUT NOTICE

SHELL REFINERY FIRE

The Hon. R. A. MACKENZIE (Geelong Province)—In the absence of the Attorney-General I direct my question to the Minister of Education as Leader of the House and refer to the disastrous fire that occurred at the Shell refinery in Geelong last night. The fear of such an outbreak has been in the back of the minds of the people of Geelong for many years. Can the Minister inform the House whether any disaster plan was implemented; and, if so, which departments and organizations were involved, and whether the operation which was carried out, if any, was co-ordinated effectively so that the people of Geelong and the House can be assured that every possible action was taken by the Government?

The Hon. A. J. HUNT (Minister of Education)—My only personal knowledge of the fire at this stage is what I have heard on the news. I will certainly take up the matter with the Minister for Police and Emergency Services.

WORK TRANSITION SCHEME

The Hon. B. P. DUNN (North Western Province)—Can the Minister of Education inform the House whether the $250 million school to work transition programme announced recently by the Commonwealth Government is now in any doubt following the Premier's comments repeated yesterday expressing concern about various aspects of the scheme? Further, has an all-State working party

been set up to work out the details of the scheme which it is hoped will come into operation at the beginning of next year?

The Hon. A. J. HUNT (Minister of Education)—A working party existed before the last Education Ministers' conference in Perth in October. The statement made by Mr Viner and Senator Carrick, the then Commonwealth Minister of Education, followed on decisions taken on an all-party basis at the Perth conference, and is in accordance with those decisions.

All States have indicated their support for the scheme. There are, however, many matters of detail to be worked out, and there are questions of ensuring some continuity of the scheme. The principles are not in doubt; the details have still to be discussed, and I believe the *Age* headlines of yesterday gave quite an erroneous impression.

I emphasize again that some people believe that a job creation scheme rather than a transition to work scheme should be established. The two are quite separate, and it is a mistake to confuse them.

SPRAYING OF ROADSIDE WEEDS

The Hon. CLIVE BUBB (Ballarat Province)—I direct to the attention of the Minister of Lands a question relating to the change in policy of the Lands Department on spraying of roadside weeds and express my concern at the change, which may mean that the previously successful campaign to control roadside weeds will fall into disarray and that local ratepayers will suffer hardship because of weeds coming on to their properties. Can the Minister inform the House whether the Lands Department will reconsider this decision?

The Hon. W. V. HOUGHTON (Minister of Lands)—The Act which controls vermin and noxious weeds states specifically that it is the responsibility of the landowners to destroy noxious weeds on the verges of their farms and along the roadside. The practice of Lands Department employees spraying these weeds seems to have grown up over a few years.

It is my view that observance of the provisions of the legislation ought to be returned to, and that Lands Department employees ought to be occupied in eliminating weeds on Crown lands. That is their principal, major and most important responsibility and the landowners ought to bear their responsibilities. If that were done, the Government would have more effective and efficient use of the funds provided for this purpose.

TEACHING SERVICE

The Hon. JOAN COXSEDGE (Melbourne West Province)—Can the Minister of Education inform the House whether it is a fact that some of the limited tenure teachers currently employed who have been given termination notices have also been notified that they will be re-employed on 4 February next year? If that is so, does this mean that the future policy of the Education Department is to employ teachers on the cheap by not paying them over the December–January vacation, and, if so, how does the honorable gentleman think this will affect recruitment for the Teaching Service in the future?

The Hon. A. J. HUNT (Minister of Education)—That is not so. I have already made it quite clear that those teachers employed in the third term on limited tenure who are re-employed as from the beginning of 1980 will be paid for the intervening period.

VOTING IN MUNICIPAL COUNCILS

The Hon. K. I. WRIGHT (North Western Province)—I direct to the attention of the Minister for Local Government the provisions of section 181 of the Local Government Act, which concern councillors who leave the council chamber and do not vote on matters in which they have a financial concern. Some doubt has been expressed about the ability of a councillor to vote for himself when an election is being held for the civic leader in his area. Has the Minister's department any doubt on the legality of that and, if so, will the Government legislate to overcome any doubt that may exist?

The Hon. D. G. CROZIER (Minister for Local Government)—Firstly, in my opinion there is doubt about the effect of section 181 which, as Mr Wright

pointed out, deals not only with the possible conflict of interests of councillors who may be potential or actual candidates for presidential or mayoral office but also applies in the broad sense to the general question of conflict of interests. It is a vexed matter which is currently under review or listed for review by the Statute Law Revision Committee.

The Hon. W. A. Landeryou—What about Mr Houghton? Did he not vote for himself when he was on the council?

The Hon. D. G. CROZIER—For the benefit of Mr Landeryou, I add to what I have told Mr Wright by indicating that the case which is receiving some publicity at the moment arose from an inquiry made to me by a member of Parliament. Consequent upon that, the normal action was set in train. The Crown Solicitor's opinion was sought, and a prosecution was lodged.

I am certainly amenable to proposals from the Municipal Association of Victoria or any other body which may have considered this matter that, regardless of the outcome of the court case, councillors should receive greater protection in these circumstances that is, the case of potential candidates for presidential or mayoral office.

The Crown Solicitor's opinion is that, as the Act stands, there is a prima facie case that an offence may have been committed in this instance. My own view is that the matter should be clarified. After the case has been concluded, I would certainly be amenable to proposals for clarifying it.

MAFFRA WATER DISCHARGE SCHEME

The Hon. J. A. TAYLOR (Gippsland Province)—Is the Minister of Water Supply aware that some time ago the Shire of Maffra applied to the State Rivers and Water Supply Commission for permission to discharge waste water into a State Rivers and Water Supply Commission drain? Initially, permission was refused and the shire made a further request. Has that second request been considered and, if so, what is the result?

The Hon. F. J. GRANTER (Minister of Water Supply)—The second request has been considered and in conjunction with my colleague, the Minister for Local Government, an amount of $27 000 has been provided for the scheme. However, the scheme has been approved on a $1 for $2 basis. The consulting engineers have not completed the final plans at this stage but I understand those plans will be completed early in January and the scheme should then proceed.

BOARD OF WORKS BUILDING

The Hon. D. R. WHITE (Doutta Galla Province)—In July or August this year, the Minister of Water Supply informed the House that problems associated with rectifying the facade of the Board of Works building in Spencer Street would soon be overcome. Can the Minister now inform the House whether those problems have been overcome and whether the trouble has been rectified? If it has not been, when it will be rectified, when will work commence on the project, and when will it be completed?

The Hon. F. J. GRANTER (Minister of Water Supply)—The matter has not been finally resolved with the subcontractors. However, I understand from the chairman that this is near completion. I am sorry I cannot give the honorable member the actual date when it will be. I also understand from my discussion with the chairman that work is likely to commence on the rectification of the facade early in the new year, but more definitely in January. I will make every endeavour to see that that is carried out. I cannot answer the third part of the honorable member's question as to when the work will be completed.

KEYSBOROUGH TROTTING COMPLEX

The Hon. J. W. S. RADFORD (Bendigo Province)—I direct a question to the Minister of Water Supply, representing the Minister for Youth, Sport and Recreation. Is the Minister aware of the meeting of the Loddon–Campaspe Regional Planning Authority held in

Bendigo on Friday, 30 November at which strong opposition was expressed to the suggested move by the Trotting Control Board to Keysborough? Is the Minister aware that in that region there are eight trotting clubs, which compares with only three trotting clubs in any other region in the State?

The Hon. F. J. GRANTER (Minister of Water Supply)—I am aware, having read the notice paper of the Loddon–Campaspe Regional Planning Authority, that a member of the Trotting Control Board, Mr O'Shea, did address this meeting. I am not aware of the outcome of the meeting. However, I will endeavour to obtain the information for the honorable member.

PAYMENT OF RATES

The Hon. W. A. LANDERYOU (Doutta Galla Province)—Is the Minister for Local Government aware that in the event of a ratepayer inadvertently paying another ratepayer's rate notice, it is not possible for the ratepayer who has paid the bill inadvertently to obtain a refund from the council? The matter that has been drawn to my attention involves the St Kilda City Council where a lady inadvertently paid on someone else's rate notice because it had been pushed under her door. She cannot obtain a refund from the council and cannot sue the people next door, whose rate notice it was, because she does not know where they are. If the Minister is aware of this problem, what steps does the Government intend to take to overcome it? Alternatively, if the honorable gentleman is not aware of the problem, is he prepared to undertake a review of the Local Government Act to enable a council to make such a refund?

The Hon. D. G. CROZIER (Minister for Local Government)—I am not aware of the situation. If the Leader of the Opposition would provide me with the details of the case, I will ensure that a review is undertaken.

GRADING OF FOREST TRACKS

The Hon. W. R. BAXTER (North Eastern Province)—I direct a question to the Minister of Forests. As the Forests Commission has insufficient funds to grade access tracks and roads within forest areas along the River Murray, and as those forests have immense tourist potential and value, is the Minister prepared to ask his colleague, the Minister for State Development Decentralization and Tourism, to make funds available to enable those tracks to be graded prior to the forthcoming summer season?

The Hon. F. J. GRANTER (Minister of Forests)—I informed the House last week when it was considering the State Forests Works and Services Bill that $30 000 had been made available for the Barmah forest area. If I can obtain funds from any other Ministry to grade tracks for forests purposes. I will certainly do so. If the Minister in charge of tourism has funds available for this purpose, yes, I will make representations.

SHELL REFINERY FIRE

The Hon. H. R. WARD (South Eastern Province)—My question is directed to the Leader of the House and follows on the comments made earlier by Mr Mackenzie. Following the incident which occurred last night in Geelong at the Shell oil refinery, is the Minister able to indicate whether any checks are to be made on a possible lack of security in the plants at Hastings and Longford? What other investigations are likely to be undertaken to check the general safety measures to be employed at both those centres which are vital in the energy crisis?

The Hon. A. J. HUNT (Minister of Education)—Any major disaster in a centre such as this is always an occasion for review of safety measures and security at other similar plants, and that will occur on this occasion.

ELWOOD HIGH SCHOOL

The Hon. I. B. TRAYLING (Melbourne Province)—Is the Minister of Education aware that at the Elwood High School, at this late stage, some subjects have had to be dropped from next year's courses because of a shortage of teachers in certain subject areas, including physical education? Does the

Minister believe it is important that sport and physical education be an integral part of the education of children in this State? Is the Minister aware that physical education is almost non-existent in many of our high schools but not in the independent schools which serve this area well? What steps is the Department taking to overcome these shortages in some subject areas, particularly in physical education?

The Hon. A. J. HUNT (Minister of Education)—The teacher allowances in secondary schools are so calculated as to enable a proper curriculum range to be offered to children. In fact, they are generous, as I indicated to the House earlier, by world standards.

As I indicated last week when I answered a question asked by Mr Trayling, I investigated a number of cases in the northern suburbs and discovered that the needs claimed by teachers there were based on a teaching week of 17·30 hours to 17·50 hours.

The Hon. B. P. Dunn—Has the Government changed that? The National Party knows the situation but are you able to change it?

The Hon. A. J. HUNT—It is hard to answer three questions at a time. Wherever I find this, I am taking steps with a view to ensuring that a proper working week is observed. I am unable to say what the situation is at Elwood, except that the range of teachers provided is adequate for a proper curriculum, including physical education.

The specialist teachers chosen within an establishment are a matter for the school. I suspect I will discover that, if there is any deficiency, it is either because the school has chosen not to engage physical education teachers or because the working week at the school is unduly restrictive. However, I will ascertain the information and, if the honorable member raises it again tomorrow, I will give him a more detailed answer.

CHANGE IN SCHOOL ENROLMENTS

The Hon. A. J. HUNT (Minister of Education)—By leave, I move:

That there be laid before this House a copy of the paper entitled "The Implications of Changing School Enrolments" presented by the Honorable the Minister of Education to the Victorian Teachers' Union General Council 7 December 1979.

The motion was agreed to.

The Hon. A. J. HUNT (Minister of Education) presented the paper in compliance with the foregoing order.

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

On the motion of the Hon. W. A. LANDERYOU (Doutta Galla Province), it was ordered that the paper be printed and be taken into consideration on the next day of meeting.

PAPERS

The following papers, pursuant to the direction of an Act of Parliament, were laid on the table by the Clerk:

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 69, Part 2, with map (two papers); and No. 111, Part 1, with maps (sixteen papers).

COMMISSION OF PUBLIC HEALTH REPORT

The Order of the Day for the consideration of the report from the Commission of Public Health was read.

The Hon. E. H. WALKER (Melbourne Province)—I move:

That the Council take note of the report.

I wish to comment upon the fifty-sixth report of the Commission of Public Health which, regrettably, applies to the year ended 30 June 1978. My comments will be directed specifically to the section of the report relating to the Industrial Hygiene Division, which begins at page 75. I have brought the matter on because the Opposition is of the opinion that an investigation of that division should be undertaken forthwith.

The Hon. W. V. Houghton—An investigation of which division?

The Hon. E. H. WALKER—The Industrial Hygiene Division. The matters on which I wish to speak are related to conservation and health, especially airborne pollutants. I will make reference to a document prepared by the Health Commission of Victoria which has been submitted to the State Co-ordination Council by the Secretary of the Health Commission, signed by Mr Gardiner. The covering letter is dated 9 November

1979 and the document represents a response from the Health Commission related to the draft State air environment policy. I have given details of the two documents to the Minister of Health.

In the document the Health Commission has sent in response to the policy, the commission's major preoccupation is clearly to protect the economic health, rather than the physical health, of the community. The commission has adopted an attitude which is at odds with preventive medicines and tends to suggest that absolute evidence of health risk must exist before goals or objectives are set for key pollutants. The comments are negative and discredit the draft State air policy standards.

I do not intend to debate the draft policy which has been made available for public comment. The time for that comment closed recently. The Environment Protection Authority will assess those comments, and, at a later stage, the Opposition will debate the document. The serious issue relates to the document and a submission by the Health Commission in response to it.

The PRESIDENT (the Hon. F. S. Grimwade)—I remind Mr Walker that he is considering the Commission of Public Health report 1977–78; his suggested reference is appropriate.

The Hon. E. H. WALKER—At pages 75 to 76 the report deals with a section on the Industrial Hygiene Division, especially polluting chemicals, and investigations made by the division into lead and carbon monoxides. At page 78, the division deals with asbestos. Those are three key pollutants.

In the recent report of the National Health and Medical Research Council on national emission standards for air pollutants, it is stated, *inter alia*:

> The basic objective in the field of air pollution control is to restrain the concentration of pollutants in the ambient air to such levels as will not adversely affect the health, well being or welfare of man in his environment.

Further, the report states that, although it is recognized that emissions cannot entirely be eliminated—the Labor Party agrees with that—emissions can and must however be restricted. The report continues:

> Emissions can, and must, however be restricted in quantity according to their nature and toxicity and to the level of the best practicable means represented by existing technology in the particular field.

In other words, the National Health and Medical Research Council takes the issue seriously and as a general basis indicates that it is the responsibility of the Government to reduce pollutants to the degree that is practicable and possible.

Three key statutory bodies are involved in recommending policy management relating to health and air quality. They are the National Health and Medical Research Council, the Environment Protection Authority which was the author of this policy document, and the Health Commission which is the author of the document which the House is debating. For the benefit of honorable members, I wish to comment quickly on the role of the three bodies. The National Health and Medical Research Council is funded by the Commonwealth Government. It advises Commonwealth and State Governments on all matters of public health legislation and administration, on matters concerning the health of the public and on medical research. The membership of the council is from Commonwealth and State health departments, from universities, specialist medical organizations and others.

The second body, the Environment Protection Authority, which is known to most honorable members, was established by this Government to protect and improve the air, land and water environment for the people of Victoria. The aim of the Environment Protection Authority in relation to air is:

> To control emissions to the atmosphere thereby achieving a high quality air environment for the benefit and well being of people.

The third body, the Health Commission, which published the report which the House is debating, was established in 1977 with the functions of:

> The overseeing, supervision, maintenance and co-ordination of health services in Victoria.

There is general agreement between the Environment Protection Authority and the National Health and Medical Re-

search Council on attitudes towards serious pollutants. Both bodies recognize that health is of primary importance in the policies they establish.

I use as evidence the report that I have been debating and the submission by the Health Commission to the Environment Protection Authority, as distinct from the other two. Particularly in its submission on the Environment Protection Authority draft environment policy, the commission bases its approach on different grounds. I mention two grounds specifically. Firstly, the commission believes complete proof of detriment to health must be established before objectives can be set. That is quite a reverse situation. In other words, if proof must be established before objectives are set, one is not talking in a preventive sense. Secondly, the commission is concerned with the economic factors involved in regulation of air quality. I will indicate some specific examples of that later.

The National Health and Medical Research Council and the Environment Protection Authority both take the standpoint of being safe rather than sorry. At page 21, the draft air policy Environment Protection Authority report relating to lead says:

> As there is at present no consensus as to what constitutes a safe long term exposure to lead, especially in the developing stages of human nervous systems, the only responsible public health approach is to err on the side of conservation.

The National Health and Medical Research Council, in its report of October 1979 from the 88th session of the council said, regarding lead:

> Council noted that on present knowledge, lead had no essential role or beneficial effect for humans, and that the total body burden of lead, for persons not occupationally exposed, was derived mainly from food, air and water.

This was considered by the National Health and Medical Research Council, given recent researches, to be a basis for recommending goals or objectives for blood-air levels.

The Health Commission comments that the levels for lead cannot be substantiated on scientific grounds. It says that the detriment must be completely proved before action is taken. This approaches the problems from a different angle. One may characterize the Health Commission angle as damage first, action afterwards, whereas the National Health and Medical Research Council and the Environment Protection Authority are concerned with protection where serious doubt exists. Apparently the Health Commission works differently.

On the second matter—economic considerations—each major pollutant has been considered by the Health Commission in economic terms. I talk about the major pollutants that are the concern of the draft air policy and of the report by the Health Commission to the State Co-ordination Council. The draft air policy recommendation on acceptable levels of photo-chemical oxidants, measured as ozone at 0·10 parts per million, is accepted:

> Because it will not be economically disruptive.

I am quoting from the document made in submission to the draft policy.

The Hon. W. V. HOUGHTON (Minister for Conservation)—I take a point of order. This item on the Notice Paper refers to a 1978 report of the Commission of Public Health which no longer exists. The honorable member is quoting extensively from a draft air policy document which is not under consideration in this motion. He is referring to an approach by the National Health and Medical Research Council which is not a State group. He is referring to the Environment Protection Authority which is not mentioned in the document, and I am having difficulty, as is undoubtedly every honorable member, in associating the subject-matters under review with what the honorable member is saying.

The PRESIDENT (the Hon. F. S. Grimwade)—When the honorable member started consideration of this report, I drew to his attention the fact that it was the annual report of the Commission of Public Health. In so far as he is comparing policies and comments within the report with what other bodies may also say, I believe the honorable member is in order, but I suggest that he perhaps bring his remarks back to relevance fairly frequently so that it is obvious that that is the case.

The Hon. E. H. WALKER (Melbourne Province)—I was endeavouring to lay the groundwork. I appreciate the concern of the Minister because it appears that I am using several documents. I was laying groundwork to make specific reference to the report under debate. What I am saying is germane. The topic is not simple. It needs to be properly established before I can make the serious points that I wish to make in relation to the public health report. I was giving an example that the Health Commission tends to take two approaches with which I do not agree. First, one must prove detriment before taking action. Secondly, economic considerations are taken into account in what I consider to be health questions.

I will make a reference in that regard which will perhaps help the Minister to understand what I am getting at. At page 75 of the report of the Commission of Public Health under the heading of "Lead", there is a list of the total number of tests for lead exposure performed by the division. I remind honorable members that this report is well over a year old but it is the most recent information available. The number of tests for lead in air performed by the division was given as 50. At page 76 of the report, the following appears:

> Two cases of non-occupational lead absorption were investigated—an 18-months old boy and a retired man from Euroa.

I mention this point because the other report which I consider serious, a submission to the Environment Protection Authority, suggests that the Industrial Hygiene Division has some real knowledge of lead in air and lead poisoning. I refer to this page because only two cases of lead absorption were investigated—an eighteen-months-old boy and a man from Euroa. The report continues:

> The child was found to be an avid eater of soil and a sample of the dirt at his home contained enough lead to account for the excessive lead absorption.

The report then discusses the man. I mention that as an example because I wish to refer to the report given recently to the Environment Protection Authority by the same body, which purports to be knowledgeable on lead.

The Hon. W. V. Houghton—From the same body?

The Hon. E. H. WALKER—From the Health Commission.

The Hon. W. V. Houghton—It is not the same body?

The Hon. W. A. Landeryou—It is still Dr Christophers and the rest of the incompetents.

The Hon. E. H. WALKER—I was trying to make a direct connection on the matter of lead from the public health report and this document to the State Co-ordination Council. Under the heading of "Lead" the following appeared:

> Officers of the Industrial Hygiene Section believe that the proposed acceptable level of 1·5 ug/m^3 cannot be substantiated on scientific grounds. They are entirely unimpressed by the studies purporting to show a detrimental effect of low lead exposure on the mental ability and behaviour of children.

That is a serious statement. It becomes worse. After a further sentence, the following appeared:

> However it is clear that levels found in the vicinity of major roads are likely to exceed the proposed levels and it is certain that a confirmation of these levels would produce a considerable disruption to the community.

That is a political comment. The report continues.

> The agitation against lead is being vigorously promoted by influential groups opposing freeways and this movement is already receiving considerable support from several municipal councils within the city.

I take that to be municipal councils within the province that I represent because I know certain municipalities within the Melbourne Province, notably Fitzroy and Collingwood, have been investigating lead. The writer of this official and significant report from the Health Commission says:

> A situation where the acceptable level for lead is known to be exceeded in situations within private residential properties will be politically explosive.

This is interesting advice from the commission to the body that is expecting to set levels and methods of establishing those levels. The report continues:

Two courses of action are available which would take some heat out of the situation without disturbing the acceptable level of 1·5 ug/m³.

I remind honorable members that that is the recommended level in the draft policy.

The Hon. W. V. Houghton—Is that a public document?

The Hon. E. H. WALKER—I believe so. The Minister must have a copy. I will be happy to provide him with my copy. The author is indicating two methods that could take some of the heat out of the problem. He says:

One course would be to lengthen the averaging period from the proposed 30 days to one year.

The proposed 30 days' averaging period is related to 1·5 micrograms per cubic metre. He is saying that if one extends that to a year one would be ameliorating the problem. The report continues:

The other course would be to clarify the meaning of ambient air and define it as being representative of air over a wide area of the community and not air situated close to pollution sources.

That is a serious matter because the Health Commission is saying that to ameliorate this situation and take some heat out of the problem, one should measure the problem differently.

In other words, do not measure it along the roads where the problem is, measure it over a wide area where results can be obtained which are not so damaging. I could read a lot more, because a serious situation has arisen, and it ought to be investigated. The essence of what I am saying is that the Minister ought to investigate the submission. It goes on to state—and I am still talking of lead:

Although it is not stated in the draft policy document, the sampling sites referred to have all been carefully chosen to be remote from any large sources of pollution and remote therefore from busy roads.

If the meaning of "ambient air" were clarified in this way, it could be confidently asserted that the proposed level had not been exceeded on any occasion in the past and would not be exceeded on any occasion in the near future.

It is known that measurements of ambient air taken near to Alexandra Parade, Fitzroy, show alarming levels of lead and this document explains how to go about seeing that future official readings will not be so alarming, and will not reach the levels suggested.

I do not wish to comment too much further, but the seriousness of my claim is such that the Minister ought to take action to investigate the Industrial Hygiene Section, which is responsible for this submission to the Environment Protection Authority.

I want to add a couple of examples to indicate that the seriousness of the issue relates to not just one report or an oddity. I wish to make two quotes very quickly. One is from the *Age* of 3 April 1978 under the heading "Lead poisoning tops the health hazard list". It is written by Mr Lindsey Arkley. Late in the article, Dr Allen Christophers is mentioned, and it indicates that he has been the Health Department's Chief Industrial Hygiene Officer and head of the division for more than twenty years. I am now referring to an issue which is an industrial health hazard, and I wish to quote this article to indicate the rather dangerous attitude Dr Christophers takes to his important work. I quote:

Dr Christophers said there was "quite a lot of industrial deafness around".

Representatives of his division, the Deafness Foundation of Victoria, the Trades Hall Council and the Chamber of Manufactures were at present reviewing draft regulations to control noise levels in industry.

The proposed regulations would set 90 decibels as the maximum permissible noise level.

Dr Christophers said it would be impractical to introduce a maximum noise level lower than 90 decibels.

"Really 90 is probably too low for practical purposes because there are plenty of places around with levels well above that," he said.

According to a group of Sydney health workers who have set up a Workers' Health Centre, 75 to 80 decibels is the safe noise level and for every three-decibel increase in volume the time spent in the noise should be halved.

On this basis, assuming an eight-hour day, the centre believes a worker would be risking hearing damage if he worked in noise of 90 decibels for more than about half-an-hour.

Dr Christophers said the centre's claims were "factually correct", but it would take many years before a worker exposed daily to a noise level of, say, 90 decibels would suffer any appreciable hearing damage.

He believed workers generally were not concerned enough about industrial deafness.

"I've tested people who work in noisy conditions and told them their hearing is deteriorating, but it doesn't seem to worry them that much," he said.

I consider Dr Christophers's public comment is irresponsible. I wish to quote a further short item in the *Age* of 3 April 1978 under the heading "Workplaces that put life in peril", and again Dr Christophers is quoted. The item states:

Dr. Christophers said that sometimes—particularly in the U.S.—there was an "overreaction" when a substance being used in industry was found to have previously unknown adverse affects.

Many substances of this description are showing up from time to time. The item continues:

"They've gone mad about occupational health in America," he said. "They're directing their energies into chasing ghosts and making a fuss about things that don't matter."

I use only those two examples to bring to the attention of the House the need for a serious investigation to be undertaken into the Industrial Hygiene Division of the Health Commission, the officers of which are authors of part of the report of the Health Commission, particularly the industrial health section.

I wish to make one further point in that regard. I am now talking about the general Health Commission submission to the Environment Protection Authority on the draft air policy. The commission recommends the abolition of class 3 indicators as suggested in the draft air policy. Three classes of pollutants are mentioned. The ones I have been talking about generally are in class 1, and include carbon monoxide, lead in air, nitrogen dioxide, and so on. Class 2 is a long list of chemicals. These are serious chemical pollutants and objective standards are given.

Class 3, to which I am now referring, is a short list of very serious polluting substances if found in air. The Health Commission submission that I have been talking about, recommends the abolition of class 3 indicators as suggested in the draft air policy and, states that these include Asbestos, Benzene, Beryllium, Mercury, Radio Nuclides, Vinyl Chloride, and others. These are wastes which are potentially carcinogenic, mutagenic, teratogenic, highly toxic or highly persistent.

For these substances, the National Health and Medical Research Council has recommended levels in the breathing zone to protect workers. These cannot be directly applied to specific ambient air quality criteria. The draft policy recommends, however, that it is necessary to minimize or prevent their discharge to the atmosphere, which I think is very sane. The Health Commission recommends abolition of this category as being impracticable and suggests transferring these chemicals and substances to class 2, which is the less dangerous class, within certain permitted levels. That is a grossly irresponsible comment for the commission to make, and is an indication of the cavalier attitude with which it regards these extraordinarily toxic substances.

I will finish with one other example, and I refer to one of those class 3 substances. The accepted standard in Victoria for asbestos is 2 fibres per millilitre of air. This year, a report from the advisory committee on asbestos in Great Britain estimated that at this level, 1 in 10 workers were likely to die from disease caused by white asbestos at that level. The committee in Great Britain recommends a zero level of asbestos in the air. It says there is "no threshold below which cancer causing substances such as asbestos have no effect". In other words, there is no minimum that is not to some degree deleterious. One should try to have a zero level of asbestos in the air. A new British standard of 1 fibre per millilitre which is one-half the prescribed level in Victoria, is to be imposed in December 1980. In April 1979, the then Minister of Health, Mr Houghton, was advised by the Health Commission that threats from asbestos wastes dumped in Victoria were minimal.

In the *Age* of 3 April 1979, under the heading "Asbestos Waste Danger Minimal" the Minister of Health said that the handling of asbestos waste in Victoria presented an extremely minimal danger to the community. I do not

blame the Minister for saying that, because he was advised by the Health Commission. He went on:

> A Health Commission report on asbestos waste handling had cast doubt on whether the danger could even be measured.

Victoria has a most serious threat to air quality and industrial health in particular. The documents that I have quoted, particularly the final document from the Health Commission to the State Co-ordination Council, are so serious that an immediate investigation ought to be undertaken into that division of the Health Commission.

The Hon. W. V. HOUGHTON (Minister for Conservation)—As I indicated in a point of order which I took during the course of the debate, Mr Walker mainly talked about the responsibility of the Health Commission for a draft air policy which has been circulated, is currently under public scrutiny and has not yet been adopted by the Evironment Protection Authority. The report that Mr Walker quotes has not been seen by me, and it was not indicated to me that it would be debated this morning. Accordingly, I find myself at a disadvantage in responding to it.

However, it is quite clear that Mr Walker is seeking some inquiry into the operations of a division of the commission. That would not be appropriate under any circumstances. The captain is responsible for the ship. The Minister is politically responsible for the operation of his department, and the department is responsible for advice to the Minister. A division of the department is at a much lower level than the Health Commission and it would not be at all appropriate to suggest that an inquiry should be held into the Industrial Hygiene Division.

The words of Dr Christophers have been extensively quoted. Dr Christophers is well known to me. He is a most competent and able scientist. Additionally, he is a complete realist and many of the airy-fairy "eco" freaks —fortunately there are not many of them about these days—would not be able to come to terms with the realism of Dr Christophers's scientific pronouncements. He is a direct man and a very able scientist. He is able to say what a lot of people would like to say about the so-called effects of various chemicals. That is not to write down the danger. I agree entirely with Mr Walker that a considerable danger exists in the community through the use of many chemicals in our environment today. I am concerned about the industrial effects of noise and pollutants of various kinds to people working in industry. I am not talking only of the so-called workers—the people the Opposition like to describe as workers.

The Hon. Joan Coxsedge—Are you indicating that you are not concerned about the welfare of the people?

The Hon. W. V. HOUGHTON—Perhaps Mrs Coxsedge ought to listen. I am not indicating that I put anything before the welfare of the people. I am saying in plain words that I am concerned not only about those so-called workers in industry. I am using that term in the widest possible sense. I am using it not only in the sense of those who dig the ditches, turn the taps on and off, or look after the stores, but every person involved up to the managing director. I know Mrs Coxsedge is not concerned about that sort of person, but they to me are people, just as much as the person Mrs Coxsedge would have us believe she is concerned about.

The Hon. R. J. Eddy—It is about time you started to worry about others.

The Hon. W. V. HOUGHTON—I am often worried about Mr Eddy; I have been worried about him for years and years. I have expressed my concern about him very often and it is a very genuine expression of concern. Let me return to the document from which Mr Walker quoted. I am referring to the response by the Health Commission to the draft air policy and, as I indicated earlier, I have not read that response. I would be interested to know whether it is a public document or whether Mr Walker has been able to obtain it from someone in my department without my having seen it.

The Hon. E. H. Walker—It was sent to me. Although it had no covering letter I believed it came from the Health Commission. I am surprised that the Minister did not have a copy of it.

The Hon. Joan Coxsedge—The Minister does not know what goes on in his own department.

The Hon. W. V. HOUGHTON—If Mrs Coxsedge is ever in charge of a department, which is extremely unlikely—it is just as unlikely that any other member of the Opposition would control a department—she would realize a vast amount of paper comes in and that many items would certainly be unknown to her. It is impossible for the Minister to know the contents of all the documents in the department. However, that is really not the point. In considering whether an inquiry should be undertaken into the division and the appropriate way of handling this problem, I suggest that the Health Commission ought to take the responsibility for any inquiry which has to be made. It should not be carried out into a division down the line from the head department, which is responsible for the responses to the draft air policy.

The motion was agreed to.

INDUSTRIAL RELATIONS BILL

The Hon. A. J. HUNT (Minister of Education)—I move:—

That this Bill be now read a second time.

It implements the major recommendations of the First Report of the Committee for Review of the Labour and Industry Act 1958 submitted in April 1976. That committee included employer and employee representatives together with representatives of the Government, and they reached a marked degree of consensus. The provisions in the Bill are largely based upon the recommendations of that committee and the provisions have also received a marked degree of community consensus. In presenting the Bill, I reiterate those expressions of thanks expressed by honorable members from all parties for the work the committee has done.

The Bill makes two major improvements in the Victorian wages board system. Firstly, it establishes an Industrial Relations Commission, and secondly, it renames and increases the authority of the wages boards.

The Industrial Relations Commission will replace the two existing, separate organs, namely the wages boards and the Industrial Appeals Court, with one unified, co-ordinated system. However, it will retain the essential informality and participative nature of the boards whereby employers and employees or their representatives are directly involved in the wage fixing process.

The new commission will be full-time and will deal with a broader scope of subject-matters than does the Industrial Appeals Court. The commission will act in three separate ways: In court session when the president will deal with the legal aspects of employment relationships; in full session when the president and two commissioners will sit on the non-legal aspects of the jurisdiction; and with a commissioner acting alone when the commission may use one of the commissioners to seek out information, or to act as a conciliator, in a particular situation.

The second major change provided for in the Bill will effectively strengthen the wages boards. The Bill changes the name of wages boards to conciliation and arbitration boards and, although the boards will be similarly constituted and exercise much the same functions as the present wages boards, they will have additional powers in the area of dispute settlement.

The Bill gives to the chairman of each conciliation and arbitration board the power to convene meetings in order to endeavour to settle disputes. It gives to the parties to the dispute the right of access to tribunals in an endeavour to keep the doors open for conciliation for as long as possible and, where necessary, for the settlement of disputes to be arbitrated upon by either a chairman or the commission.

The Bill for the first time brings into the State system the concept of industrial agreements, with the Industrial

Relations Commission being the registering authority. The commission will also have the power not to register an agreement—in which case it would not be enforceable under the proposed legislation. By providing such a system, the State of Victoria would be recognizing what is a fact of life in industry: Agreements are made between employers and employees, they will continue to be made, and it is better that they be made inside a formal system to ensure that agreements which would not be in the public interest are avoided.

It also proposes a system of recognition of industrial associations of employers and employees, and provides for the recognition of associations of industrial associations, such as the Victorian Trades Hall Council and the Victorian Hospitals Industrial Council.

In addition to these major alterations, the Bill proposes to transfer to the commission certain functions which are currently carried out by the Minister or the Governor in Council.

The Bill preserves existing rights to long service leave and to annual leave and substantially increases some penalties for breaches of the Act.

Many machinery matters have been transferred directly from the Labour and Industry Act, such as the appointment of inspectors, legal proceedings and other such matters.

These then are the major reforms:

A full-time Industrial Relations Commission is established.

The authority of wages boards is increased, giving the chairman a power of arbitration to assist in the resolution of industrial disputes.

The wages boards are renamed conciliation and arbitration boards and will be co-ordinated within the Industrial Relations Commission.

The functions of the appeals procedures are streamlined so that the president may deal with legal matters sitting alone, thus freeing the other two commission members for other activities. The full commission will still have specific responsibilities and power to assign special duties to individual members of the commission.

The concept of registration of industrial agreements is established.

Provision is made for the recognition of industrial associations.

I have circulated a memorandum giving full details and the background to this measure. Attached to the Bill is an explanatory memorandum which explains the clauses. In those circumstances, I feel I need not go through that detail and I simply commend the measure to the House.

On the motion of the Hon. W. A. Landeryou, for the Hon. JOAN COX-SEDGE (Melbourne West Province), the debate was adjourned.

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

BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL

The Hon. A. J. HUNT (Minister of Education)—On behalf of the Attorney-General, I move:

That this Bill be now read a second time.

The purpose of the Bill is to make a series of amendments to the Building Industry Long Service Leave Act 1973—

To enable working sub-contractors to participate in the scheme established by the Act on a voluntary basis as distinct from the present compulsory scheme in respect of such persons.

To provide for the re-imbursement to employers of payments in respect of long service leave made in advance to workers during the period 1 January 1974 to 1 February 1977.

To enable a principal who resides in Victoria and who employs workers in building and construction work in Victoria and in States other than Victoria, to be exempted from the requirement to pay long service leave charges to the board. Before granting an exemption in such circumstances the board must be satisfied that the applicant makes payments in respect of the workers concerned to a similar scheme in another State.

To adjust the relevant sections of the principal Act to bring them into conformity with the long service

leave provisions of the Labour and Industry Act which were adjusted by the Parliament in 1978.

To enable a reduction to be made in the rate of the statutory charge to be paid by principals to the board.

To make provisions for the payment of interest on the charges received by the board from a working sub-contractor on behalf of himself.

To clarify and simplify the directions relating to legal proceedings under the principal Act, and

Generally to adjust the principal Act to facilitate its administration by the board.

How the objectives are covered in the Bill is explained in an explanatory memorandum attached to the Bill, which honorable members will, no doubt, read with interest. There is also more detail in the general memorandum which I have circulated and, therefore, I commend the Bill to the House.

On the motion of the Hon. G. A. S. BUTLER (Thomastown Province), the debate was adjourned.

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

PROBATE DUTY BILL

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a second time.

The main purpose of the Bill is to give effect to the Budget decision to extend the exemption provisions of the Probate Duty Act to provide complete exemption for estates passing from a grandparent to a grandchild. Honorable members will recognize that this is a further step towards the Government's ultimate aim of completely abolishing probate duty, following the exemption in 1976–77 of property passing between spouses and in 1977–78 of property passing from parents to children.

An explanatory memorandum setting out detailed explanations of the clauses in the Bill has been circulated for the information of honorable members. I commend the Bill to the House.

On the motion of the Hon. W. A. Landeryou, for the Hon. E. H. WALKER (Melbourne Province), the debate was adjourned.

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

MOTOR ACCIDENTS (AMENDMENT) BILL

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a second time.

It amends the Motor Accidents Act to provide a scheme under which benefits are payable without delay to victims of motor car accidents.

Although the concept of assistance under the Act is the payment of a lump sum to take account of the disabilities, including medical and hospital expenses and loss of income, in practice the majority of benefits are paid by way of weekly sums. Experience has shown that injured persons need benefits to flow immediately after the accident in order to maintain themselves and their families on a weekly basis.

Doubt has arisen as to whether or not benefits paid in this fashion are subject to the payment of income tax. It was never intended that benefits under the Act should attract income tax. Those benefits currently are 80 per cent of pre-accident income after tax.

Accordingly the amendments proposed by the Bill are designed to make the position clear. They adjust the relevant sections of the principal Act to remove the notion of payments based on "loss of income" and to replace it with a system based upon "loss or impairment of earning capacity". This will have the desired effect of making it clear that any payment of benefit under the Act is a lump sum or part of a lump sum of compensation and therefore not taxable.

Attached to the Bill are notes which explain it in detail and I do not intend, therefore, to canvass the clauses.

Meanwhile, honorable members will agree that it is important to preserve the full value of benefits in the hands of recipients. The measure does that and I commend it to the House. I invite its speedy passage.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I take up the invitation of the Leader of the Government. The Labor Party offers no opposition and commends the Bill to the House.

The motion was agreed to.

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

YOUNG FARMERS' FINANCE COUNCIL BILL

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

That this Bill be now read a second time.

It establishes the Young Farmers Finance Council to assist young people to own their own farms.

The price of a viable farm, including machinery, equipment and stock, is at least $150 000. For most types of farming the figure is in excess of $200 000 and is increasing rapidly. Under these circumstances it is extremely difficult for young people to obtain their own farms. Almost half of Victoria's farmers are more than 50 years old, and it is important that capable and energetic young people be helped to obtain their own farms.

It is not proposed that the council find land first and then seek suitable applicants, as was done in previous land settlement schemes. Under the Bill, a young farmer with an insufficient deposit for normal commercial lending will come to the council with a proposition for the purchase of a particular farm.

There are many older farmers who wish to retire and would be prepared to leave their money invested in the farm, but they are advised by their accountants to take a large deposit at the time of sale. However, with a Government guarantee they would be more willing to leave their money in the property. This Bill will provide that guarantee. It allows the young person who has found what he considers a viable property, with a seller who does not need the money from the sale immediately, to seek assistance from the council. If the council approves the young farmer's proposition, it will recommend to the Rural Finance Commission that the applicant be provided with a guarantee for the repayment of his loan. This will improve the ability of the young persons to borrow money from normal commercial and family sources.

The Bill also requires the council to investigate and advise the Minister of Agriculture on ways of developing alternative schemes for the purchase of farming land and improvements for lease or sale to young farmers.

The council will have six members, three of whom will be experienced farmers. The young farmer organization will have one member and the other two will be people with knowledge and experience in business or finance. Such expertise is required because the council will be considering proposals involving substantial sums of money.

Clauses 1 and 2 deal with the citation and the division of the Bill into Parts, and clause 3 sets out a number of interpretations. Clause 4 establishes the council and requires the Rural Finance Commission to provide the necessary staff. Clause 5 details membership of the council. Clause 6 sets out various procedural matters regarding the conduct of business by the council. Clause 7 provides for remuneration of council members to be fixed by the Governor in Council.

By clause 8, members of the council are to hold office for a period fixed by the Governor in Council, provided that it is not more than three years at a time. The clause also provides for appointments in the case of temporary absences.

Clause 9 requires a quorum to be at least four members. Clause 10 allows the council to enter into agreements with the Rural Finance Commission regarding the provision of staff, and also allows the council to obtain assistance from any department, subject to the consent of the responsible Minister.

Clause 11 requires the council to submit an annual report. Clause 12 sets out the functions of the council. Clause 13 provides that the council is to be subject to the general direction of the Minister.

Clause 14 deals with guarantees for the repayment of loans, and clause 15 sets out the criteria for eligibility. Clause 16 requires the council's reports to be laid before both Houses of Parliament.

Clause 17 inserts two new sections in the Rural Finance Act 1958. These are section 35A, which allows the Rural Finance Commission to enter into agreements with the council for the provision of staff and allows the commission to execute guarantees, and section 35B, which specifies various conditions relating to guarantees and limits the guarantees to 90 per cent of the valuation of the security, except with the consent of the Treasurer.

This Bill is a positive step towards encouraging capable young people to take up farming or to continue working the family properties. I commend the Bill to the House.

The Hon. D. E. KENT (Chelsea Province)—This Bill is like many other good intentions and institutions, such as motherhood: One cannot be opposed to it, although one may wonder in some circumstances how effective it is.

The Bill is a gesture towards a concept popular among rural people that special consideration should be given to young people to enable them to establish themselves on farms. This consideration is not extended broadly to every other category of occupation in which people desire to engage.

At the outset, lest I run the risk of misinterpretation, which seems to be my lot occasionally, I state that the Labor Party does not oppose the Bill, although its members see it largely as a public relations gesture which the Government feels obliged to undertake because, repeatedly over the years, it has promised schemes to assist young people to become the owners of farming properties.

Anyone who knows the situation is aware that this objective, however worthily held, is not one which is easily fulfilled. As the second-reading notes state, the price of a viable farm ranges widely but an estimate is at least $150 000 just for the land. That figure does not take account of stock and machinery which is essential if the property is to be worked efficiently so as to provide a reasonable living. It is extremely difficult for young people to acquire a property when that sort of capital is required. It is unfortunate that not enough action has been taken to create a situation whereby there is a restraint on the capital value of land. Parliament continues to pass legislation which encourages the development of capital and the protection of it, making land valuable and consequently more difficult to obtain by those who do not happen to be fortunate enough to have the right parents.

The Bill will not set up a settlement scheme under which tracts of Government land will be made available to selected farmers. Rather, it is designed to provide opportunities for younger people to have loans guaranteed. I do not know whether the Bill specifically states the age limits, but I understand that the age for eligibility is between 25 and 40 years. Is that correct, Mr Minister?

The Hon. W. V. Houghton—Yes.

The Hon. D. E. KENT—Suggestions have been made that the lower age limit for eligibility should be 18 years and that the upper age limit for eligibility should be lower than 40 years. There is an assumption that, by that age, people should have been able to establish themselves. The matter is open to argument.

However, if there is too wide a range of eligibility, it will be much more difficult for people seeking assistance, the majority of whom will be in the range of something like 25 years to the early 30s. They must first have the opportunity of purchasing a suitable property, one which the council would approve. The important point made in the second-reading speech is that, having on their own initiative obtained a likely property, there is a distinct advantage in obtaining finance through the vendor of the property if that vendor is aware that the Government will guarantee the loan. This move provides the opportunity for a number of people to obtain farming properties.

In recent years, various figures have been quoted about the age of farmers. Like everyone else, they are getting older. I do not have the figures with me today, but there has been confusion about farmers who own the capital invested in the property and those who work on the property. Recent figures released by an authoritative source, which I cannot quote because I do not have them before me, indicate that contrary to the general impression which has been spread in recent years, the average age of Victorian farm owners has not risen considerably. There have been fluctuations over the years because there has been a large changeover of farm ownership in some periods, such as immediately after the war when a large number of people in the 25 to 35 years of age group took over farm properties. Many of these people are still landowners.

One reason farmers who own the property, as distinct from people who work on farms, tend to reach a higher average age than one would expect is that farming today is more capital intensive and not as labour intensive as it was in the past. It is only natural to assume that as people get older they are more likely to have the necessary capital to own a property.

This measure is a gesture in the right direction which will no doubt be useful for political purposes and will undoubtedly provide an avenue for a small number of young people to obtain finance with which to buy farms. It is hoped that in the process it will not put further pressure on land values because once new finance is available that tends to inflate the price of land.

I hope this measure will not have that undesirable effect and that eventually, as a result of the passage of this Bill, the Government will look more seriously at more effective means by which a larger number of young people who wish to engage in farming will be able to do so without having to own the capital involved.

I support the concept of land banks. I do not commit myself to the models, such as the Saskatchewan land bank or the land bank that has been operating in a small way in Tasmania. Those concerned with land ownership and the way in which land is to be used in future should seriously consider providing opportunities for young, enthusiastic and capable farmers to engage in a practice they can perform most efficiently. The Opposition supports the Bill.

The Hon. W. R. BAXTER (North Eastern Province)—Although this measure goes nowhere near matching the promises made by the Government prior to the last election, it is a welcome start of that proposal and I applaud the Government for its move to at least get on with the job so soon after the election.

As Mr Kent said, there is a long way to go. Honorable members should remind themselves that the wealth of the nation has been provided by farmers for many years and that in fact Australia is still very much reliant on the farming community for the standard of living enjoyed by Australians, regardless of occupation. I take issue, to a certain extent, with some of Mr Kent's remarks because he appeared to imply that there was something wrong with the ownership of land and that in some way it made a person a dirty capitalist, which is perhaps what he was trying to say. Knowing Mr Kent's background in the Wimmera and Mallee area, I find his attitude difficult to fathom, but he nevertheless makes interesting listening.

The average age of farmers is increasing. Mr Kent made the point that historically the age of farmers has fluctuated, depending on the influx of young farmers due to land settlement schemes. Land settlement schemes have been criticized from time to time. Mistakes were made. In some cases the farms were too small to be viable, the area was unsuitable, and in odd instances the selection of the applicants was wrong because many were not suited to life on the land or had no managerial experience and had never used a cheque book so they spent lavishly once they got one. But that is a fact of life that is inherent in any scheme designed to put people on the land.

Honorable members should remember that land settlement schemes initiated throughout Australia, particularly

in Victoria in the past, have played a significant part in the economy of the State and in providing the people of the metropolitan area with a bountiful supply of high quality foodstuffs at reasonable prices. The acquisition of a farm is a costly business, but there is reason for providing some assistance to enable people to establish themselves on farms. It is all very well for Mr Kent to say that assistance is not provided for other occupations, but there are few other occupations that require such an initial input of capital to start. Because of that high initial capital input, it is desirable that Governments, through a number of means, assist young people with that acquisition.

This measure, by providing a guarantee, will encourage many older farmers to dispose of their properties but leave funds in the properties knowing that they will receive the money in due course. It will also facilitate the handing over of family farms to the next generation. Many farmers can manage that, through their own initiative, because they desire to hand over their farms to their family as soon as possible. Some other farmers, who are perhaps conservative, are reluctant to do so and it is impossible for the son to buy out the father in the normal course of events. This Bill facilitates that process and the handing over of many farms to the next generation will improve efficiency and productivity because of new ideas and a more energetic outlook.

I look forward to the operation of the proposed legislation and hope and trust that it is the forerunner of further proposals, such as the land bank scheme that will enable younger farmers to become established on the land.

The Hon. D. M. EVANS (North Eastern Province)—It is easy to be critical of this measure because there is no doubt that it falls far short of the hopes and expectations raised prior to the last election when discussions about a young farmer resettlement scheme or a land bank were common among all political parties. At the same time, there was considerable discussions about the Saskatchewan land bank. The vice-president of that organization, Mr David Minor, addressed a number of public meetings in Australia which were well attended by young farmers.

The current scheme in Saskatchewan has capital investment of $100 million. That scheme was discussed and canvassed and the clear impression was given during pre-election discussions on the subject—encouraged by all political parties—that a scheme similar to that running in Saskatchewan was being considered.

Although there are benefits in the Bill, it falls far short of the scheme canvassed some months ago. It does not deal with the most serious problem which faces young farmers who may wish to buy into properties—the high interest rates and high capital repayments involved in resettlement. It is interesting to note a couple of points brought forward by the Saskatchewan land bank which are not covered in this measure. The most significant is leasehold land, particularly in the initial stage of settlement where the young farmer pays a lease payment rather than a high interest payment. The Saskatchewan legislation provides for varying repayments according to the prosperity of the industry. If the industry suffers hard times, the land repayment falls and if the industry is in a buoyant position that is assessed and an additional charge is made. Real note is taken of the viability of the industry. That is significant.

Anyone with experience in farming knows it is easy to borrow when times are good and to get into trouble if there is a fall in the market. Farmers will attest to the practicality of that remark. Much bigger investments are involved in the Saskatchewan scheme. At the time that scheme was freely discussed in Australia, it was my clear understanding that such a scheme was of interest to several State Governments and to the Commonwealth Government. I am concerned that the State Government does not appear to have had real consultation with the Commonwealth on this matter.

I recognize the difficulties of Commonwealth-State relationships, but at least consultation should take place. I recognize also that it would have been possible for comments to be made on the issue after it had been canvassed in an appropriate and sensible manner. Co-operation results from consultation.

Referring again to the Saskatchewan land bank, care would need to be taken that the operation of a similar land bank in Australia, with an additional purchaser in the market, would be an increase in the price of land and in the costs to the farmer who wants to become established. Certainly, should such a scheme eventually operate in Australia following this small beginning, then steps will need to be taken to overcome that problem. I would dislike an additional buyer simply forcing up the price of land.

The Hon. B. P. Dunn—Particularly if the buyer is the Government.

The Hon. D. M. EVANS—Yes, as Mr Dunn indicated, that would be a problem. The real effect of the Bill appears to be to assist a son to buy out a father's property. Honorable members should examine the reasons for this action. It has become customary over many generations that a property or business will pass within a family and that successive generations will take over its running. It should be noted that in most cases the assets of the business of a farm are not much more than a set of tools with which to earn a living.

It is generally accepted that the father will pass on the business to the son in due course, without strings attached, and so on. However, the problem emerges when a father wants to leave during his lifetime. If the change-over is left until too late, the son may not be able to get into the business quickly enough. That was not so much a problem when the average life of a farmer was 40 years or 50 years of age but, with increased longevity, the problem is more obvious. In the passing on of land of the farm and business to a son, and to facilitate that process, even more significant than any of the provisions in the Bill is probate duty and the Government has quite properly abolished probate duty on an estate passing from a father to a son, making the passing on of a business within the family much easier.

Gift duty, which is also of concern, has not yet been dealt with. It is still very difficult for a father to pass the land on to his son should he desire to do so during his lifetime because of the restrictions imposed by gift duty. The sooner the Government deals with this matter, the better. After all, it raises less than $1 million for the Victorian Government. It is not a significant tax because one must make a conscious decision to put oneself in the position of attracting this duty whereas, on more reasonable terms, the passing on of land from father to son would be encouraged.

The only positive procedure in the Bill is the provision for guarantee of loans. The Bill does not deal with high interest rates or with capital payments and sufficient working capital for a business to remain viable. However, in clause 12 (1) (c), I am encouraged to note that the functions of the council include advice and assistance to the Minister on the development of schemes for the purchase of farming land or improvements by the council for the lease or sale to young persons or otherwise to assist them to become established in farming.

If the Bill is to be anything more than a very small step in dealing with the major problem, the community will be advantaged by the provisions in that clause which will ensure that the council must concentrate on those responsibilities. That will be a worthwhile step. However, if it simply becomes a minor system for guaranteeing loans for young farmers to buy farms from their fathers, it would be better not to concentrate on that aspect but on the abolition of gift duty.

The Hon. B. P. DUNN (North Western Province)—The National Party has pressed for the provisions in the Bill for some time. They have formed a significant part of the policy of the party for many years. Mr Kent may break into laughter but, as he and every other honorable member well knows, the record

of the Labor Party in agriculture is dismal and it would be a dim, dark day should Mr Kent have control over agriculture in Victoria.

Honorable members must examine the long-term future of agriculture. I am particularly concerned about the problems confronting persons who are trying to enter farming, either from outside the industry or trying to stay within it or involving their children in it. It is a difficult situation, particularly when land prices and costs are high and people are facing a massive investment that is beyond most young persons.

The Hon. N. F. Stacey—The same problem faces many businesses.

The Hon. B. P. DUNN—Farming is a highly capital-intensive business. Around my area, land values are approximately $200 an acre. Prices have outstripped the productive capacity of the land. To provide a reasonable living, an average property would need to consist of approximately 1200 acres or 1500 acres. Even on a 1200-acre property, one is facing an investment of $240 000. With machinery and reasonable plant to operate it, the minimum cost would be between $60 000 and $80 000 and, as a result, one is facing an outlay of approximately $300 000.

The Hon. N. F. Stacey—It must be stocked also.

The Hon. B. P. DUNN—Certainly, the price of livestock should be added. A 1500-acre property in the Warracknabeal area would probably run 400 or 500 first-cross ewes, which, worth about $40 a head, would mean an outlay of $16 000 to $20 000. That is a big investment. Many families who own land have farmed in the area for decades and originally bought the land at relatively cheap prices. They can obtain an economic return for the capital they put into it, but for sons and daughters and for future farmers it is not quite so easy.

As Mr Evans said, a great problem exists in agriculture. It is largely a self-generating industry; that is, the farmers of the future are basically the sons and daughters of existing farmers and the question is one of transition of property from one generation to the next. The average farmer, particularly if his land is below acreage, faces the prospect that his son or daughter, to operate the farm viably, must obtain capital from some other source for the father to get out of his farm. Thankfully, the abolition of probate duty and the recent amendments to the Gift Duty Act have helped significantly in the transition programme.

I have always argued with the Rural Finance Commission and with the Government that the commission should fund father to son or father to daughter transactions. The commission is now doing this, and I commend it.

The Hon. B. A. Chamberlain—Only to a limited extent.

The Hon. B. P. DUNN—Yes, it is to a limited extent.

The Hon. R. I. Knowles—To put money into the father's pocket so that he can go overseas!

The Hon. B. P. DUNN—That may be the opinion of Mr Knowles and, in some isolated cases within his experience, he may be correct, but not in most cases.

The Hon. R. I. Knowles—What if the father leaves the rest of the money in the property?

The Hon. B. P. DUNN—That is not a signicant step forward. The Rural Finance Commission has financed father to son deals in the past.

The Hon. B. A. Chamberlain—Some three or four years ago, the commission would not touch them.

The Hon. B. P. DUNN—I know that. Mr Knowles has expressed his opinion about this sort of proposal in the past but, if the Rural Finance Commission or any lending authority is to fulfil a useful purpose in the financing of agriculture, one of the most important single factors to be undertaken is the transfer of property from one generation to the next. I hope it will be an important part of the operations of the Young Farmers Finance Council.

The Bill will be successful in its initial propositions to a very limited degree. Many honorable members who represent country areas will agree that it will not have a significant impact. The

hope is that the council will be able to work out better schemes and ideas and that these will be introduced by the Government. But in the scheme for guarantees, because of its limited impact, many people will be disappointed. Mr Kent apparently adopts the attitude that he wants to obtain employment and he talks of creating jobs and assisting young people into jobs, yet, when the National Party talks of doing that, he seems to be against it.

The Hon. W. A. Landeryou—Which big landholding are you breaking up?

The Hon. B. P. DUNN—There is no need for that. The majority of farmers in the province I represent run family operations. A few big operators are scattered about, but the majority are family farmers trying to earn a living. I hope the council will devise better ideas and suggestions to further aid the important need of getting young farmers into agriculture and keeping them there.

The Hon. B. A. CHAMBERLAIN (Western Province)—I have had considerable contact with the Rural Finance Commission over the past six or seven years. It is a very good organization to work with and seldom have I been disappointed with it. When I have put up a proposition to the commission which I believe should be supported, I can recall only two occasions when I have had to express my disappointment to the commission. As Mr Dunn pointed out, until relatively recent years, if a father wanted to sell out to his son and if the son approached the commission, the commission would tend to state that it is the obligation of the father to provide the finance; that the commission is limited in its funds and that naturally it would help other cases that were more needy.

In recent times, the commission has recognized the need of a farmer whose only assets are tied up in the farm itself, in a non-liquid form. He obviously needs somewhere to live. He would need $30 000 to $40 000 to buy himself a house.

The Hon. B. P. Dunn—And the rest!

The Hon. B. A. CHAMBERLAIN—One has to bear in mind that the maximum loan the commission can make under Part III. of the Rural Finance Act is $50 000, and the commission normally did not lend to the full amount. In recent times, the commission has understood that situation and has made the maximum amount fairly readily available for that purpose.

It is a common practice when farmers sell out, particularly soldier settlers or people wanting to retire to the nearby town, to invest their money in the farm they are selling and leave 50 per cent of the value of the farm invested for five years, or three years, at 10 per cent interest. What restricts them on the amount they leave in as an investment is the advice they receive from their lawyer or bank manager on what is a safe amount, and they allow themselves so much to set up a house. If the proposition were put to them that they should leave in 70 per cent on the basis of a Government guarantee on that amount of money, they would be much more likely to do so. The terms are important. If it is a five-year term, and the purchaser, at the end of the term, seeks to refinance, particularly from the Commonwealth Development Bank—which lends a lot of money in rural areas—a young farmer would be given five years in which to establish the reputation of being a competent farmer, and then he would be given the opportunity to refinance the loans that have matured. I do not wipe off the prospect of Government guarantees being significant. That could be a very useful device to assist young people when buying into primary production.

We have to be realistic, and Mr Dunn spelt this out. We should examine the economics of getting into a farming proposition today. In my area, if I wished to buy a viable area of 800 acres—the Rural Finance Commission usually recommends 1000 acres—at $250 an acre, plus sheep, and plant, I would have to make an investment of $300 000. It would be all right if there were a fairy-godmother to subsidize the interest at 5 per cent, but even that is an interest bill each year of $15 000 before buying superphosphate, paying for fuel, and all

the other things. In the current state of the market prices are very high. Officers of the Rural Finance Commission have stated to me that in Mr Dunn's area land prices are completely unrelated to the productivity.

The Hon. B. P. Dunn—Someone is going to get their fingers burnt.

The Hon. B. A. CHAMBERLAIN—Yes, it has happened before. We have to be realistic about the cost of plant. The cost of headers is enormous. In my area, the cost of stocking sheep or cattle is prohibitive. Therefore, to be realistic, anyone concentrating on going into farming will still need a reasonable equity before anyone will recommend a guarantee.

I still believe a guarantee will be a useful mechanism, but only to start with. As has been pointed out, there will be an advisory council which is broadly based, drawing people from in the rural community, practical farmers and others. They will be in a good position to make recommendations on the best way assistance can be given. In the situation of a boom and bust cycle —which we would like to think is behind us but unfortunately it is not—in rural economics some aspects of the industry are more shielded from this than others. The council might decide during a rural depression that it is time to buy cheap land. That might be the sort of operation to have, a land bank system.

The Hon. B. P. Dunn—That is very dangerous if the Government is going to move in.

The Hon. B. A. CHAMBERLAIN—That is the sort of recommendation that the council could well come up with, or some variation of it. The advantage of this advice is that it will be practical and it will have an input from people who have an interest in the farming profession for young people.

I commend the Bill. I am optimistic that it is a good step towards the objective which I am sure all honorable members support.

The motion was agreed to.

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

PROBATE DUTY BILL

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

The Hon. W. A. LANDERYOU (Doutta Galla Province)—It is a pity my deputy was not able to join honorable members in this discussion. He was able to spark off a philosophical discussion on the Gift Duty Bill, and if he created so much confusion amongst the living, I would like to see what he could do with the dead.

My party does not oppose the Bill. The second-reading notes adequately explain its purpose.

The Hon. B. P. DUNN (North Western Province)—The National Party strongly supports the Bill, which is a further step towards the total abolition of probate duty. The one policy that my party has pursued stronger than any other over the period of its existance has been the abolition of all probate duty. According to the comments made by Mr Kent the other night, he wants probate duty reintroduced on estates above $200 000. That would drag back into the probate field virtually every primary producer in the State. I made it clear during another debate in the House that the National Party will not have a bar of that at any price. Its members will not be happy until probate duty is eliminated completely and also gift duty is eliminated completely.

Probate duty has been responsible for breaking up more properties, and destroying more families than any other matter. It was a vicious double tax which put the next generation of farmers into severe economic difficulties from the beginning. Over the years, a system operating through the Rural Finance Commission was used to build up farm properties, and the Government's probate duty was designed to break them up. Both those programmes were working against each other.

The Hon. B. A. Chamberlain—I think you have been reading my speech.

The Hon. B. P. DUNN—It is good that Mr Chamberlain and I have common views on this. The time is not too distant

when Mr Chamberlain could find himself on this side of the House. I have a feeling that we will have to survive to a ripe old age to see it, but country members of the Government party have some doubts on this matter. Probate duty needs to be further reduced.

The Bill provides complete exemption for estates passing from a grandparent to a grandchild and it is further progress in the original move that cancelled out probate duty, firstly, between spouses, and then between parents and children, and now between grandparents and grandchildren. I hope probate duty will be eliminated completely from this State, and also gift duty. This will greatly aid primary industry, and small business, if you like, whereby it is necessary to transfer assets from one generation to the next.

The motion was agreed to.

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

CANNED FRUITS MARKETING BILL

The debate (adjourned from the previous day) on the motion of the Hon. W. V. Houghton (Minister for Conservation) for the second reading of this Bill was resumed.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—The Bill envisages a stabilization scheme with respect to canned peaches, pears and apricots for a five-year period commencing from January 1980. The Labor Party does not oppose the Bill and wishes the venture every success.

It has always staggered me that those who work in primary industry in this country in the main work throughout the year, and at the end of the year when I ask someone in the market place to tell me who pays them for the year's work, they do not know—they would be the only workers in this country, if not in the industrialized section of the western world, who work and operate on that basis. I find this amazing, especially when I hear some of the extremely conservative viewpoints put forward by those who claim to represent the political aspirations of the people who work the land.

The recent experiences in this State in the fresh fruit area were astonishing. There was an enormous drop in the market and there was incredible acceptance—indeed, lip service was paid in the second-reading speech of the Minister when introducing the Bill—of the loss of markets in Europe as though that was unforeseen. I am referring to markets in the European Economic Community, especially when everyone had been talking about it from the 1950s.

The complete absence of planning in the significant sections of the rural economy appals me. I have extracted some statistics on the imports of canned fruit, an area that the Bill deals with, and I am astonished by the quantity and value of canned fruit that this country does import.

I recently had the astonishing experience of seeing our own Australian nut, the Queensland nut or the Macadamia nut, being canned and imported from Hawaii. Similarly, with respect to peaches, pears and even apricots, we import those fruits canned from Taiwan, South Africa and even Japan. I guess it is an extraordinary state of affairs, given the capacity of the State, if not this country, to produce all of its domestic requirements plus, that it is competing in the international field with canned fruits from other countries.

One aspect that the Bill does not tackle is the serious problem of putting the industry on a proper economic footing. I hope the Bill will be a forerunner and that this five-year plan, if I can use such a term in this august Chamber, will in fact bring some form of stability to the growers of the fruit which is canned, and those who can the fruit.

Whilst I am on that point, it astonishes me to see in the supermarkets —I suppose I wear two hats, both as an Australian and as a consumer—canned fruit and vegetables imported by companies which actually can the same product in this country. Presumably the imported fruit and vegetables are grown and canned in another part of the world.

I remember a couple of years ago being in Israel on a kibbutz where oranges were growing.

The Hon. B. A. Chamberlain—With Bob?

The Hon. W. A. LANDERYOU—It was not with Bill! The manager was showing me around the area and the plant that had been installed. He informed me that be believed he would be able to export fresh orange juice to other countries. He told me about his plan to export fresh orange juice to this country. I believed his suggestion was staggering and I indicated to him that, in my view, the rural sector of the political spectrum would not accept such a proposition. However, I am astonished to find that in Melbourne it is possible to buy orange juice that has been canned in Israel. I have nothing against that country or its export objectives, but I seriously question whether it is wise for Australia to continue to import from South Africa and Taiwan fruit which is grown and canned in this country.

As I have said, in at least one instance —I am not going to name the company —a particular fruit is grown and canned in Australia and sold on the domestic market by a certain company which also imports a similar canned product which is also sold on the domestic market.

That appears to be a crazy method of marketing, especially the importing and exporting of similar products, which is allowed under our social system. The Bill will seek to protect this section of primary industry and will go a long way towards solving a difficult problem being confronted by the industry. As I have stated, the Bill seeks to assist the canned fruit industry and I wish the proposed marketing authority every success. In the final analysis, I hope it operates in the interests of both the growers and the consumers.

The Hon. W. R. BAXTER (North Eastern Province)—The observations made by Mr Landeryou, that every farmer in Australia has traditionally been a price taker and not a price setter, is valid. I am glad to see his support for the concept of a farm gate price which has, of course, been the policy of the National Party for many years and it has been working towards that concept.

It is a pity that Mr Landeryou did not talk with and use his persuasive influence upon his New South Wales colleague, the Honorable Donald Day, Minister for Agriculture, who one or two weeks ago was reported in the press as being against the new Wheat Stabilization Act because it would enable the farmer to set his own price. I should have thought that was highly desirable and today Mr Landeryou seems to be supporting that concept. I commend him for that because, as he rightly remarked, farmers are one of the few groups within the community which are not able to put a reasonable price level upon their product.

The Bill represents part of complementary legislation to be introduced by the Commonwealth Government and the other fruit-producing States. It is welcomed by the industry which has fought a long time for this legislation as it has high hopes that the system will assist the industry.

The fruit industry has had a very turbulent history, both through overproduction and disasters caused by weather, in the form of storms and associated "wogs" which appear in times of humid weather. The industry has also experienced the disaster of long periods of wet weather which resulted in the pulling out of many acres of peach trees, particularly in the Goulburn Valley.

In addition, the industry has had to put up with unfair competition in other parts of the world. I remember being in the United Kingdom in 1974 and looking at the range of canned fruits available on the shelves of supermarkets. Canned fruits were available from South Africa, Italy, Spain, California and other parts of the world, and the competition was very stiff indeed.

The Australian growers did not have the benefit of a Government, such as did the South African growers, which was prepared to manipulate the exchange rate to the advantage of its own growers. Australia producers have had to put up with that type of unfair competition, and it is a tribute to their tenacity that they have managed to

survive without, in some cases, being paid for two or three years after the product had been canned and sold.

The co-operative and privately-owned canneries in Victoria have experienced difficulty in co-operating, but in recent years they have come together much more than in the past and have used their initiatives to produce and promote individual products. The canneries have been able to achieve some economy by using the canning lines to process other products during the off season.

One of the difficulties has been the inability of the consumer to weigh up the relative costs of foodstuffs. It never ceases to amaze me how an objection is voiced whenever there is a price rise in canned fruits. However, one should compare the price of a large can of sliced peaches with the price of a bottle of Coke, remembering that a bottle of Coke comprises sugar, water and some dye and has virtually no food value, whereas a can of sliced peaches has a high food value. There does not seem to be any objection to paying 78 cents for a large bottle of Coke whereas paying 80 cents for a can of sliced peaches seems to be an expensive purchase.

The Hon. W. V. Houghton—What about the purchase of the same amount of milk, the cost would be much less again.

The Hon. W. R. BAXTER—Yes, as the Minister rightly interjects, that is correct. Farmers have been too reluctant to put up the cost of their product in line with inflationary trends in the community or in line with other items purchased by householders. In comparison with other parts of the world, Australia today enjoys very cheap food. As Mr Landeryou rightly pointed out, Australian farmers have been far too reluctant in the past to put a price on their product in keeping with the cost of producing it and providing a return on the capital investment.

On 15 November last, I attended the annual meeting of the Australian Canned Fruit Growers Association in Shepparton. That association looks forward to the enactment of the measure with much anticipation and hopes that it will at least provide some stability in the industry and that the course of events over the next five years will be instructive in providing a basis for introducing a further scheme on the expiration of the present plan. I wish the new operation every success.

The Hon. D. M. EVANS (North Eastern Province)—I address my comments to the House as a representative of a substantial fruit-growing area of Victoria. I also welcome the measure because its introduction has been keenly sought by the industry. There have been substantial discussions between the Commonwealth and State Governments and producers and producer organizations over the past two to three years and this measure is the culmination of that work.

In the notation in the preamble to the Bill, as contained in the explanatory memorandum, the point is made that complementary legislation will be introduced by a number of State Governments including New South Wales, Queensland, South Australia and also the Commonwealth Government. It is clear that farmers or producers do not have effective control over prices, and there is truly a need for co-operation between State Governments to overcome these extremely difficult problems. A clear lesson can be learnt from this inter-Government co-operation and it needs to be followed when similar legislation is before the House.

As I said, the industry strongly welcomes the introduction of the measure. Those honorable members who have an insight into the fruit industry will be aware of the extreme trauma and problems which existed in the industry three to four years ago. At that time, many of the canneries could not give the grower a price which was reasonable for the product he had sent to the cannery and many producers who delivered their product to the canneries had to wait for years in some cases to receive payment for their product.

A number of canneries in Victoria experienced substantial deficits and specific and constant problems had to be faced, particularly four years ago, to overcome what seemed to be an almost

insoluble problem. Schemes were introduced and administered by the Rural Finance Commission, one being the tree-pull scheme and many fruit trees in the Shepparton area were removed under that scheme.

It is worthwhile, when discussing these particular problems, to make some brief comments on the matters brought up by Mr Landeryou for it is a fact that the industry was affected by the European Economic Community and the closing of so many of our traditional outlets.

This is of significance because over a long period Australia has sold its production to Britain and, to some extent, on the European market. Australia almost accepted an obligation to the British people to grow food for them. From Australia's point of view it appeared to be a good deal. Australia had the production to sell and it was a good deal for the British because it guaranteed them reasonable supplies of reasonable quality food that they were unable to produce themselves.

When Britain's entry into the Common Market was first mooted, it did not find immediate favour with the British people. Although warnings about its effects go back to at least the 1960s, until the move was actually made there was substantial doubt about whether it would take place and the conditions under which it might take place. During that time the Australian food processors, including the fruit industry, continued to meet their obligations to the British public and to take advantage of the business and production opportunities that those obligations provided.

With the entry of Britain into the Common Market, the British market for Australian produce was cut off. It was not easy to take the possibility into account in advance because, as anyone who knows about the food industry will be aware, a substantial lead time is involved. The growing of fruit is not like the growing of a crop such as wheat, which is sown in May or June and harvested in December. Fruit trees have to be planted in many cases eight or ten years before they fully bear fruit.

It is also worth noting that a number of developments are taking place in the fruit industry that will be of benefit. I refer to such matters as the development of varieties of fruit that will extend production time. In other words, instead of there being a concentrated harvest period, the harvest of a particular type of fruit, say peaches or pears, can be extended. That will have several effects, perhaps the greatest of which will be that it will provide for greater continuity of employment for the people involved in the picking industry. It will probably mean that fewer individuals will be employed, but each one who is employed will be involved for longer. Also, the canneries will be able to operate their plant for a longer time, which will have obvious benefits and economies.

The methods of growing and training the various trees are also the subject of present research. The use of trellises, for example, is being investigated. Unfortunately, for the workers that will mean the operation of mechanical pickers, but it will increase efficiency and the industry's ability to compete in overseas markets.

The last point I make is also germane to the matters raised by Mr Landeryou concerning the import of fruit from overseas. Australia should not have to import any foodstuffs from overseas. It has a small population and a large area of land, and we are living in a hungry world. It is wrong for us to take food from other parts of the world when our country has the capacity to grow every ounce of food we need. There could, perhaps, be an exception in the importing of small quantities of varieties that cannot be grown in this country or fancy foods that are not available here, but our general food requirements should be grown in Australia.

The Bill is welcome and it will benefit the industry. It deserves strong support.

The Hon. J. W. S. RADFORD (Bendigo Province)—Honorable members will be well aware that the measure is of particular interest to many fruitgrowers in the Bendigo Province. There have been some interesting developments by Henry Jones (IXL) Ltd.

The Hon. R. J. Eddy—Mr President, I draw your attention to the state of the House.

A quorum was formed.

The Hon. J. W. S. RADFORD—It is perhaps indicative of the interest the Labor Party has in the Bill that only one member of that party is present and, when the previous speaker referred to the plight of the canning industry at the time of Britain's entry in the Common Market, members of the Labor Party found it to be a laughing matter.

The growers in the Bendigo Province welcome the Bill. They regard it as a great step forward and hope that the passing of complementary legislation in New South Wales, Queensland and South Australia will mean that a far better day will dawn for the apricot, peach and pear producers of Australia.

The motion was agreed to.

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

The sitting was suspended at 1.8 *p.m. until* 2.23 *p.m.*

MINISTERIAL STATEMENT

Aims and objectives of education in Victoria

The Hon. A. J. HUNT (Minister of Education)—I desire to make a Ministerial statement on the aims and objectives of education.

BACKGROUND

A clear statement of the aims and objectives of education in Victoria has never to this date been published. Soon after my Ministerial colleague and I took over the education portfolios we announced that there would be a major review of education policies in Victoria, with emphasis first upon aims and objectives.

The reasons for a review are clear and its advantages are obvious. They are:

> Any educational body, and particularly a public education system, must work to achieve agreement about its purposes and priorities.
>
> Any large organization needs constantly to review its aims, objectives, and policies.

Publication of these aims is essential to provide a clear sense of direction for students, parents, teachers, administrators, and others who share responsibility for the effectiveness of the education provided.

A clear and common sense of purpose is the foundation upon which good morale can be built.

Clear objectives bring greater consistency in decision-making and provide a framework for greater delegation of authority. More decisions can be made where appropriate at regional and school level and programmes more responsive to community needs and aspirations can be developed and implemented.

The setting of clear aims and objectives provides a basis for allocating human, physical and financial resources and for judging the effectiveness and efficiency with which they are used.

It also provides a basis for monitoring achievements and deficiencies, for evaluating performance, for increasing accountability and for assessing the value received for money spent on education.

We set out to define not just the major aims, but also the secondary objectives, and the policy, administrative, and structural changes needed to achieve them. We wanted the review to be completed promptly; but after the process began it became obvious that our first proposal for the production of one comprehensive document in a matter of months was too ambitious, and provided inadequate opportunity for effective public participation. We therefore altered the programme to provide for two stages, and later again three stages over almost 18 months, to ensure that there would be no undue haste and proper opportunity for contribution to the process by those interested at every stage.

Consultative Committee

To provide a perspective on the review from outside the Education Department and the Teaching Service a consultative committee was established under the Assistant Minister. The members of that committee are:

Mr Lyn Brown, Secretary of the Public Service Board;

Sir John Buchan, Chairman of Buchan, Laird and Buchan Pty Ltd;

Professor Emeritus William Connell, until recently Professor of Education at the University of Sydney;

Dr Michael Deeley, Managing Director of Dulux Australia;

Dr Ron Fitzgerald, Dean of Planning and Development at State College of Victoria, Burwood;

Professor Kwong Lee Dow, Dean of the Faculty of Education, University of Melbourne; and

Ms Judith O'Neill, Research officer for the Australian Council of Trade Unions.

Members of the public were invited to make submissions to the consultative committee. A total of 477 submissions have been received. Of these, 138 came from school councils, 85 came from private individuals, and 51 came from educational groups of various kinds. The rest came from schools, colleges, teachers, principals, Parliamentarians, employers, and a wide range of community groups.

The consultative committee has considered all of these submissions in preparing its response to the review. The submissions reflect the diversity of views held in the community. While some concerns are held in common, the suggested solutions are sometimes conflicting. Items condemned by some submissions are praised by others.

Education Department Contribution

The Education Department's submission to the review was co-ordinated by Dr Tom Moore, Deputy Director-General of Education. Input for this submission to date has been derived from consultations and discussions of varying kinds. They are:

The Director-General's seminar held at Mannix College from 15 to 18 August 1979 devoted considerable attention to the provision of material that was designed to influence the the content of the submission. The seminar debated some fourteen controversial issues, in each case summarizing the arguments for and against. A controversial issue statement was prepared.

Each division of the department prepared a position paper on its aims, objectives, strategies, and structures. These position papers were revised in discussion and in the light of the outcome of the controversial issues statement. These revised papers were carefully considered before the departmental submission on aims and objectives was prepared. Thus the 220 most senior officers in the Education Department have had an opportunity to influence the departmental submission.

In addition, discussions were undertaken with Education Department officers at various levels within the current structure to ascertain their views on the various issues raised in the whole review.

In his preamble to the Education Department submission Dr Moore pointed out that it is unreasonable to assume or even to aim at consensus in the views expressed. In the final analysis it will always be the case that some individuals or groups will disagree with decisions that are made. But in a democratic society we must aim to operate for the good of the society as a whole while taking account as far as possible of different attitudes and views.

The Present Stage

Today's statement represents completion of the first stage of the three-stage programme.

It draws upon the work and advice of the consultative committee, of the Education Department and of those who have made submissions. To all of these we express our thanks. Whilst we recognize the impossibility of attaining complete consensus at every point, even on aims and objectives, we believe that the process which has been adopted has produced the consensus view which is on the one hand most acceptable to the widest possible spectrum of people in

our pluralist society, whilst on the other hand providing a basis for planning for the future.

From the aims and objectives contained in this statement we will, in the next stage of the review, examine the policies, the strategies, and the structures necessary to achieve these aims and objectives.

THE AIMS AND OBJECTIVES OF EDUCATION IN VICTORIA

Introduction

Like all people living in advanced industrial societies, the people in Victoria live in a society that is changing now more rapidly and profoundly than at any other period of our history. Technological change is altering both the material conditions of our life and its social context, while travel, migration, and the mass media are changing the perspectives of our culture. Common values held by earlier generations are rapidly losing their traditional roots and are being reformulated both by the young and by the adult community. Social relationships are being transformed by a consciousness of the interdependence of all people within a world of finite resources.

In preparing people to cope with this changing society, education has a vital role to play. In a democratic society education must ensure that the members of our society learn to understand and to respond to our common responsibilities and aspirations. We need to relate the aims and objectives of our educational bodies to the wider society, both to present realities and to future hopes.

For the individual in a democratic society the essence of democracy is that each person has the opportunity to make informed choices and to accept responsibilities. For the society, democracy implies concern for the welfare and optimum development of all its members.

Educational bodies in our democratic society are asked to promote social co-operation while not avoiding the conflicts and contradictions which exist within that society.

Society is competitive, yet we value co-operation.

Society is characterized by educational, social and economic inequalities, yet we value equality of rights, duties, and opportunities.

An established and traditional value system exists in our society but we are increasingly recognizing the valuable contribution of diverse groups to our way of living.

It is an imperfect society but it has many elements that we value greatly.

Educational bodies can help the achievement of a fuller sense of commitment to the mutual obligations and possibilities that are part of a thoroughly democratic community. Educational bodies can reinforce and encourage the development of democratic processes throughout the community.

Individual schools must be supported by an administrative framework and by many kinds of services. All of these components must share the over-all aims and objectives of education in any society.

Definition of Terms

Any school system must have a general statement of aims and objectives so that component parts within the system can follow specific directions encompassed by those aims to achieve desired outcomes within the resources available to it.

In this statement "aims" are general, philosophic statements applying to school systems as a whole; "objectives" are more refined and specific statements designed to guide the activities of the component parts of the whole—sections of the Education Department administration and individual schools, colleges, and other bodies responsible to the Minister of Education. The achievement of objectives by these component parts contributes to the achievement of the general aims of the school system.

In formulating the aims of education in Victoria we have closely borne in mind the Universal Declaration of Human Rights and the United Nations Declaration of the Rights of the Child. Article 26 of the earlier declaration is in the following terms:

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

The Declaration of the Rights of the Child enlarges upon those philosophies and principle 7 of that declaration in part reads:

The child is entitled to receive education which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture, and enable him, on a basis of equal opportunity, to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and to become a useful member of society.

The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

The Victorian Government fully endorses the principles contained in those extracts.

The Aim of Education in Victoria

The central aim of education in Victoria is to provide educational experiences of the best possible quality, for children, youth, and adults. Through these experiences they will have the fullest opportunity to:

Reach an understanding of themselves and society (educational opportunity);

develop to their highest level of intellectual, emotional, and social competence (educational achievement);

achieve socially responsible self-direction (education and values); and

build an abiding sense of community throughout our society (education and community).

The Objectives of Education in Victoria

From the central aim of education spelt out above, it is possible to set both broad and specific objectives. The broad objectives are:

To recognize and accept both the diversity of our community and the widely agreed values and structures within it;

to develop in each individual the intellectual, practical, social, and emotional skills required to understand our society and to live, work and function effectively within it;

to develop a more co-operative, caring, and democratic community concerned with the welfare and optimum growth of all its members; and

to encourage increased community participation in consideration of educational issues, educational decision-making, and the life of schools.

The attainment of these broad objectives within the framework of available funds will call for sensitivity and flexibility in educational adminstration, for high quality in teaching, and for understanding and support from the community as a whole.

Flowing from these broad objectives and from the central aim, the specific objectives of education in Victoria can be grouped into the four areas identified in the central aim.

1. *Educational opportunity.* The objectives are:

To provide equality of opportunity for all students by catering as far as possible for individual differences;

to develop learning environments that enable schools to pursue programmes of quality in education;

to provide adequate support services for curriculum in all schools and in all subject areas;

to help improve the quality of life of students and their appreciation of the role of the family; and

to prepare them properly for life after leaving school.

2. *Educational achievement.* The objectives are:

   To provide opportunity for students to develop as far as possible their academic, social, and physical potential;

   to foster in each student a broad range of physical, intellectual, practical, artistic, emotional, and social skills and to extend students talented in these areas to their highest possible levels; and

   to determine desired levels of literacy, numeracy and oracy (or in plainer language, reading, writing, mathematics and speech) and to develop every student to these levels at the very least.

3. *Education and values.* The objectives are:

   To ensure that educational bodies play their part in transmitting the shared ethical, moral, and social values and standards of society while at the same time acknowledging that values are changing, that tolerance of other views is expected, and that the values of minority groups should receive appropriate attention; and

   To provide freedom of choice of schools to all parents wherever practicable by encouraging diversity in school programmes and by encouraging review of present curricular offerings to ensure that there is real choice and not just confusion brought about by too many alternatives being available.

4. *Education and community.* The objectives are:

   To provide the opportunity for students to learn to exercise autonomy and responsibility through their school experience;

   to provide educational experiences that will contribute to the preparation of students for life within a wider community, including family life and working life;

   to ensure that the aims of education are pursued in all schools through the development of a core curriculum for students generally, with provision for individual schools to pursue locally based components to balance the school programme;

   to foster co-operation between schools and the community in the matter of school governance; and

   to decentralize the administration of education wherever appropriate to allow local communities as far as is possible to share the responsibility and accountability for local educational policy and for decision-making in local schools.

In order that these objectives may be achieved or at least consistently pursued it is essential that education in Victoria is provided with professional leadership of the highest order, that an appropriate career structure is provided within the system for teachers and other officers, and that measures to ensure accountability for performance operate effectively.

There are many other important matters still to be dealt with—for example, the role of principals, the problems of regionalization, the question of the Teachers Tribunal. They have however no part in this present statement because we believe they relate to the changes to policies, strategies and structures that it will be necessary to implement in order to achieve the aims and objectives outlined today. Although these and many other issues are vital to education in Victoria it is obvious that we need further discussion and consultation with interested groups before decisions are made upon them.

FUTURE PROGRAMME

Stage 2 of the programme will be the preparation of a Green Paper dealing with strategies and administrative or structural changes to implement the aims and objectives outlined above in the most effective, efficient, and economical manner.

To assist in preparation of the Green Paper we now invite further submissions and public comment by the end of March 1980. Further submissions will be presented by the consultative committee and the Education Department. The

Green Paper will be presented to Parliament in May 1980, and will be a discussion document rather than representing concluded Government views.

After the publication of the Green Paper, the third stage of the review will commence. Further comment will be invited from the community by the end of September 1980. Again there will be input from the consultative committee and the Education Department. As well, an organizations' reference group will be established to react to and analyse the Green Paper. The organizations' reference group will comprise representatives of all major educational organizations outside the Education Department. Bodies representing teachers and principals will naturally be invited to nominate representatives, as will the organizations representing school councils, parents' clubs, and other interested groups.

Preparation will then begin for the final White Paper embodying the policies adopted by Government to be delivered before Parliament rises in December 1980.

CONCLUSION

Society at large is far from static, and the demands which it makes on educational bodies, and consequently on their administrative and service support structures, are therefore likely to change or to undergo shifts in emphasis from time to time. Aims and objectives must be constantly reviewed so that they will reflect the changing needs of society. If educational bodies fail to adjust to community trends and pressures they will quickly become out of step with the society they were established to serve. Educational bodies must build into their stated objectives some provision for flexibility and adaptability.

The aims and objectives we have delineated represent the considered view of the Victorian Government. We believe they are also in tune with the general thinking of parents and the public in Victoria as the present decade nears its close. But they are not immutable. The process of review will be an ongoing one. Adaptations will inevitably be required in the light of experience and changing views and circumstances. We stand ready to make them but trust meanwhile that we have provided a solid base on which to build.

On the motion of the Hon. W. A. LANDERYOU (Doutta Galla Province), it was ordered that the Ministerial statement be taken into consideration later this day.

GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL

The Hon. F. J. GRANTER (Minister of Water Supply)—On behalf of the Minister for Conservation, I move:

That this Bill be now read a second time.

The Bill establishes three authorities to improve the grain handling facilities at Geelong and Portland, and to establish new facilities in north-eastern Victoria. These authorities will be the means of financing major works, which are very urgent, particularly at Geelong and Portland. The Geelong terminal requires extensive renovations if it is to handle bigger harvests. The facilities at Portland are generally inadequate for modern grain handling, and an additional major terminal is needed to service the north-eastern part of the State.

Clauses 1 and 2 deal with the citation and a number of interpretations. Clause 3 establishes the three authorities. Each one will be a body corporate.

Clause 4 sets out the functions of each authority. Broadly, the functions are to assist in the promotion and financing of works at Geelong and Portland and in the north-eastern part of the State.

Clause 5 allows the authorities to carry out investigations and to enter into agreements with bodies such as the Grain Elevators Board, the Geelong Harbor Trust, the Portland Harbor Trust, the Country Roads Board and the Victorian Railways Board.

Clause 6 requires the authorities to keep proper books of accounts and to have them audited by the Auditor-General. The accounting year is to end on 31 October, to coincide with the accounting year of the Grain Elevators Board. This clause also requires the

authorities to forward the audited accounts to the Minister so that they can be submitted to Parliament.

Clause 7 sets out the borrowing powers of the authorities and allows the Treasurer to execute a Government guarantee for repayment.

Clause 8 allows the authorities to take out accident insurance for its members while engaged on the business of the authority.

Clause 9 provides for the appointment of staff, subject to the approval of the Minister of Agriculture. Any staff employed will not be subject to the Public Service Act. This clause also allows the authorities to make use of the staff of any department, subject to the consent of the responsible Minister.

Clause 10 requires the authorities to make an annual report to the Grain Elevators Board.

Clause 11 allows the Governor in Council to make regulations consistent with the Act.

Clause 12 establishes the Geelong Grain Handling Improvement Authority. It is to consist of four members appointed by the Governor in Council, and will include nominees from the Grain Elevators Board, the Geelong Harbor Trust and the Victorian Railways Board. Each of these bodies will be vitally concerned in the operation of the authority and to ensure that they all have a representative at every meeting, provision has been made for deputies to be appointed by the Minister of Agriculture. In the event of an equality of votes on any matter, the issue is to be referred to the Governor in Council for decision.

Clause 13 establishes the Portland Grain Handling Improvement Authority. It is to consist of five members appointed by the Governor in Council, and will include nominees from the Grain Elevators Board, the Portland Harbor Trust, the Victorian Railways Board and the Country Roads Board. The other provisions are similar to those relating to the Geelong Grain Handling Improvement Authority.

Clause 14 establishes the Country Grain Handling Improvement Authority. It is to consist of five members appointed by the Governor in Council, and will include nominees from the Grain Elevators Board and the Victorian Railways Board, as well as an officer of the Victorian Department of Agriculture and a person chosen from a panel of three names submitted by the Victorian Farmers and Graziers Association. The other provisions are similar to those relating to the Geelong Grain Handling Improvement Authority.

The establishment of these three authorities will make it possible to go ahead with work at Geelong and Portland and in north-eastern Victoria. It is vital that this construction work be carried out to upgrade the shipping capacity and the storage facilities that we need to deal with Victoria's record harvests. I commend the Bill to the House.

On the motion of the Hon. R. A. Mackenzie, for the Hon. D. E. KENT (Chelsea Province), the debate was adjourned.

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

MARINE (AMENDMENT) BILL

The debate (adjourned from the previous day) on the motion of the Hon. D. G. Crozier (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. R. A. MACKENZIE (Geelong Province)—The main purpose of the Bill is to adopt and implement a uniform Shipping Laws Code as agreed to by the Marine Ports Council of Australia. The Bill seeks to bring regulations up to date and Victoria into line with the Commonwealth Act. The Opposition, which does not oppose the Bill, has consulted with the various bodies which will be directly concerned with the provisions of the Bill. None of the bodies consulted has objected to any clause of the measure.

The Bill deals with uniformity of shipping legislation, and registration and manning of commercial vessels, including fishing vessels. It also governs the people who man or crew such

vessels. The Opposition has been concerned for some time about marine safety. In recent times there have been a number of near disasters and I refer especially to the sinking of the ferry at Cowes which was almost a disaster involving 140 people. The subsequent inquiry concluded that a lot more work in the area of marine safety must be done.

There is a need for regulations to ensure that passengers who use the ferries which operate in Victorian waters are issued with some type of instruction in case of a disaster so that they know a drill. The ferry at Cowes sank twice, even though it had undergone a marine survey only three months earlier. That indicates that there is a lot to be done in the area of safety. I do not want to be a prophet of doom but I am most concerned about the current level of rescue operations that can be mounted, especially in one of the most dangerous areas in Port Phillip Bay, namely, the Rip. Only recently, in a tragedy at the Rip, two people lost their lives in that treacherous stretch of water. The two people concerned were experienced sailors. Currently, there is no real rescue apparatus available for the treacherous stretch of water at the entrance to the bay.

For 100 years a large lifeboat operated out of Queenscliff. In recent years, the boat has fallen into disrepair and it has been non-operational for some time. Rescue operations have been carried out since the vessel became defunct. Those operations have been carried out by members of the Volunteer Coastguard which operates in small craft and can carry out minor rescue operations. However, because of the size of the craft, rescue operations would be limited in a heavy sea. Other rescue work is carried out by the Public Works Department craft which operates from Queenscliff but it is not always there. Sometimes it is in other sections of the bay, or at Lakes Entrance or other ports. If a vessel carrying many passengers got into difficulties in the dangerous stretch of water at Port Phillip Heads, a proper rescue operation could not be mounted. It is important that aspects of safety within the Port Phillip Bay region be examined.

Another area of safety which concerns the Opposition is that of small craft. The Marine Board ensures that commercial vessels have at least one survey annually. There are 1574 vessels which currently require Marine Board surveys operating in Port Phillip Bay and Victorian coastal waters. In that group of vessels there are 774 commercial fishing vessels, 665 hire boats, 100 passenger boats and 35 river and bay ships. The Marine Board is responsible for carrying out the surveys.

The Marine Board has a team of surveyors but it is understaffed. The Opposition has received complaints that there are only three clerical staff. The board last year carried out 2336 surveys. Members of the staff are in real difficulties in trying to maintain the records and do all the book work associated with the survey work. The Opposition would like the Minister for Local Government to consider this matter while the House is debating this Bill.

Apart from those 1500 or so commercial vessels operating in the bay, another area gives real cause for alarm. I telephoned the boating section of the Transport Regulation Board today and obtained the June figures, which indicate that there are 90 455 registered pleasure craft—an incredible number of small craft. Operators of those craft do not undergo any training and are not required to take any test to obtain a licence. I could buy a small craft, put it on a trailer and, without any knowledge of navigation or boat handling, take that boat into the water, sail it out into the bay and probably have to call on the coast guard to rescue me if rough weather came up. Many of the 90 000 small craft are probably handled by people who have indulged in this type of activity for years and are good at it. I think the regulations state that the operator of a small craft must be more than fifteen years of age, but, apart from that restriction, anybody can take a small boat out on to the bay.

This places a tremendous strain not only on the police boat but also on the volunteer coast guard, an organization which people rely on. The Geelong flotilla alone—I cannot speak for other flotillas but I imagine they would handle about the same number of rescues—carries out as many as 35 rescue operations in a month. There are about twelve flotillas operating in Victorian waters. It is not fair that these people should risk their lives and their boats in the protection of people who have no adequate knowledge of boat handling or navigation or anything of that nature.

To its credit, the Port Phillip Authority has issued a book entitled *Safe Boat Handling in Port Phillip Bay*. It is an excellent book which was issued in February this year, and one which should be mandatory reading for any small boat operator. The Commonwealth Department of Transport has issued a fine book entitled *Safety for Small Craft*. That is all very well, but there is no guarantee that people will read the books.

People applying for driving licences to take cars on to the road must be examined on the road laws and their understanding of them and then must demonstrate the ability to handle a motor vehicle in all situations. I know of no reason why the Victorian Government cannot introduce a licensing system for small craft owners so that they would have to undergo some form of testing in boat handling and operation and prove to the authorities that they are capable of handling a boat in different conditions.

These are important questions and I hope the Minister will look into these matters. The Opposition supports the Bill because it updates a lot of regulations. The Opposition will take the opportunity to raise points on several of the clauses in the Committee stages.

The Hon. W. R. BAXTER (North Eastern Province)—As one living on a State border and suffering the difficulties of different regulations in adjoining States and the anomalies thereby created, I am always interested in the formulation and implementation of uniform regulations. This Bill goes a long way towards that end in respect of marine regulations. As I understand it, the regulations have been drawn up on a nation-wide basis with the agreement of all the authorities. It is a commendable measure which the National Party has pleasure in supporting.

The Hon. J. A. TAYLOR (Gippsland Province)—I agree with my colleague, Mr Baxter, that attitudes adopted by the marine board of the Commonwealth of Australia over the years have been, to say the least, fairly wide apart. The Association of Australian Port and Marine Authorities has for some time been considering legislation to bring many aspects into conformity, particularly in the control of construction of ships and the issue of competency certificates to the seamen who work them. The Marine and Ports Council of Australia, which is the Ministerial section of the authority, has agreed that complementary legislation should be passed by the Commonwealth and all States.

The Bill goes a long way towards meeting the international convention on marine requirements. Probably two of the most important aspects affecting Victoria are the issue of competency certificates for mariners and the uniform regulations governing the construction of ships. The Federal Government control interstate and overseas shipping and ships; the State Governments control intrastate ships and river and bay ships. It is in this latter area that problems have occurred for some years.

Clause 8 of the Bill lays down the methods to be followed in the construction of ships. Similarly to local government Uniform Building Regulations, approval must be granted of plans supplied to the board for the construction of a ship. It prescribes the material to be used in the construction of ships. Honorable members know that over the years the materials used have changed. Today there are concrete hulls, aluminium hulls, steel hulls, fibre glass hulls and even some wooden hulls. Section 8 prescribes the materials to be used in the construction of ships and the

handling of such materials and the standards of such materials. That gives a complete coverage of the method of construction of ships. The clause also prescribes that machinery and other equipment to be installed must meet international marine standards for the type of specification allocated to the plans for the construction of the ship. The safety of passengers is another area which for years has been a shade of grey, and that now has been clarified.

Clause 11 prescribes standards for certificates of competency to be issued to mariners handling and working such ships. Section 261 of the existing Act gives the board fairly wide discretionary powers in the issue of certificates. However, it has now been refined to allow a type of grandfather clause. The new provision is that a certificate shall cease to have effect "upon the expiration of five years after the said commencement." However, section 261 still gives the board a discretion to grant licences or to allow licences to run on, and to allow mariners with a proven record of ability and expertise to obtain licences. It will only be a matter of time before this provision will need tightening to allow more careful scrutiny of applicants for certificates of competency.

The Bill goes a long way towards updating the requirements of all areas of shipping, not only in Victoria but throughout Australia. It is heartening to see that, after many years, the problem is being tackled in a workmanlike manner. I fully support the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 4 were agreed to.

Clause 5 (Constitution of Marine Board of Victoria)

The Hon. R. A. MACKENZIE (Geelong Province)—This clause deals with the composition of the Marine Board. It does not make provision for the use of proxy representation and several people concerned have raised the question of the need for proxy representation on the board so that if any board member was unable to attend a meeting he could send a proxy from his organization.

I ask the Minister if the Government would consider the use of proxy members on the board. The board should not hold meetings if one of the bodies entitled to representation is not represented.

The Hon. D. G. CROZIER (Minister for Local Government)—The point raised by Mr Mackenzie is a valid one which I shall convey to the responsible Minister in another place with a view to having it included in any future amendment of the Act.

The clause was agreed to, as were clauses 6 to 12.

Clause 13 (New section inserted)

The Hon. R. A. MACKENZIE (Geelong Province)—The Government needs to be careful that it is not accused of introducing sexist Bills. The Bill refers to "manning committees". Perhaps it should refer to "crewing committees". It is a small point which could be drawn to the attention of Parliamentary Counsel.

The Hon. D. G. CROZIER (Minister for Local Government)—The point raised by Mr Mackenzie about clause 13 of the Bill is amply covered in the Acts Interpretation Act. There is nothing sexist about these provisions.

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.

TRANSPORT REGULATION (CAR POOLS) BILL

The debate (adjourned from the previous day) on the motion of the Hon. D. G. Crozier (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. R. J. EDDY (Thomastown Province)—The purpose of the Bill is to permit people to enter into a car pooling arrangement. In doing so, they will not need to hold a special licence under the Transport Regulation Act. I was amazed to learn that 1·6 million

cars and station wagons are registered in Victoria and 1 million of those vehicles are located in Melbourne. When one drives home during peak hours cars travel bumper to bumper along the highways, so this proposal is worthy of consideration. A marginal decrease in the number of cars using the roads would make a real contribution to improving the transport system. Naturally one does not know how the people of Victoria will receive the proposed car pooling system. In the United States of America the system was tried and received with mixed reactions.

In the outlying suburbs of Melbourne, there is little or no public transport so the only way of getting to and from work is by private car. This measure will mean that many people from those areas can travel together. I live in Bundoora and one has to travel to Preston to catch the tram to the city at a cost of between $2.50 and $3 return.

In the southern suburbs, if one takes Beaumaris as an example, the cost is $2.60 a day return or $13 a week, which is a lot of money. The car pooling system could be of financial benefit to people living in outlying areas of Melbourne. It is worthy of a trial. This measure is long overdue and will provide the opportunity for people to pool their cars with friends and neighbours.

Employers will not have to provide such large car parks for employees so that money can be utilized for the benefit of the employees and the various industries involved. For those reasons, the Opposition has much pleasure in supporting the Bill.

The Hon. N. F. STACEY (Chelsea Province)—I was pleased to hear that the spokesman for the Opposition supports this measure. I join with him in recognizing that this measure is an important breakthrough and should perhaps have been introduced in the past. Mr Eddy referred to the cost of fares, but one must remember that it costs approximately 20 cents a kilometre to run a car, plus the cost of providing roads, traffic signals, and so on. Often during peak hours there are lines of cars with only one occupant—the driver. The car pooling system will permit the more economic use of community resources.

I urge that adequate publicity be given to this measure. For a number of years car pooling has been discussed. The Ministry of Transport should publicize what is meant by car pooling. Money should be spent to advertise what car pooling means to the fellow who drives his car 20 or 30 miles a day on his own. I ask the Minister of Transport to acquaint the public of the benefits of car pooling, not only to them and their family and friends, but to the community.

The Hon. W. R. BAXTER (North Eastern Province)—I take up the suggestion made by Mr Stacey about publicizing car pooling. That is a commendable idea. I am surprised and amazed that an informal system of car pooling has not taken on in the community notwithstanding the doubtful legality it might have had prior to the introduction of this Bill.

I sometimes drive along the South-Eastern Freeway during the morning peak period between 8 a.m. and 8.30 a.m. on days when I am in Melbourne and find that a tension building exercise. There is usually only one occupant in each car. It surprises me that people who travel at that time five days a week for 50 weeks of the year have not got together to a greater extent than they have.

I certainly hope with the passing of the Bill that it will be publicized and that encouragement will be given to car-pooling so that it will catch on as a good idea. It is a good idea from many points of view and all it takes is a little bit of common sense organizing by people in a particular street or locality. Surely, with Melbourne roads crowded, with petrol becoming expensive and car parking at a premium, the fewer cars on the road the better from every one's point of view. I hope the Bill will achieve in a large measure what it sets out to do.

The motion was agreed to.

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

RAILWAYS (BOARD) BILL

The debate (adjourned from the previous day) on the motion of the Hon. D. G. Crozier (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. E. H. WALKER (Melbourne Province)—The Opposition does not oppose the Bill. It is a simple measure and was well described in the second-reading speech of the Minister. It creates a new position of member and deputy chairman to enable the Railways Board to thoroughly pursue the important task of developing the railways with innovations to meet the ever-changing transport scene.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Railway Construction and Property Board)

The Hon. E. H. WALKER (Melbourne Province)—I apologize for my oversight in the second-reading debate. I ask the Committee to negative the clause. If this is done, I will then move for the following new clauses to be inserted:

Insert the following new clauses to follow clause 2:

A. For sub-section (1) of section 52 of the Principal Act there shall be substituted the following sub-section:

"(1) The Governor in Council may appoint fit and proper persons to be members of the Board of which—

(*a*) two shall be officers of the Railway Service appointed on the nomination of the Victorian Trades Hall Council; and

(*b*) two shall be persons who travel regularly by train."

B. For sub-section (3) of section 52 of the Principal Act there shall be substituted the following sub-section:

"(3) The members shall elect one member to be chairman and one member to be deputy chairman of the Board and the persons so elected shall hold office as chairman or deputy chairman (as the case requires) for a term of twelve months."

The Hon. D. G. CROZIER (Minister for Local Government)—The Government notes the initial support of both Mr Walker for the Labor Party and Mr Baxter for the National Party and consequently I am a trifle surprised with the proposed amendments. I recognize that this is a genuine mistake. I must say, in common with many of Mr Walker's proposals, I do have to congratulate him for originality. However, I cannot agree that the proposed amendments would enhance the capacity of the board. I suggest that his suggested inclusion that two persons who travel regularly by train——

The Hon. E. H. Walker—They are hard to find.

The Hon. D. G. CROZIER—I do not know about that. The members of the present board are familiar with the service for which they are responsible. The proposed new clause A provides, *inter alia*, that two persons shall be officers of the railways appointed on the nomination of the Victorian Trades Hall Council and that two persons shall be persons who travel regularly by train, and if one adds two train travellers to two fellow travellers, one ends up with four out of nine. As I say, while I appreciate the novelty of the proposal, the Government is not disposed to accept it.

Likewise, with the second proposed new clause B, the concept of the chairman and the deputy chairman being elected by members of the board is also not attractive to the Government; indeed, in this case, it would be inappropriate. It will not assist in the objectives of the amendment to the legislation provided for in the Bill, which are to enhance and reinforce the operations of the board which, of course, has a huge and important responsibility.

The Hon. W. R. BAXTER (North Eastern Province)—The National Party is unable to accept the amendments proposed by Mr Walker mainly for the reasons outlined by the Minister. It is not desirable for the chairman of the board to have a term as short as twelve months. That would not lead to continuity, and it would not attract the most proficient people into the task. In fact, one would imagine it becoming a pally arrangement of service by rotation, ending up like a Sunday school picnic.

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.

PERSONAL EXPLANATION

The Hon. J. V. C. GUEST (Monash Province) (*By leave*)—I wish to make a personal explanation arising out of a somewhat ragged shoot-out late last night in which perhaps innocent bystanders were likely to be winged in the hunt after, in this case, Mr Walker, whom I took to be making a distinction which was a matter for debate rather than a professional opinion. Unfortunately, the bystanders winged by my incidental remarks—quite beside my main point—were the excellent staff of *Hansard*. I want to make it clear that I apologize for what I may appear to have said and for allowing it to appear that that is what I might have meant. I shall come to what I said shortly.

I take the opportunity of paying a tribute to the reality of what the *Hansard* staff, who number twenty full-time officers, do in this Parliament for honorable members. If Mr Eddy, who is interjecting, will listen, I hope he will learn something in the course of my explanation. The staff of *Hansard* are without any doubt amongst the hardest working members of the staff of Parliament—indeed the hardest working having regard to the exacting nature of their work—and undoubtedly they have worked here longer and harder hours than either honorable members or perhaps any other members of the staff. I am sorry that members of the Opposition find this to be a matter of mirth. The fact is that not only are the *Hansard* reporters at Parliament most of the working days of the year, but they work very long hours under high pressure, doing work of great precision, and the conditions under which they work could be improved. *Hansard* has a full-time staff of only twenty, and they have to cover both Houses of Parliament. To illustrate what happens: At the end of yesterday's sittings, the staff left the building, I understand, at about 4.30 a.m. today after the Legislative Assembly had risen and then, of course, the Council began sitting again at 10.30 this morning.

The Hon. B. P. Dunn—It is absolutely outrageous, and it is bad management.

The Hon. J. V. C. GUEST—It does seem that one could have digressed from the point Mr Walker was making to suggest that perhaps a larger staff should be provided, but in what accommodation they could operate one does not know. I want to say this because I, in particular, have much to thank *Hansard* for. I know from my days in court that I am not an easy person to report.

The Hon. E. H. Walker—You are not easy to listen to, either!

The PRESIDENT (the Hon. F. S. Grimwade)—I remind honorable members that Mr Guest is making a personal explanation. If he cannot be heard in silence, I do not believe he should be heard at all. As I have every intention of allowing Mr Guest to be heard, I ask honorable members to be silent.

The Hon. J. V. C. GUEST—I wanted to make the position clear because clearly what I said last night, as it is recorded—and I believe it is accurate despite the late hour at which it was reported—was capable of suggesting something different. I am recorded as saying—and I was criticizing the making of a distinction between honorable members and everybody else on the staff of Parliament:

> I observe that the valid distinction is between matters concerning people who work full time in this House and its environs and those who, like members and *Hansard* writers, work only part of the time.

I was not attempting to suggest that *Hansard* writers are not full-time officers of the Parliament. I was simply making a distinction between those who are in or around these premises every day and those who are not. Unfortunately I also unintentionally appeared to underrate the amount of time during which Hansard writers attend to carry out their duties of reporting the debates in Parliament and duties incidental thereto.

What is truly a matter of personal explanation is this: The whole matter arose when I was referring to Mr Walker's falsely made point about a "caste" distinction, and I had in mind the conditions of some *Hansard* typists, who do work temporarily in this building. One of them told me that they are very happy with the pay they receive for working relatively few days of the year. Although they work long and late hours these ladies are, I was told, well paid. The reference I should have made was perhaps to *Hansard* typists, the people employed in the dining-room and others in similar situations, as well as to honorable members. I wish to make it perfectly clear that I was not intentionally referring to *Hansard* reporters and I apologize for appearing to have done so.

MINISTRY OF TRANSPORT (AMENDMENT) BILL

The debate (adjourned from the previous day) on the motion of the Hon. D. G. Crozier (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. G. A. S. BUTLER (Thomastown Province)—The Opposition does not oppose the Bill, the main purpose of which is to create the new position of Deputy Director of Transport to head the new finance section of the Ministry.

The Minister's second-reading speech indicates that the responsibilities of the Ministry of Transport have increased substantially, and that something like $900 million a year is expended by the Ministry. I understand that any increase in the department's ability to provide public service transport would be reflected in the northern suburbs. One wonders whether it would have been better to have employed extra officers to improve the financial structure rather than to appoint a deputy director. However, I reiterate that the Opposition does not oppose the Bill.

The Hon. B. P. DUNN (North Western Province)—The National Party supports the Bill, which will create a new position of Deputy Director of Transport in the Ministry of Transport. As has been outlined, the Ministry is a vital part of the Victorian Government's responsibilities and it is clear that for decades now public transport facilities have been allowed to run down. The present situation is grossly inadequate, with most of the rolling-stock and many other public transport facilities being neglected. It has become obvious in recent years that in the decades ahead there will be a strong swing back to public transport, which is the most effective way in which to transport large numbers of people and volumes of freight at reasonable cost.

The National Party has always been a strong advocate for improving the transport system and the railway network in particular. This system is relied on in country areas for the transport of produce and is a vital link for country communities. I have made that point many times before.

Unfortunately, at a time when the wheat and grain harvests are imminent, the railways are having great difficulty in maintaining essential railway transportation of grain from many of the country receival points. This situation has come about because too little attention has been paid to the needs of public transport in the past. There is a shortage of locomotives. Many are old and out of date, and virtually getting to a stage of unservicability. There is a run down fleet of railway carriages, and improvements need to be made by the Ministry of Transport in the future.

I think the present Minister has shown himself to be a decision-maker. He is a person prepared to really get with it, and get his department moving, and hopefully this position that has been created will lead to a more futuristic type of transport Ministry. It is hoped the Victorian Government will give it the strong backing that it needs to carry out its responsibilities.

The motion was agreed to.

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

TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL

The Hon. D. G. CROZIER (Minister for Local Government)—On behalf of the Minister of Education, I move:

That this Bill be now read a second time.

A Town and Country Planning (General Amendment) Bill was introduced in the final spring sessional period of the last Parliament and allowed to lie over so that interested persons and bodies could have an opportunity to make submissions in relation to its provisions, and I take this opportunity to express my appreciation to those who made submissions.

The Bill is the most significant amendment of the Act for many years. It provides for a number of innovative proposals about which I shall speak shortly and which the Government believes will improve the planning processes in this State.

Before referring to the details of this Bill I should like to place it in the context of the Government's proposals for planning and planning legislation.

Since the Bill was originally introduced last year the Government has given consideration to the final report of the Building and Development Approvals Committee which deals with planning controls. The Government is determined to implement a range of recommendations designed to obviate duplication, delay and frustration in the planning process. Some of the recommendations in the report involve major issues of principle, and therefore the report was widely distributed and comments were invited. Submissions have since been received and are being reviewed by a steering committee which will report to Government.

One recommendation in the report calls for revision of the Town and Country Planning Act. The Government has decided that there should be an overhaul of the Act to update and simplify its provisions and administration machinery. Approval has been given for the appointment of an advisory panel of practitioners experienced in the operation of the Act to assist in this task. The recommendations of the steering committee arising from consideration of the report's recommendations will be a significant input to this task.

Chapter 5 of the report deals with the appeals system and was contained in a separate interim report by the Building and Development Approvals Committee. This was widely circulated last year to interested parties for comment. Comments received were carefully examined by a steering committee of permanent heads and the Government has adopted the principal recommendation for a combined board of appeal to deal with matters currently dealt with by the Town Planning Appeals Tribunal, the arbitrator under the Local Government Act and the Environment Protection Appeals Board. Draft legislation to incorporate this and other recommendations relating to appeals is being processed and it is proposed that a Bill be introduced and allowed to lie over to provide opportunity for consideration and comment.

The Government has decided that the need for two planning permits should be eliminated as far as possible and that local councils should be a "one-stop shop" for applications and permits. Since the Town and Country Planning (Miscellaneous Provisions) Act was proclaimed, procedural obstacles have been overcome to enable this to be instituted in the Westernport region.

Further, the Board of Works has been undertaking an examination of its delegation to councils in respect of the carrying out of the Metropolitan Planning Scheme. It is proposed to give full delegation to local councils with appropriate safeguards to protect the integrity of the scheme, which will include referral of certain permit applications.

This, together with the proposal for local development schemes to which I shall now refer, is an important move towards enabling the Board of Works to concentrate on developing regional strategies for the metropolitan area and enabling municipalities to provide and service the day-to-day planning needs at the local level.

The metropolitan area as defined in the Second Schedule to the Act involves 50 municipalities. In addition to controls prepared by the Board of Works

there are currently eight planning schemes and seventeen interim development orders prepared and administered by 22 of these municipalities applying to the whole or part of those municipalities, resulting in dual planning control. Such multiple control is frustrating for developers and confusing to the public.

Over the years, various particular local requirements have been incorporated into the Board of Works controls to satisfy local needs but this has led to increased detail and complexity in those controls. On the other hand, the metropolitan scheme does not always provide the degree of detailed control desired by councils and this has led to requests from councils for new interim development control. Because the metropolitan area is of such magnitude, over-all planning controls cannot readily incorporate in detail the varying requirements and objectives for each municipality without becoming unduly voluminous and complex.

To enable effect to be given to local planning aspirations, and so that such local planning will harmonize with the regional objectives of metropolitan planning and thereby lead to implementation of the Government's policy of making local councils a "one-stop of local planning to be known as local it is proposed to introduce a new form shop" for planning permit application, development schemes.

This will enable councils in the metropolitan area to plan in greater detail for their municipalities within the framework of and consistent with planning by the Board of Works for the metropolitan area as a whole. As said previously, the integrity of such over-all planning must be preserved but there will now be much greater scope for councils, which are bodies closest to the day-to-day activities in their areas and are therefore aware of the detailed planning requirements for their localities, to give effect to these requirements by fleshing out the over-all metropolitan objectives.

The Board of Works as the resource body for metropolitan area planning will make arrangements for staff to be available to provide additional assistance to municipalities to facilitate the preparation of local development schemes to complement the Melbourne Metropolitan Planning Scheme.

The Board of Works, the Ministry and the Town and Country Planning Board have already been working on the development of metropolitan objectives and guidelines for the preparation and processing of local development schemes. It is proposed that, after this Bill is enacted, the provisions in it relating to delegation by the Board of Works and local development schemes will not be proclaimed until such time as the metropolitan objectives and guidelines have been finalized and been submitted to me and I am satisfied that they have been adequately explained to municipalities. To assist in this regard seminars will be held to which municipal councils in the metropolitan area will be able to send representatives.

Sound planning for the metropolitan area is vital. Honorable members will no doubt be aware that the Board of Works has recently published alternative strategies for metropolitan Melbourne. The report refers to four options. Briefly, these are:

Dispersing growth, that is a continuation of outward growth which would entail accelerated development of land in the defined corridors.

Centralized growth, with emphasis being given to the central business district as the focus of commercial growth, rather than to further growth of centres in suburban areas, with provision for additional population to be accommodated through redevelopment of such areas as vacated industrial areas, and infill development in existing residential areas.

Suburbanized growth, which proposes an increased rate of dispersal of activities from inner areas to locations accessible to suburban housing as well as the encouragement of the development of localized activities in residential areas.

Incremental growth which proposes a reasonable balance of the other three options and takes account of current economic circumstances.

I do not propose to expand further on these now but I expect to be able to make a statement on the matter before the end of this sessional period.

Policy changes do not necessarily call for legislative change. As an illustration of this, I refer to the decision announced earlier this year requiring a change in zoning where there is an application for a shopping centre in a reserved living zone. It is also intended to exhibit with the amending planning scheme any negotiated agreement entered into between the responsible authority and the applicant. It is my view that it is proper that such negotiated arrangements should be made openly and put on exhibition for public examination.

I now address myself specifically to the Bill. It includes important provisions which should not be left to await the finalization of the lengthy task of overhauling the Act. In consequence of this proposed review of the Act and other matters to which I have referred, some clauses have been deleted from the previously introduced Bill for further consideration. These clauses were numbers 3, 11, 14, 17, 19, 21 and 22.

Amendments have been included in the Bill as a result of an examination of submissions, review of the original provisions and because of a need for some additional technical amendments to the principal Act. However, the overall philosophy of the Bill has been retained. I am grateful to those whose submissions have helped to improve the provisions of this Bill.

As honorable members have had an opportunity to generally consider the proposals in this Bill since it was first introduced, and as notes on the clauses of the Bill are contained in the accompanying explanatory memorandum, I shall confine my remarks to a brief summary of a number of significant approaches to planning procedures in the Bill, and the more important changes that have been made to the contents.

The existing legislation provides for certain statutory procedures to ensure that people are aware that a planning scheme is being made or amended. These include exhibition of the proposals and advertising in the *Government Gazette* and newspapers. The Government believes that the present situation is not fully satisfactory. The Bill provides that when a scheme proposes to change the purposes for which land or buildings may be used, persons appearing from rate records to be the owners or occupiers are to be individually notified unless the Minister exempts the responsible authority from the requirement.

The Act presently provides for a right of objection when planning schemes or amendments are exhibited. Many people have considered that the mere right of objection is inadequate and a wrong perspective can be gained when the only people who contact the responsible authority are those who oppose a particular proposal. The Bill proposes to amend the Act so that submissions are called for instead of objections. Thus someone who agrees with the broad changes but has suggestions to make on some aspects may make them while others who fully support the proposals may so comment. When submissions are received they are to be considered by the responsible authority, which will either modify the scheme to give effect to all variations requested in the submission or refer the submission to a panel consisting of three members, only one of whom is a member of the responsible authority. The panel will report to the authority on any variations which it believes should be made to the scheme. The panel's report will be forwarded to the Minister with the adopted scheme.

It is considered that this approach will remove the "Caesar unto Caesar" view which some people have of an authority hearing objections against the authority's own proposals. It will ensure that before the Minister makes a decision he has before him the report of an independent panel which has had an opportunity to hear those who wish to be heard.

It is also proposed to provide that planned schemes may include a statement or statements of objectives which are intended to be achieved. In the Bill originally introduced into Parliament this provision was limited to a scheme made by the Board of Works but it is now considered it can give wider benefits and is therefore extended in this Bill.

This will enable responsible authorities to state within the context of the scheme the objectives and how the scheme aims to achieve them. Being part of the scheme will give them a recognizable status. It will also be beneficial in the preparation of local development schemes which are to be consistent with the objectives of the Melbourne Metropolitan Planning Scheme.

The current provisions of the Act do not provide for a responsible authority to delegate its functions and powers and this can cause delay, particularly to applicants for permits. To streamline the procedures for the benefit of responsible authorities and applicants the Bill proposes that a responsible authority be able by resolution to delegate such functions and powers as it from time to time determines, provided that delegation will not extend to the making, revocation or amending of planning schemes or interim development orders or to compensation or acquisition of land or the power of delegation itself.

Delegation may be subject to such limitations and conditions as the responsible authority specifies so that each authority can specify its own procedures. Notwithstanding the terms of delegation, a delegate may not refuse to grant a permit but where he considers it should be refused he is to refer the application to the responsible authority for determination. In addition, where he considers a permit should be subject to any conditions he is to notify the applicant that the applicant may request that the application be referred to the responsible authority for determination.

When delegation is exercised, a report is to be made to the next or next succeeding meeting of an authority, thus ensuring that each authority is aware of decisions being taken under delegation.

The provision will not apply to the Town and Country Planning Board which already has delegation powers under the principal Act, and these new provisions will not derogate from a power to delegate which a responsible authority may have under another Act, as for instance the Board of Works has under its Act.

I have previously referred to the operation of the Metropolitan Planning Scheme and to provisions for the preparation of local development schemes which are contained in this Bill.

To protect vital energy resources, the Bill introduces a new Part IIID into the Act enabling the declaration of mineral fuel resource areas by the Governor in Council after consideration of reports from the Minister for Planning, the Treasurer, the Minister for Minerals and Energy and the State Co-ordination Council. Where an area is so declared every responsibile authority concerned is to make a planning scheme or amend its scheme to give effect to the order by the Governor in Council. Further, the Minister for Planning after consultation with the Minister for Minerals and Energy may direct the making of an interim development order for the area and specify the time for preparation and submission of an order, planning scheme or amendment.

I shall now deal with the more important changes in the Bill.

Clause 3—Instead of providing for a substituted section 8E relating to implementing statements of planning policy, the clause now extends the existing section of the Act to include interim development orders as well as planning schemes.

Clause 4—This is a new clause to which I referred earlier and which provides that statements of planning objectives may be included in planning schemes.

Clause 5—There is opinion that the Act does not presently contain power to issue temporary use permits. Section 18 is now to be amended to specifically provide that a permit may authorize a particular use of land for a specified period and such a permit may be subject to a condition that any development on the land shall be removed at the end of the period. This provision is retrospective to the commencement of the principal Act.

Section 18 (5) (*b*) is to be amended to clarify that a permitted development is to be completed within two years of the issue of the permit unless another

period is specified in the permit. The amendment is retrospective to the commencement of section 18 (5) (*b*).

Clause 6—This clause has been amended by including the limiting of decisions which a delegate may make and to afford an applicant the opportunity to request the responsible authority to determine the application where the delegate considers that the permit should be subject to conditions.

Clause 14—The responsible authority is to consider each submission received and determine either to modify of alter the scheme to include all variations requested in the submission or to refer the submission to a panel. This means there need only be one hearing.

To provide for more direct liaison between the responsible authority and the panel, it is now proposed that one member be a member of the responsible authority. An officer of the responsible authority may not be a member of the panel. Where a panel may include a member of the Board of Works, a commissioner of the relevant area commission may be appointed in lieu of such member. Fees and allowances, if any, payable to panel members are to be met from the Consolidated Fund.

Provision is now made for a time limit of three months for the Town and Country Planning Board to certify that in its opinion a proposed planning scheme or interim development order is consistent with a statement of planning policy for the area or to specify the provisions of the scheme which it considers are inconsistent.

Clause 17—The clause now includes provision for certificates to include additional information where there is a local development scheme in respect of the area. This provision was included in clause 26 of the previously introduced Bill and is considered to be more appropriately drafted into this clause.

Clause 18—This new clause substitutes a new section 42 (5B) to clarify responsibility for compensation between the body requiring the land for a public purpose and the responsible authority. It requires the responsible authority to be notified in writing that the land is required but eliminates reference to the need for the land to be included in a map comprised in the scheme thus clarifying the situation during the period before the land is included in a map in the scheme.

This clause also incorporates the following proposed amendments to sections 42 and 43 of the principal Act, amplifying existing provisions of those sections. These amendments were previously included in the Public Works and Planning Compensation Bill introduced into the last Parliament.

Section 42 (2) (*a*) is amended to include refusal of a permit by the appeals tribunal. Section 42 (5) of the Act enables payment of compensation for loss on sale where land is reserved or proposed to be reserved for public purposes. However, there is no entitlement where the land is vacant. The proposed amendment broadens the provisions of section 42 (5) to include all land which is reserved or proposed to be reserved for public purposes.

Where the Melbourne and Metropolitan Board of Works has paid compensation for loss by owners who sell land affected by an interim development order or planning scheme, and where the land is ultimately required by another authority, such body deducts from the purchase price the sum paid by the Board of Works in compensation but is not required to reimburse the Board of Works for its loss. The amendment to section 43 will correct the anomaly.

Clause 20—This is a new clause which follows an examination by the Board of Works of its delegation of powers under the Metropolitan Planning Scheme. It extends the delegation provisions in section 58 to provide for permits issued in certain circumstances to be void and for rights to compensation. The clause provides for the Board of Works to be a respondent to certain appeals to the Town Planning Appeals Tribunal. It also provides that the Board of Works may continue to enforce the Melbourne Metropolitan Planning Scheme notwithstanding that it has delegated some or all of its powers under that scheme to councils.

Section 58 is also amended to require the Minister to obtain and consider the comments of the council concerned on the terms of the delegation.

Clause 21—Amendments have been made relating to exemption from the requirement to notify owners or occupiers of affected land, dealing with submissions, membership of panels and payment of fees and expenses to panel members which are similar to provisions in clause 14. Also, a local development scheme need not be exhibited where the Minister is satisfied that the provisions of the scheme are substantially similar to the provisions of a planning scheme or interim development order in force in that part of the municipality.

In accordance with the Government's intention to streamline planning procedures, only one permit application is to be necessary in relation to land covered by a local development scheme. It was always intended that local development schemes be confined to the metropolitan area and this is clarified by a proposed amendment to the Geelong Regional Commission Act. I commend the Bill to the House.

On the motion of the Hon. E. H. WALKER (Melbourne Province), the debate was adjourned.

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

LIQUOR CONTROL (AMENDMENT) BILL

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

The Hon. E. H. WALKER (Melbourne Province)—The Labor Party certainly does not oppose the Bill, which embodies an initiative members of the Labor Party are pleased to support. To change the licensing laws to allow for a major festival on one day a year is a good idea. The measure will allow for only one day in any calendar year. It will also allow a special licence for a food and wine festival in Melbourne to be held on a Sunday. That is appropriate. The licence will cost $1000. This type of initiative is long overdue in a city such as Melbourne and the Opposition wishes the organizers well.

The Hon. W. R. BAXTER (North Eastern Province)—Members of the National Party support this small Bill on the grounds so ably outlined by Mr Walker. It is a sensible and welcome initiative. Recently there have been examples, particularly at the Melbourne Cricket Ground, of a tiny minority which abuses liquor and the rules made for the good order of society, but the fact that that tiny minority of hooligans exists is no reason to deny the people at large avenues of entertainment and enjoyment. The Government should press on with this sort of enlightened measure but take appropriate action to control those people who abuse such measures.

The motion was agreed to.

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

HEALTH (PROPRIETARY MEDICINES) BILL

The debate (adjourned from the previous day) on the motion of the Hon. W. V. Houghton (Minister for Conservation) for the second reading of this Bill was resumed.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—The Minister has adequately explained the purposes of the measure and the Labor Party does not oppose it.

The motion was agreed to.

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

PERSONAL EXPLANATION

The Hon. GLYN JENKINS (Geelong Province)—I am informed that on 6 December 1979 in another place Messrs Crabb and Cain indicated in personal explanations that they were not involved in releasing information from files laid on the table in the Library, as I alleged in a question on 29 November 1979. I indicate to the House that I accept unreservedly the explanations given by Messrs Crabb and Cain and apologize for the misunderstanding.

MOTOR CAR (FEES) BILL

The debate (adjourned from December 6) on the motion of the Hon. Haddon Storey (Attorney-General) for the second reading of this Bill was resumed.

The Hon. R. J. EDDY (Thomastown Province)—This is the one tax measure relating to motorists that the Government claims will benefit them because it reduces the registration fees they are called upon to pay each year. However, the claim is not correct. The 15 per cent reduction proposed for most categories of motor vehicles is inadequate in comparison with the amount that is being taken from motorists by the petrol levy.

The petrol levy results from the Business Franchise (Petroleum Products) Bill, which was passed during the last sessional period, and when the levy was introduced motorists were promised a substantial reduction in motor registration fees and were told that the fees would be restructured to favour small cars rather than large cars. That has not come about. Instead, there has been a 15 per cent decrease for most categories of vehicles. For example, in 1979 the registration fee for a Holden Gemini was $39.40. The fee in 1980 will be $33.62, a saving of $5.78. The third-party insurance premium in 1979 was $154.70, and in 1980 it will be $152.92. That makes a saving of only $1.78 for motorists on registration and third-party insurance charges.

For a Ford Escort, the registration fee in 1979 was $51.50; in 1980 it will be $43.85, providing a saving of $7.65. The 1979 combined registration and third-party insurance charges were $166.80 and will be $163.15 for 1980, which provides a saving of only $3.65 or 2·2 per cent.

For a Commodore, in 1979 the registration charge was $62.50 and in 1980 it will be $53.15, a saving of $9.35. The 1979 combined registration and third-party insurance charges were $177.80 as against $172.45 for 1980, which again is a saving of only $5.35 or 3·9 per cent. As one can see, the reductions that were promised to the motorist have not eventuated. The Bil will not allow people to meet the increased third-party insurance premiums, which the State Insurance Office recommended should be reduced by at least $30.

Reductions were also promised to pensioners. Using the examples of the cars I mentioned previously, for a pensioner the 1979 registration fee for a Gemini was $33.62; with the 50 per cent rebate it would be $16.81, while the third-party insurance premium for 1980 will be $119.30, a total of $136.11, which is a reduction of only 11 per cent, whereas pensioners were promised that, with the 50 per cent rebate, they would have to pay only $76.46.

For a Ford Escort, the 1980 rate would have been $43.85; with the 50 per cent rebate it has been reduced to $21.93. The third-party insurance premium will be $119.30, which gives a total of $141.23, a rebate of only 13·4 per cent, although according to the promise, they should have been paying only $81.57.

Not too many pensioners could afford to drive a Commodore these days, but the normal registration fee for 1980 for a Commodore is $53.15; with the 50 per cent rebate it would have been $36.88. The third-party insurance premium will be $119.30, making a total of $146.18, a rebate of only 15·4 per cent, instead of pensioners having to pay only a total of $86.23 with the promised 50 per cent rebate. These promises were made by the Premier in his policy speech on 17 April this year, in which he said:

> Because many pensioners are dependent on their motor cars for transportation, we will introduce rebates of half registration fees and third-party premiums.

In the *Age* of 26 September this year a pre-Budget announcement appeared which stated:

> The State Treasurer, Mr Thompson, will deliver a tough Budget today, but there will be a 50 per cent reduction for pensioners in motor registration fees and third-party insurance premiums.

It was reported that Mr Thompson had said on the previous day that the concessions would operate from 1 January next year and would be available to eligible pensioners. The *Herald* of the same day contained a similar announcement stating:

Concessions include a 50 per cent cut in registration fees and third-party insurance for eligible pensioners.

That is a similar promise, but this has not been fulfilled. It is difficult to understand how the Premier could announce in his policy speech that these 50 per cent reductions have not been granted. would be made to pensioners, and to find when one reads the Bill that these reductions have not beeen granted. It is just not good enough, because pensioners have been misled.

The Premier, when making the announcement in the Budget speech, misled many pensioners into believing that they were to receive this 50 per cent reduction in registration and third-party insurance fees. No doubt many pensioners cast their votes in certain ways, hoping that the promises would be carried out, but according to the provisions of the Bill, they had not been fulfilled. In comparison with the other levies that have been imposed on motorists in Victoria, the reductions that have been granted are not good enough.

For example, the petrol levy will generate large amounts of Government revenue. From a full year's collection the Government will have at least $40 million left over to make up for the reduction in motor registration fees after it has made up the loss caused by the abolition of road maintenance charges.

I understand that amendments were proposed in another place and, as a reasoned amendment, I now move:

That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for a further reduction by forty per centum of all the fees provided for in this Bill except those relating to hire cars and taxis, motor cars having a carrying capacity in excess of 4 100 kilograms and motor cars owned and used solely for the purposes of primary production".

The Hon. D. M. EVANS (North Eastern Province)—The National Party regards this proposed legislation as rounding out and generally settling down the whole situation of motorists and the users of roads in Victoria. The Government has proposed a series of tax measures in recent months which have shifted the substantial portion of the taxation burden in Victoria directly onto the motorist and the road user. In addition, it has taken up the challenge issued by the Commonwealth Government some years ago when by policy declarations it indicated that fuel and the motorist generally were no longer simply a taxing source for the motorist's benefit but rather a taxing source for the Consolidated Fund and for general revenue. Up until that time those fees and taxes collected directly from the motorist were used for his benefit and the normal collection charges were deducted, but there has been a steadily increasing trend to direct those funds to other purposes.

Some months ago I placed question No. 2 on the Notice Paper in this House requesting details of the actual disbursement of funds taken from the motorist in Victoria. Although the question remained on the Notice Paper for six months, I have not received an answer to it. I raised this matter in the House a week or so ago because it is relevant for the people of Victoria to know what is happening with the taxes that are imposed, and certainly those that are raised from the motorist.

As I indicated, this measure is a rounding off of a series of measures by the Victorian Government to obtain revenue from the motorist. It is the first of the measures that have been introduced which gives back some of the share that was taken away.

In his second-reading speech the Minister indicated very enthusiastically that there would be a saving of from $8 to $10 in the registration fees paid on the normal range of motor cars, and that this would be $9.86 on a Holden Kingswood sedan with a 202-cubic-inch motor. It was calculated that the average saving for all private motor cars used solely for social, domestic or pleasure purposes would be $8.16. I assume that means every motor car from the Morris Minor to the Rolls-Royce will enjoy an average saving of $8.16.

Mr Eddy went further in providing statistics and included a number of figures for the savings that will be made on various categories of motor cars, but one must look at the general distribution of the tax burden that will result from this series of measures.

If the ordinary Holden motor car, which most people drive and which is the subject of comment in the second-reading speech, does about 20 miles to the gallon and the car is driven about 10 000 miles a year, which is fairly high for the average family motorist, the cost in State fuel tax would be about $30 a year. The motorist will save about $8 or $9 in registration fees but will lose as a general rule by about $20 a year. That is not a large amount of money; no doubt many people could spend $20 quickly in one day, let alone twelve months. There would be less concern in the community if the whole of that money was used directly to improve roads, but the motorist has now become a source of revenue for the State Government, which quite unashamedly accepts that. The Minister stated in his second-reading speech that:

> With the abolition of road maintenance charges from 1 July this year a total of some $10 million has been lost to the State from this source.
>
> Provision was made in the Business Franchise (Petroleum Products) Act 1979 to reimburse the Country Roads Board for this loss from the revenue derived from the imposition of the fuel levy.

That is true but it does not cover the other $40 million or $50 million to be raised from this source. It is accepted that the fuel levy has now become a new growth tax to the State. Perhaps that is reasonable, but at least the Government should be honest and admit it.

There are a number of points with which the National Party can agree. It is noted that taxis will have a 50 per cent reduction in registration fees. No doubt this will offset the heavy extra cost they will have to bear through the fuel levy. Obviously fuel will constitute a high proportion of the operating cost of taxis. The Bill appears to provide a substantial reduction, but without doing the calculation, I suggest that as a result of the series of measures concerned, the Government will derive more from taxi drivers this year than last year.

The National Party welcomes the concessions to the primary producer. For many years the National Party has suggested a number of concessions as being reasonable *vis a vis* fees paid by other sections of the community. I know the Victorian Farmers and Graziers Association and other producer organizations and individuals have put forward similar ideas in recent years. I note, for example, that for farm trucks under 3 tonnes there will be a flat registration fee of $50, and for those over 3 tonnes the fee will be $100. There will also be no limit on the number of trucks that can be registered in this category. At one stage there was a restriction to one truck. Many farmers, particularly in the wheat areas, have a number of trucks which are used on a limited basis during the year, usually during harvest time, and which were essential for their operations. As they travel only a small number of miles, they were not on the roads to a great extent and the costs per mile for registration are quite high. The Bill provides an equitable return to the farmer, but the concession is taken away by the recently passed Business Franchise (Petroleum Products) Act because in many cases those trucks have not been subject to road tax, and now they will be. In the sense that the owners of the trucks will contribute through fuel taxes, the Government will probably finish up winning the exercise.

I notice that there will be no registration fee for agricultural machinery—the provision is similar to that which previously applied to tractors. This provision will cover farm motor bikes, provided they are used within 25 kilometres of the farm. Generally, the bikes are only on the road for the purpose of moving from one portion of the farm to another. The provisions of the Business Franchise (Petroleum Products) Act will apply to these vehicles which will make a contribution to the petroleum tax. I realize that as a result of representations of the National Party, because of its clear understanding of the original intentions of that Bill, diesel fuel for use in farm and other off-the-road vehicles will be exempted from the payment of fuel tax.

An unusual case has come to my attention, and I have put it to the Minister on a number of occasions, regarding goose-necked trailers. These vehicles are used by people involved in horse riding events and so forth. The

trailers are a cross between a semi-trailer and a large caravan. They generally are low profile vehicles with accommodation for 1 to 4 or 5 horses, perhaps with sleeping and living accommodation in the front. However, because the pivot point of the trailer is mounted forward of the rear axle of the towing vehicle, these vehicles are regarded not as trailers but as semi-trailers and for that purpose until recently the registration was in excess of $500, whereas if they had been normal trailers the registration fee would have been about $100.

The people who use these vehicles usually do so for pleasure or for the purpose of carrying horses to rodeos and so forth. The vehicles are not used for commercial purposes, in carrying horses, other animals, or goods for hire or reward. I ask the Minister to say whether it is intended to classify goose-necked trailers as vehicles for primary production according to the meaning of the Act. It would be fair and reasonable. I understood that consideration was to be given to such a provision and I hope that has been done. During the Committee stage I intend to ask the Minister whether that is the case and, if it is not, I will ask the honorable gentleman to include these vehicles in the classification of normal trailers. That would be justifiable and fair, and would affect only a small number of people.

The concessions provided in the Bill to pensioners are welcomed. A large number and wide range of concessions are now being given to pensioners in Victoria. The deficiencies in the Commonwealth social welfare system in relation to payments to pensioners are now being taken up and to some extent overcome by concessions by the State Government which has very much more limited fund-raising opportunities. This point has not been raised previously. Although it is equitable from the point of view of pensioners, it is being achieved at the expense of the State Government. It would be better to raise pensions. That should be clearly understood.

Concessions are given to ex-servicemen, particularly those who have more than 75 per cent incapacity, and that is reasonable.

I now come to what is perhaps the most important provision of the Bill. This Bill cannot be looked at in isolation and must be viewed in conjunction with other measures initiated by the Government during this budgetary sessional period. Previously, a great proportion of the registration and other fees gathered under the Bill and collected by the State Government, less collection costs, was paid over to the Country Roads Board for direct use by that board, or alternatively was paid into the Roads (Special Projects) Fund which provided finance for a number of Victoria's highways in recent years. However, the major portion of the funds went directly to the Country Roads Board. The reduction in fees that has been allowed for in this Bill may mean a direct reduction in funds paid under the legislation to the Country Roads Board.

Although the Business Franchise (Petroleum Products) Act provides that the money lost through the abolition of road tax is to be made up by that small percentage of the total funds collected under the Business Franchise (Petroleum Products) Act, which is given to the Country Roads Board I am not certain that sufficient consideration has been given under this other package of legislation to making up the shortfall which will occur in funds paid to the Country Roads Board as a result of the reduction in registration and other fees. This matter has concerned many people. It is most important because the road system in Victoria is not what many people would wish it to be. The motorist is ripped off, to use a modern expression. The provisions of the Business Franchise (Petroleum Products) Bill create a new growth tax, but I believe the equity of previous years should be retained as an absolute minimum. Members of the National Party believe all the funds collected from the motorist should go towards the construction and maintenance of roads.

I turn to the amendment by Mr Eddy that this matter be withdrawn and redrafted to provide for:

> . . . a further reduction by forty per centum of all the fees provided for in this Bill except those relating to hire cars and taxis, motor

cars having a carrying capacity in excess of 4100 kilograms and motor cars owned and used solely for the purposes of primary production.

The National Party will not support the amendment because it would lead to an even further reduction in funds directly available to the Country Roads Board. A greater proportion of the funds obtained under the Business Franchise (Petroleum Products) Act should be made available for the Victorian roads system.

The National Party accepts the concessions that have been won for pensioners and primary producers, and will support the Bill. It is the first positive step by the Government to assist the motorist, but only in a small measure does it make up for the substantial additional funds being taken from Victorian motorists.

The House divided on the question that the words proposed by Mr Eddy to be omitted stand part of the motion (the Hon. F. S. Grimwade in the chair).

Ayes	25
Noes	12
Majority against the amendment	13

AYES

Mr Baxter	Mr Jenkins
Mr Bubb	Mr Knowles
Mr Campbell	Mr Lawson
Mr Chamberlain	Mr Radford
Mr Crozier	Mr Reid
Mr Dunn	Mr Saltmarsh
Mr Evans	Mr Stacey
Dr Foley	Mr Taylor
Mr Granter	Mr Ward
Mr Guest	Mr Wright
Mr Hauser	*Tellers:*
Mr Houghton	Mr Hamilton
Dr Howard	Mr Hayward

NOES

Mr Eddy	Mr Walker
Mr Kennedy	Mr Walton
Mr Kent	Mr White
Mr Landeryou	
Mr Mackenzie	*Tellers:*
Mr Thomas	Mr Butler
Mr Trayling	Mrs Coxsedge

PAIR

Mrs Baylor	Mr Sgro

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Amendment of No. 6325 s. 7)

The Hon. D. M. EVANS (North Eastern Province)—I seek clarification by the Minister for Conservation concerning goose-neck trailers which are an advertised product and clearly identifiable by those people who know the purpose to which they are put. Because these vehicles are not a commercial vehicle in the general sense and there is no provision in the current registration procedures to register those vehicles other than as a semi-trailer, the people who own those vehicles find themselves in the position of paying a registration fee which is calculated on a commercial vehicle which will carry goods for hire, whether it be livestock, motor vehicles or any other type of goods. As a general rule, the owners of such vehicles use them for their own private accommodation in a caravan sense and generally for the carriage of horses or stud animals of one type or another, certainly in connection with their business in many cases and, in other cases, for pleasure.

If the link point of these vehicles were behind the towing vehicle, the owners would pay around $100 in registration fees. However, because the design is such that the pivot point to which the vehicles are attached to the towing point is forward of the rear axle, they are charged as semi-trailers.

The important point is that these are not commercial vehicles in the sense of the normal semi-trailer that a major company may take up and down the highways. These vehicles are used solely for the cartage of horses, or similar livestock. Rather, the vehicles are generally used for moving horses or whatever as only a small part of the business and frequently, they are used for pleasure jaunts by people interested in horses and similar stud operations. Can the Minister indicate whether consideration has been given to including such vehicles under one of the primary-producer categories?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I do not know whether consideration has been given to that type of trailer. If consideration has not been given, I will ensure that the Minister responsible for the Bill examines the suggestion and forwards a reply.

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.

ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL

The debate (adjourned from the previous day) on the motion of the Hon. W. V. Houghton (Minister for Conservation) for the second reading of this Bill was resumed.

The Hon. R. J. EDDY (Thomastown Province)—The Bill is designed to extend the numerical strength of the Victorian Abattoir and Meat Inspection Authority and to amend areas of representation on the authority. The Opposition, during the course of the debate, may appear to be critical of certain areas of Government administration and policy concerning the functions of the authority. However, the Opposition does acknowledge the important role of the authority and the work performed since its inception in 1973.

Any criticism that I offer will be of a sound and constructive nature based upon the general needs of the meat industry. The Opposition will not oppose the basic principles of the Bill. However, during the Committee stage, it is my intention to move an amendment to clause 2 so as to provide a more realistic representation on the authority of the meat industry.

The newly-constituted authority will have an important function. It will be necessary to closely analyse areas of policy and administration to meet the demands of the industry brought about by changed circumstances, especially in the area of marketing. The task is not an easy one. There is a need for good, sound decision making in many areas.

I shall give a brief résumé of the areas in need of immediate consideration. The future position relating to the carcass classification as a means of carcass description through the dual meat inspection; the future of liveweight selling of livestock; the impact of farm selling upon the future municipal and private livestock saleyards; the Government's attitude towards uniform State legislation governing the meat industry within the Commonwealth; the impact of collective and conclusive buying upon the price structure at the sale-yards and recommendations from the Prices Justification Tribunal inquiry into commission rates charged by stock agents and other livestock marketing operations. The Prices Justification Tribunal conducted an inquiry into beef marketing and processing. Another area which needs consideration is the future of the Newmarket sale-yards and abattoir complex. The recommendations of the Corail working party in the Derrimut area was tabled back in May 1977 and set out seven alternatives for the future development of the Derrimut area, an impressive list when it was openly admitted that much of the area in need of deep consideration by the authority will be complementary to the over-riding role of the Australian Meat and Livestock Corporation.

The Opposition is convinced that the Government, through the Abattoir and Meat Inspection Authority, should exercise discretion in the issuing of licences to new abattoirs and meat processing establishments. The Victoria meatworks are currently working at less than 50 per cent capacity. Many large abattoirs and meat processing processing works have closed down or are working part time. This is reflected in the price structure of the product. The producer, the processor, the worker and the consumer are all at a loss when new works are permitted to be established and slaughtering capacity can be gauged only by the availability of stock and market fluctuations. This is an important measure.

I was fortunate in being a member of the Meat Industry Committee for a few years and I know the work

which was carried out by the committee. That committee was led by Mr Stanley Gleeson, an able chairman with a wide knowledge of the meat industry. The Minister would appreciate the remarks I have just made.

The Hon. W. V. Houghton—Especially as I was on the Meat Industry Committee with him from 1967.

The Hon. R. J. EDDY—I have heard about the Minister's efforts. This is an important Bill. It is not only the producers but the people who work within the industry, members of the meat employees' union, who play a big part. I know the Minister has relied upon the union and has called upon the secretary on several occasions to discuss problems within the industry. No doubt those discussions were beneficial to both the Minister and the union. The amendment I intend to move in Committee proposes to add to the authority a representative of the employees.

The Hon. D. M. EVANS (North Eastern Province)—The National Party supports the Bill. There are a couple of obvious reasons for the proposed amendments, the first being the fact that the Victorian Farmers Union and the Graziers Association of Australia have merged to form a Victorian Farmers and Graziers Association. It is necessary therefore, that the terminology of some of the representations on the Victorian Abattoir and Meat Inspection Council be changed to take account of the change in the nature of the organizations, and the Bill is designed to do that.

It is reasonable that one person from the country abattoirs and wholesalers of Victoria should be included on the authority. The National Party would not necessarily propose such representation, nor would we support or reject it with force. But it is not unreasonable. It seems sensible and the Victorian Farmers and Graziers Association, the major producers' organization, is happy with it. In the view of the National Party, having listened to some matters raised by Mr Eddy it is fair to say that the chief attention, purpose and responsibility of the authority is to oversee meat premises, slaughterhouses, etc. in Victoria to ensure that they meet the specified standard and that meat passes the necessary health inspection so that it is safe for consumption. This is the sole purpose and it is fairly clearly spelt out in section 9 of the principal Act in which the functions of the authority are set out. I do not propose to read them but they do refer to those matters to which I have just adverted, that is, the inspection of meat itself and of the premises and installations for handling meat.

To extend beyond that level, as Mr Eddy seeks to do, enters into an important area in which the ideas he proposes are ones in which the National Party is interested. In many cases the National Party is in general agreement with those ideas, but it is the view of my party that the responsibilities Mr Eddy seeks to give to the Abattoir and Meat Inspection Authority would be better handled by a Victorian meat marketing authority such as that proposed by my colleague, Mr Hann, the honorable member for Rodney in another place, which is the subject of a private member's Bill. This appears to be a more reasonable way of attacking the major problems existing in the various marketing aspects of livestock, the promotion of meat, the setting of standards for meat so that they correspond to the standards they purport to correspond to, the rationalization, if necessary, of sale-yards, and certainly the conditions under which sale-yards are established and operated throughout Victoria to the benefit of the producer the consumer and the buyer.

These matters would appear to be more reasonably controlled and managed by a meat marketing authority. That is not to say that the National Party disagrees with Mr Eddy or with the Labor Party from a philosophical point of view. Rather, the National Party disagrees with the category in which Mr Eddy has placed those matters.

The honorable member has indicated also that there may be an amendment from the Labor Party in relation to unions involved in the meat trade. I agree that it is sensible and necessary to have full consultation on matters of mutual concern between the Abattoir and Meat Inspection Authority, the producer organizations, the meat workers authorities, and so on, and responsible members for unions involved on the floor of the meatworks. There are doubtless many areas in which mutual problems exist which need to be examined and overcome. Perhaps it would not be so reasonable to have a representative of the union involved in the Abattoir and Meat Inspection Authority as it is to have abattoir owners and livestock producers, simply because decisions taken by the authority will affect the cost structure of the operation and the presentation of people who are either abattoir owners, butchers or alternatively producers. There is no doubt that the producers, either directly or indirectly, will bear the cost of the operations of the authority. Those costs will be passed back to them either as a levy or, alternatively, in a reduced sale-yard price whereby the owner bears the expense of handling the product. Nobody disputes that it will operate in that way.

I do not believe anyone can dispute the reason why the abattoir owners, the Country Abattoirs and Wholesale Association and the Victorian Farmers and Graziers Association are represented on the authority.

In passing I make mention again of the vexed question of dual or treble inspection of livestock, especially the situation that exists in towns along the Victorian border. I am aware that the Border Anomalies Committee, set up at the instigation of the New South Wales and Victorian Governments, is examining the matter at present. I hope that a sensible solution can be achieved because it is ridiculous that there is more than one inspection of the one carcass without due reason. Provided the needs of public health are met, one inspection should be sufficient. There is no reason why the inspection should be different whether the lamb chop is consumed in Albury, consumed in Wodonga or sold in either of those places. I have no doubt that people buy meat in butchers' shops on one side of the border and go to the other side. It is a silly situation which adds to the cost of meat and which adds friction and ill-will. I hope the Border Anomalies Committee and the Abattoir and Meat Inspection Authority can come to mutually acceptable terms with their New South Wales and South Australian counterparts and, no doubt, with the Federal people as well.

The National Party supports the Bill. I commend Mr Eddy on the comments he has made, which are valid; but in this case perhaps he has made them on the wrong Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 8404 s. 5)

The Hon. R. J. EDDY (Thomastown Province)—I move:

Clause 2, page 2, sub-clause (1), insert the following paragraph to follow paragraph (*b*):

'(*c*) For paragraph (*d*) there shall be substituted the following paragraph:

"(*d*) one shall be a person nominated by the Victorian Trades Hall Council as a representative of employees engaged in the meat industry;" '.

Section 5 of the principal Act provides, *inter-alia*:

(1) The Authority shall consist of eight members appointed by the Governor in Council of whom—

. . . . . .

(*d*) one shall be a person nominated by the Minister for Local Government as the representative of local government bodies owning or operating abattoirs;

The Bill increases from eight to nine the number of representatives on the Victorian Abattoir and Meat Inspection Authority. One of the changes in the membership results from the amalgamation of the Graziers Association of Victoria and the Victorian Farmers Union into one body, namely, the Victorian Farmers and Graziers Association.

If my amendments were accepted, one person would be nominated by the Victorian Trades Hall Council to represent the 11 000 employees in the meat industry who are members of the Australasian Meat Industry Employees Union. However, the Government is not prepared to include one of those men as a representative of the authority or to allow the Trades Hall Council to nominate a person as a member of the authority. It is important that these people be represented. After all, they handle the stock daily and know as much about the industry as the producer. They provide the goods to the consumer.

The farmer is responsible for raising the cattle to be sent to the abattoirs but the meat worker is responsible for getting the goods to the shops so that consumers can buy them. The Minister is not prepared to agree that one of these members should be nominated as a member of the authority by the Trades Hall Council.

I do not know exactly what difference one such member of an authority comprising eight or nine members could make. He could probably assist the other members better than those who are already nominated as representatives. For those reasons, I urge all honorable members to support the amendment.

The Hon. D. M. EVANS (North Eastern Province)—As indicated earlier, the National Party does not support the amendment. Although it is agreed that the people who work in the meat works have an interest in the way in which the meat is handled, their interests are reasonably protected by their union consulting on matters of interest. They do not have the same degree of direct pecuniary interest as producers, in the sense that the procedures adopted in the abattoirs are at the cost of the producer, the abattoir owner or the exporter. In that sense, it is not unreasonable that the authority should be constituted in the manner proposed.

There is an effective limit to the number of people who can be involved in such an authority because the more members the less likely the authority will function effectively. I would have to look with more concern at a Labor Party suggestion that there be further representatives of some consumer group which may have had an even more direct interest in the authority. The interests of the people who work in the abattoirs are best served by their union organization and through proper consultation with the authority and the abattoir owners. That is the best way to handle the matter.

The Committee divided on Mr Eddy's amendment (the Hon. W. M. Campbell in the chair).

Ayes	.. ..	12
Noes	.. ..	24
Majority against the amendment	..	12

AYES

Mr Butler	Mr Walker
Mrs Coxsedge	Mr Walton
Mr Eddy	Mr White
Mr Landeryou	
Mr Mackenzie	*Tellers:*
Mr Thomas	Mr Kennedy
Mr Trayling	Mr Kent

NOES

Mr Baxter	Mr Hunt
Mr Bubb	Mr Jenkins
Mr Chamberlain	Mr Long
Mr Crozier	Mr Radford
Mr Dunn	Mr Reid
Mr Evans	Mr Saltmarsh
Mr Granter	Mr Stacey
Mr Guest	Mr Taylor
Mr Hamilton	Mr Ward
Mr Hauser	
Mr Hayward	*Tellers:*
Mr Houghton	Mr Knowles
Dr Howard	Mr Lawson

PAIR

Mr Sgro	Mrs Baylor

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.

LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL

This Bill was returned from the Assembly with a message relating to an amendment.

Assembly's amendment:

Clause 5, page 3, line 39, after "marsh." insert—

'(1A) In this section "river" and "water course" shall have the same meanings as are

contained in Part III. of the Drainage of Land Act 1975.'.

The Hon. D. G. CROZIER (Minister for Local Government)—In another place an amendment was made to clause 5 of the Bill which has the intention of simply adding to the definition of flood-prone land. Honorable members will recall that clause 5 inserts a new section 925AA in the Local Government Act 1958. The definition proposed in the new clause is similar to the definition of flood-prone land or land liable to flooding in the Drainage of Land Act 1975. The amendment moved in the other place simply puts beyond doubt that the definition will have the same meaning as the definition contained in the Drainage of Land Act. In another place, the Government accepted the amendment, and I commend it to honorable members. I move:

That the amendment be agreed to.

The motion was agreed to.

RAILWAY CONSTRUCTION AND PROPERTY BOARD BILL

The debate (adjourned from the previous day) on the motion of the Hon. D. G. Crozier (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. R. A. MACKENZIE (Geelong Province)—The Bill reconstitutes the Railway Construction Board as the Railway Construction and Property Board and in so doing confers additional functions on the board. It makes better provision for the development and management of railway land not used directly for railway purposes and makes further provision to transfer to the new board responsibility for the management and control of railway housing no longer required by the railways. The Labor Party does not oppose the Bill. It has had a long progress through the other place and, as a result of its many failings, the Government had to revise the original Bill. Members of the Labor Party still consider that the Bill requires further amendment and I foreshadow certain amendments which will be moved at the Committee stage.

Several points in the Minister's second-reading speech deserve comment. The Opposition is concerned that yet another board is being formed. One wonders what the limit is for Government boards and how many statutory bodies, advisory boards and so on a Government of this size should have. The Opposition is concerned that the board will just be another board and that perhaps the existing Railway Construction Board could have done the work of the proposed new board had its powers been extended. The land that is referred to in the Bill, which is mainly the reason for the proposed new board, has in many cases been owned by the Victorian Government through the railways for many years. The use of the land is to be the responsibility of the board.

The land is very important. As honorable members are aware, land, even in outer regions, is an ever-decreasing commodity and some of the land which honorable members are considering is in the centre of developed areas. It has been owned by the railways for many years, and some of it is very valuable. The Opposition views with reluctance any land, especially land in developed areas being disposed of because the basic philosophy of the Opposition is that public land belongs to the people and it should be used by the people; because it happens to be valuable, it should not be sold off. If suitable, the land should be put to public use.

In the second-reading speech, the Minister referred to the proper and thoughtful development of railway land which would be welcomed by local communities. That is a commendable statement, but it is not borne out in the remaining provisions of the Bill because many local communities will not be involved in any decision-making concerning the future of the land. The amendment I foreshadow in Committee will deal with this aspect. The Opposition will be asking that, before any land is sold, local councils, Parliamentarians and people concerned in the community should have some say in what should be done with it.

The second-reading speech also states that the Railway Construction and Property Board will have a task of revitalizing the railways to ensure that the railways achieve their proper place in a planned transport system and that many projects are under way to encourage the railways to provide a real alternative to private transport. The Opposition welcomes the Government's change of heart in its claims to revitalize the railways. This is the reason given by the Government for forming a new board.

The Minister stated in the second-reading speech that the task of upgrading the railways is not a simple one and VicRail should be relieved of responsibility for housing and major developments on railway land so that railway management will be given the opportunity of concentrating fully on the transport tasks; that the creation of the Railway Construction and Property Board will enable this to be done. I am cynical of that view. The Railway Construction Board could have performed those tasks, given reasonable extensions to its powers. The Opposition opposes the creation of another board.

The second-reading speech further states that the Bill defines the constitution and functions of the board and provides for the transfer of Railway Construction Board staff to the new board. This provision is welcome because it was not included in the original Bill. Concern was expressed by members of the railways staff already engaged in this type of work that the board would appoint people outside the Public Service and, as a result, many people now employed in the existing board would be looking for work. That is another danger when boards are created. Often, people employed on former boards are outside the Public Service structure and are unable to go through the Public Service system for promotion, superannuation and so on. It is pleasing to note that staff will be transferred to the new board because trained people well versed in railway procedure will be available to it.

Part IV. of the Bill makes provision, on the approval of the Governor in Council, for the development of railway land and for that land to vest in the Railway Construction and Property Board. As I said before, the Opposition is concerned that the local community should be given more say over that land. Part V. refers to railway housing. This raises several interesting points because many honorable members will have railway housing in the provinces that they represent. Mr Jenkins and I have railway housing estates in the province that we represent and, although some housing is old, being built after the second world war or even earlier, the railways own approximately 2300 houses.

During the last sessional period, Parliament debated housing and emergency housing. All honorable members are in agreement that this is a problem that faces many persons who need housing—for instance, the unemployed, the aged, people unable to find decent accommodation, those persons who are on the waiting list for Housing Commission homes and people living in dilapidated places that are subject to demolition orders. It appears that a chance has now been provided for the Government to investigate, through the new board, what houses are available, the state of those houses, and whether some not used by VicRail staff could be transferred into the social welfare field to provide emergency housing. I hope the Government will examine that aspect of railway housing.

The new board will also examine improvements to and safety of level crossings and the construction of parking facilities at railway stations. This is very important. It is one aspect of which again many honorable members will be aware because of small problems of this type in the provinces that they represent. In Geelong a very dangerous railway crossing exists at North Shore, and efforts have been made for many years to get an overpass at the crossing. The honorable member for Geelong North has made numerous representations on the matter.

Another area where I hope the board will be able to use its new-found powers is in increasing parking facilities at railway stations. This is paramount if people are to be encouraged to use the railways more, and to revitalize them, as was mentioned in the Minister's second-reading speech. The railways must provide parking facilities not only at suburban stations but also at country stations. The need exists for additional car-parking spaces at Geelong. As I have said before, 2500 people commute to Melbourne daily from Geelong. It is becoming increasingly difficult for them to find car-parking spaces at the Geelong station.

Clause 5 provides for a three-man board to be appointed by the Government in Council, and the Opposition believes a three-man board is too narrow. That will be another amendment that I foreshadow in the Committee stage. The Opposition believes an absolute minimum should be five, and to the three-man board proposed in the Bill there should be added a representative of the union and a representative of the train travellers—the people who use the railways. It is inadequate to appoint three people without including the unions, which are vitally concerned with the railways. Anybody whose job depends on the functioning of a service is vitally concerned, and it is important that he should have his say on the board.

It is frustrating when trains are continually late. I have travelled on them regularly for four years, and I know the frustration of not being able to get anything done when the service is not efficient. A train travellers' association has been formed and it could provide a member who would offer constructive criticism on the board. This would be worthwhile. That is another amendment that I foreshadow during the Committee stage.

Clause 12, as I mentioned earlier, provides that in the transfer of staff to the new board, the superannuation rights will be protected.

As I said before, the Labor Party does not oppose the Bill, but I will be raising several items during the Committee stage and proposing several amendments.

The Hon. D. M. EVANS (North Eastern Province)—This is an interesting measure because it gives wide responsibility to the proposed Railway Construction and Property Board, both in business arrangements and rational management. It sets up an organization that will manage a number of important segments of the railways in Victoria, one such item being construction. I was interested to note that the Bill provides for the construction of new railway lines. There has been concern in the past year or two about the destruction of valuable railway lines, so it is an about-face if new railway lines are to be built.

I applaud the decision to build new lines. I hope it is not just an idea of the board, because the railways in Victoria have a substantial part to play in the transport systems of this State in the future, not only because of the energy crisis but also because of road safety. If properly managed, they will be efficient.

I was interested in the comments of Mr Mackenzie on a number of issues. I do not intend to comment now on the amendments that he has foreshadowed, but I will do so at the Committee stage. Nevertheless he dealt with the Bill in great detail.

The board that is to be set up has financial responsibility, and that means the quality of people to be appointed to it must be of a high calibre. The board will not only have substantial borrowing powers, although limited to $50 million dollars—that is not peanuts in anybody's language—but the degree of responsibility that it is expected to exercise is clearly set out and demonstrated by the fact that it will be a board, or an investment in which trustee companies can invest. That is somewhat of an accolade, as permanent building societies are not regarded by

the statutes as approved for trustee investments. The new board, according to the Bill, will have that accolade accredited to it.

I am also interested to note that the board will be able to sell property belonging to the railways from time to time. In fact it has trading rights. It will also have the right to retain within the railway structure any finance that is gained from the selling of such assets. I disagree with Mr Mackenzie on this. The railways cannot remain totally static in ownership of public land. I agree that the railways should not be turning over too much public land to private ownership, but it should be able to buy or sell land when it is a sensible practice.

The railways are a statutory authority and have some responsibility to manage and control approved development and enter into leases. It is the responsibility of the railways to become more efficient and to manage and maintain areas of land they are not using.

It is difficult to defend the retention of land when it is obvious, even in the long term, that it will not be required again. Conditions and needs change, and so does the need for certain areas of land. If the railways board sells land, the money remains with the railways and hopefully can be used for reinvestment in other areas. The money will not go straight into the Consolidated Fund. The new board will have substantial responsibility in expenditure on such things, as Mr Mackenzie indicated, level crossings, various other maintenance and safety items in connection with the operations of the railways, and so on.

Just as an aside, I am interested in where the additional funds to carry out those responsibilities will come from. I am sure the railways cannot sell enough land to carry them out. It will be the motorists and the road transport operators, through the petroleum levy, who will contribute considerable funds for the railway transport system. The happy motorist, wending his way happily through the countryside, looking at the birds and the bees, can be said to be contributing to the board's coffers. I hope the board will use the funds properly, as honorable members have not been able to do much about it.

I am also interested in section 27, which Mr Mackenzie briefly touched on. The provision relates to railway houses which are let to tenants, who may or may not be railway employees —they may be current or former railway employees. The proposed board will have the right to terminate a lease on one month's notice to tenants of railway houses. It looks stark in the Bill. I hope that is the starkest it can ever look, and that the provision is used with discretion and some degree of humanity. As a landlord, the board will have the right to retain a house for its own use but, with a long-standing tenant, I hope the provision is used with discretion and humanity.

Clause 20 is the operative section in the disposal of property. While I have indicated a general understanding of the need for disposal of property from time to time, I am concerned that the public will not be made fully aware that such property is to be disposed of. They should not be faced with a *fait accompli* where, if they have the right to object, they have to be quick enough to shoot as it goes past. All too often in this House, honorable members do not understand a Bill or amendments, and they are passed; the gate is shut and the horse has bolted. I do not want to see that position come about with the sale of railway land. It may be the final saga of some valuable and scenic railway lines in Victoria, lines which the community may need in the near or distant future.

I hope there is sufficient opportunity for the general public to know when such a proposal is likely to be implemented. I will examine with some degree of interest, as will my party, the proposals Mr Mackenzie intends to put forward regarding public awareness and participation in this decision-making process. The National Party may or may not support the amendments. It has not seen the amendments at this stage.

Dealing a little further with the comments by Mr Mackenzie on wider representation on the board, I do not like to see a board made too big. I am well aware that a camel is a horse designed by a committee, and that if a committee is too big it might design two camels. I agree that five is not a huge number. What is more important is the degree of expertise, considering the substantial responsibilities that the board will have. It will administer loan funds, investments by trustee companies, trustees, executors and such people. This is a real blue ribbon investment field in which the board will be operating, and that means financial management and expertise, and the responsibility, must be very considerable. I shall have further remarks to make during the Committee stage of the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

The sitting was suspended at 6.17 *p.m. until* 8.3 *p.m.*

Clauses 2 to 4 were agreed to.

Clause 5 (Constitution of Board)

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Clause 5, line 16, after "Governor in Council" insert "of whom one shall be a person who frequently travels by train and one other shall be a person who is an employee of the Victorian Railways Board and is nominated by the Victorian Trades Hall Council".

As I said earlier, the composition of the board is too narrow as a board comprising three persons is not a truly representative body. The inclusion on the board of a train traveller and a person nominated by the Victorian Trades Hall Council would ensure that the union movement was represented. The expertise or knowledge of a train traveller is most important to assist in the correct functioning of the board.

Earlier, Mr Evans said that, because of the huge sums of money to be handled by the new board, it should comprise only people who have considerable expertise. I remind Mr Evans that quite a number of train travellers have sufficient expertise to act as members of the board. The same argument would apply to some members of the union movement who are eminently well qualified to fulfill a role as a member of the board.

The Hon. D. G. CROZIER (Minister for Local Government)—It appears that tonight the Committee will be asked to expand the well-known principle of worker participation to user participation—there appears to be a chorus of affirmation from the Labor Party benches. I agree with Mr Mackenzie that some people who travel on the railway network do possess considerable expertise in all sorts of areas and it may well be that one of the members of the proposed new board would qualify as a person who frequently travels on a train. It may even be that one of the members of the board might also be a person who would be acceptable to the Trades Hall Council. However, I suggest to the Committee that they are not the primary qualifications which the Government is looking for in appointing the members of the board.

As was adequately pointed out during the second-reading debate, the new board has a substantially increased responsibility. Indeed, the whole purport of the Bill is, firstly, to give effect to the intent of allowing the Victorian Railways Board to carry out its considerable responsibility with greater efficiency and, secondly, to expand and restructure the present Railways Construction Board to give it extra powers and responsibilities. To carry out those responsibilities the people who will be selected for membership of the board will have considerable experience and a proven track record.

I suggest that if the Committee were to accept this principle there would be no more logic in doing this than to say to the board of General Motors-Holden's Ltd that it should include on its board someone who drives one of its cars, or to say to the board of Broken Hill Proprietary Co. Ltd that it should have one member on its board who in some way uses

a number of its products. It may well be that members of the board may qualify on those grounds but there are all sorts of interesting possibilities.

To return to reality, the intent of the measure is to assist the Victorian Railways Board to carrry out its considerable functions with greater efficacy and to relieve it of some of the functions which it has, by logically delegating them to the new board and to impose on the new board a considerable responsibility.

Therefore, the Government cannot accept the amendment as to do so would be in direct conflict with the primary objective of the measure. For that reason the Government finds the amendment unacceptable.

The Hon. D. M. EVANS (North Eastern Province)—Despite the logic shown by Mr Mackenzie, the National Party cannot support him on this occasion. I understand that the new board is to have a management under direction. Working under direction from the Victorian Railways Board, it will carry out the managerial operations of certain policies and needs of the railways.

In my view its functions do not extend in any way into the policy making area. If the functions did extend into that area an argument could be put forward, with which I may or may not agree, to widen the representation on the board, at least in some of the ways indicated by Mr Mackenzie.

Because the new board has purely a management under direction function, as I stated, I see no reason to extend the principles beyond those indicated in the measure. I reiterate that the highest degree of expertise will be necessary to enable the new board to carry out its responsibilities as set out in the relevant clause.

The Hon. R. A. MACKENZIE (Geelong Province)—I make the final point that I know of two train travellers who might be regarded as having possessed considerable expertise. I refer to the late Ben Chifley who was Prime Minister of Australia and probably one of the greatest Treasurers this country has ever had. It could not be said that he could not carry out the duties of a board member!

The Hon. D. G. Crozier—Was he a train traveller or a train driver?

The Hon. R. A. MACKENZIE—Mr Chifley travelled more miles on a train than has any honorable member on the Government benches. I also point out that another train traveller is Mr Gordon Scholes who rose to be Speaker of the House of Representatives. I have provided two examples of the type of people who could perform the duties and functions required of a representative of a railways union and also be a train traveller. Those gentlemen would have had sufficient expertise to participate as a member of the board as provided in the measure under consideration.

The amendment was negatived.

The clause was agreed to, as were clauses 6 to 19.

Clause 20 (Development of certain land)

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Clause 20, line 39, after "Board" insert "shall give notice in writing to the Councils of all municipalities in whose municipal district any part of the land is situate and members of the Legislative Assembly and the Legislative Council in whose electoral district or province any part of the land is situate that an investigation is being made; and a copy of such notice shall be published once in a daily newspaper circulating throughout Victoria and one in a local newspaper published and circulated in the area in which the land is situate and the Board, after considering any submissions made in writing by any council or any other person,".

The amendment proposes to make it mandatory for the new Railway Construction and Property Board to consult with local people when decisions are to be made which affect particular areas. The wording of the amendment is to be found in other railway Acts and relates to the closure of level crossings. It is not unusual for this wording to appear in a railway Act. The Labor Party believes the insertion of these words into this measure will ensure that the operations of the board in any municipality will permit local

people to have a say and to place submissions before the board also and to allow them to consult with the board before any decision is made.

As the Bill stands at present the public does not have the option of consulting with the board about local matters and it is important that the amendment should be accepted.

The Hon. D. M. EVANS (North Eastern Province)—As I said in my earlier remarks, members of the National Party are concerned that the public may not be made aware until too late that property belonging to the railways is to be sold. The disposal could be effected without any public awareness.

As I stated earlier, the National Party will support the sensible amendment proposed by Mr Mackenzie. It is in line with the views of the National Party and I urge the Government to give serious consideration to including such a mandatory provision. I recognize that the Government might say that the board intends to follow that practice in any event, but it should be made clear and be stipulated in the Bill. I urge the Government to accept this sensible and worthy amendment.

The Hon. D. G. CROZIER (Minister for Local Government)—I have to disagree with both Mr Mackenzie and Mr Evans. I appreciate the value of consultation but I fail to see how such statutory consultation would assist the board in the functions proposed by the Bill. I do not understand how the efficacy of the board would be assisted by such a mandatory requirement. The opposite would be the case. Neither in the functions delineated by clause 4 or in the specific functions outlined in the clause now being considered by the Committee would the requirement assist the board in its determinations. In fact, it would have an adverse effect on its determinations.

The Hon. D. M. EVANS (North Eastern Province)—My concern about this matter is heightened by the Minister's comments. I cannot understand why the amendment should not be accepted unless the Government believes the board may wish to do something the general public, if it understood what was being done, would substantially disagree with. That is the only vindication I can perceive of the stand taken by the Minister.

Surely the public has a right to know. The procedure proposed by Mr Mackenzie would simply make sure the public did know about the disposal of railway land. The only reason for an objection to the amendment would be that the board proposed to do something it would prefer to do stealthily, without people knowing about it. I should be interested to hear how the Minister answers that point.

The Hon. D. G. CROZIER (Minister for Local Government)—I appreciate what Mr Evans has said with force and sincerity, but I am surprised at what he has said as he is a practical man. If the principle were extended to every agency of Government that has a function of buying, selling or controlling property and land the list would be enormous. I wonder how the Victorian Public Office Corporation, for instance, would be assisted in its confidential dealings or how the Rural Finance Commission would be assisted in its dealings if, before any proposed property sale, they had to meet this sort of requirement.

I can understand Mr Mackenzie's view because the Labor Party is keen on this type of procedure and I know that view is well supported by the honorable member's colleagues, but I am surprised that Mr Evans, as a practical man, could seriously entertain the amendment.

The Hon. R. A. MACKENZIE (Geelong Province)—This is a night for surprises, because I am surprised at the Minister's response. He is the Minister for Local Government and I should have thought that he would have had many dealings with local communities and would have realized the value of having the local people make decisions.

The Minister has offered no logical argument against the amendment. I hate to bring up the matter of Housing Commission land transactions, but after that experience I should have thought that Minister would welcome the opportunity of having open public participation in the buying and selling of railway

land. I hope the Minister, after this final argument, will have second thoughts.

The Hon. B. P. DUNN (North Western Province)—I support what Mr Evans has said. The National Party is most concerned that the Government could act in this fashion, and apparently the Minister supports the disposal of public land such as railway property without any public awareness of the transaction and without municipalities, individuals or members of Parliament being made aware of the situation. That is not good enough.

The amendment is reasonable and should apply in cases where land is disposed of. I understand that that notification is necessary in the case of Education Department land and the principle that municipalities, members of Parliament and the community should be aware of proposed disposals of public land is important. That is why the National Party will support the amendment moved by Mr Mackenzie.

The Hon. R. J. EDDY (Thomastown Province)—I support the amendment moved by Mr Mackenzie. I fail to understand the Minister's rejection of it. The amendment clearly states that notice in writing should be given to councils of all affected municipalities if land is to be disposed of. The Minister is the Minister for Local Government but he does not want to let local people know about railway land that may be for sale. It is public land. The Government claims it believes in local participation and in listening to the people, but it will not agree to either. The amendment is well worded and will do no more than provide local people, municipalities and members of Parliament with notice of what is to happen to railway land. The Minister is just being pigheaded. He has not taken any notice of the way in which the amendment is worded.

The Hon. D. E. KENT (Chelsea Province)—It is astounding to think that a man of integrity, such as the Minister for Local Government, even on the basis of legality, would refuse to listen to the reasoned argument put forward by Mr Mackenzie and the passionate pleas of Mr Evans. The Minister is denying the vendor the right to know that his land is being sold, because the land belongs to the people of Victoria. It is the people's land and they have the right to know.

The Hon. D. G. Crozier—Does the Federal Department of Administrative Services give such notice before selling property?

The Hon. D. E. KENT—I am not concerned with that at this moment.

The Hon. D. G. Crozier—Is that not the people's land?

The Hon. D. E. KENT—It is all the people's land. The Government should set a standard that might cause other people to regard it with respect and admiration.

The Committee divided on Mr Mackenzie's amendment (the Hon V. T. Hauser in the chair)—

Ayes	14
Noes	19
Majority against the amendment	5

AYES

Mr Baxter	Mr Thomas
Mrs Coxsedge	Mr Walker
Mr Dunn	Mr Walton
Mr Eddy	Mr White
Mr Evans	
Mr Kennedy	*Tellers:*
Mr Kent	Mr Butler
Mr Mackenzie	Mr Wright

NOES

Mr Bubb	Mr Knowles
Mr Chamberlain	Mr Lawson
Mr Crozier	Mr Saltmarsh
Mr Granter	Mr Stacey
Mr Guest	Mr Storey
Mr Hamilton	Mr Taylor
Mr Hayward	Mr Ward
Mr Houghton	*Tellers:*
Dr Howard	Mr Long
Mr Jenkins	Mr Radford

PAIRS

Mr Landeryou	Mr Hunt
Mr Sgro	Mrs Baylor
Mr Trayling	Dr Foley

The Hon. R. A. MACKENZIE (Geelong Province)—I will not proceed with the remaining amendments.

The clause was agreed to, as were clauses 21 and 22.

Clause 23 (Board to manage and control housing)

The Hon. W. R. BAXTER (North Eastern Province)—I shall refer briefly to the clauses dealing with railway housing, starting with clause 23.

I urge the new board on its formation to act quickly to dispose of surplus railway houses throughout country Victoria. There are a significant number of them in the electorate I represent, and they have been empty for some years, particularly on the Bandiana–Cudgewa line, about which the House frequently hears from my colleague, Mr Evans. Some of these houses are very old and dilapidated and of little value, but some of those of newer construction have been kept in quite good order, particularly three in the township of Cudgewa. However, because they have been left empty and unattended for so long, they are becoming a target for vandals; their value is quickly declining and the houses are becoming an eyesore in the town.

For some time now I have been endeavouring to have those houses put up either for sale or removal. Two of my constituents who are about to be married are interested in purchasing one of the houses because they are anxious to acquire a home in the township, and one of these houses would have been ideal for that purpose. However, the answer I have received to my inquiries about the possibility is that the matter is under consideration. Obviously the reason it was under consideration was because the Bill was pending.

I ask the new Railway Construction and Property Board to give this matter high priority because it is an outrageous waste of the taxpayers' funds when public assets are allowed to be destroyed by vandals and the ravages of the weather simply because no one does anything about it.

The Hon. R. A. MACKENZIE (Geelong Province)—I support the remarks of Mr Baxter, because many homes now owned by the Victorian Railways Board are vacant and often these houses, especially in large provincial cities and Melbourne, are located in areas of high population density. Many people are seeking this type of housing, and, as I mentioned earlier in the debate, this provides an opportunity for the Government to use the houses as welfare housing for people on low incomes or single parents who are having immense difficulty paying rent, even Housing Commission rents. In fact, no Housing Commission houses are available for these people. When the new board takes over, it should ascertain what the possibilities are of these houses being used for a worthwhile purpose.

The Hon. D. G. CROZIER (Minister for Local Government)—I agree with Mr Baxter's points. One of the intentions of setting up this board and giving it an expanded role is to enable it to act properly in matters of property and management.

I cannot entirely agree with Mr Mackenzie that the board should be steering these houses into the welfare housing area. This could well be done by agreement with the appropriate agencies, but the important consideration is that the board will have the responsibility and be charged with making decisions and getting on with the job. That is the intention of the Government, and it would be my expectation that that will be done.

The clause was agreed to, as were clauses 24 and 25.

Clause 26 (Board may let houses not required for railway staff)

The Hon. D. E. KENT (Chelsea Province)—This clause relates to the subject that has been raised of houses vested in the Victorian Railways Board which, when they are not required by persons employed in the railway service, may be leased to other tenants. In the past the Victorian Railways has taken a short-sighted view of property such as these houses. In towns where houses have become vacant, there has been a tendency either to leave them empty or to call tenders for their sale and removal. Instances have occurred where that has been done. Then, within a few months, a different situation has occurred and another house has been moved more than 100 miles into the same town.

In many areas houses are being vacated because of retrenchment or retirements. Some retired railwaymen have attempted to purchase those houses or to obtain a long-term lease. They have not been able to do so, and no attempt has been made to comply with urgent requests which have been made by the community that those houses should be made available to citizens in the area.

Mr Mackenzie referred to welfare housing; I do not believe that because the Railway Construction and Property Board is not a social welfare agency, which should prevent it from having a liaison with other government departments and, where possible, meeting real needs in the community.

I know of a particular instance in an area where a heavy demand for housing exists. One of these houses could have been used to fulfil a real need, but almost immediately after the retirement of the railwayman who had been living there and his vacation of the property, the house, which was in good order, was rendered unhabitable by the removal by vandals of such essential items as the bath and similar things.

Surely the responsibilities of the Railway Construction and Property Board could be conducted in a way which shows consideration for the welfare of the whole community and not merely for the administration of property within the confiines of the board and its employees.

The Hon. R. J. EDDY (Thomastown Province)—I support the remarks of Mr Kent, and note that this clause is similar to clause 23. Much has been said tonight about the railways making available the many properties that become vacant, and Mr Mackenzie suggested they could be used for welfare housing for lone parents and similar types of people.

Throughout the State today hundreds, if not thousands, of both young and older people are homeless. They are roaming the suburbs and country towns of the State with nowhere to live but under bridges, on the banks of the river or on the streets. While these properties are vacant, once the person who has resided there retires and vacates the premises, as Mr Kent suggested, they could be used to house these homeless people.

I do not suggest that the railways should make every vacant property a welfare house, but I ask the Minister to consider the suggestion. I appeal to the Minister to urge the board to investigate the possibility of using these properties for housing the hundreds or thousands of homeless people who are roaming around with nowhere to live.

The Hon. D. G. CROZIER (Minister for Local Government)—I note the arguments put by Mr Kent and Mr Eddy, and I assure the House that I am quite certain it will be the intention of the board, to take cognizance, firstly, of the claims of former employees of the Victorian Railways and, secondly, of the circumstances prevailing in any given area. Clause 26 gives the board this flexibility to determine the ultimate destination of a railway house.

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

New Clause A

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Insert the following new clause to follow clause 4:

"A(1). On the Board making any recommendation to the Minister in relation to the performance of functions referred to in section 4(1)(*b*) it shall give notice in writing to the Councils of all Municipalities in whose municipal districts such function shall be performed and members of the Legislative Assembly and the Legislative Council in whose electoral district or province such function shall be performed that the recommendation has been made to the Minister; and a copy of such notice shall be published once in a daily newspaper circulating throughout Victoria and once in a local newspaper published and circulated in the area in which such function shall be performed.

(2). The Minister after considering any submissions pertaining to the recommendations which have been made in writing by any Council or any other person within two months after notices have been given and published may—

(*a*) approve the recommendation;

(*b*) approve the recommendation with variations; or

(*c*) refuse to approve the recommendations."

The same arguments that were put forward earlier in relation to sub-clause (1) of the new clause still apply and I will not go through them again. Sub-clause (2) indicates the procedure that would be followed after the board had put notifications in the newspaper, and after the councils and various members of the public have made submissions. If sub-clause (1) was accepted, sub-clause (2) would reasonably follow.

The Hon. D. G. CROZIER (Minister for Local Government)—The Government cannot accept these proposals, for the reasons that have already been adequately canvassed in this debate.

The new clause was negatived.

The schedule was agreed to.

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

WHEAT MARKETING BILL

The Hon. W. V. HOUGHTON (Minister for Conservation)—I move:

That this Bill be now read a second time.

This Bill provides for a continuation of the orderly marketing of wheat which has been a major feature of the development of the Australian wheat industry under a series of Wheat Industry Stabilization Acts at five-year intervals since World War II.

The Bill repeals the Wheat Industry Stabilization Act 1974 but retains the provisions dealing with the delivery of wheat to the Australian Wheat Board through the sole agency of the Grain Elevators Board and maintains the Australian Wheat Board's position as the sole marketer of wheat in the domestic market for the next seven seasons. The first season to be covered commenced on 1 October 1979 and includes the crop now being harvested.

However as the change in the name of the Bill implies, there are a number of important changes to other provisions which reflect the changing needs of the wheat industry during the past five years. The arrangements involve an interlocking of the constitutional powers of the Commonwealth and States, and the operation of the plan therefore requires unanimity in the form of complementary legislation. Similar legislation has been passed by the Commonwealth Parliament and has been or is to be presented in the other States.

Turning now to those clauses which are significantly different from the old Act, clause 5 establishes the Victorian Wheat Advisory Committee to advise the Minister of Agriculture on varieties of wheat which should be liable to a discount due to poor quality. The committee has acted in a non-statutory capacity since the 1930s as an industry sounding board in giving advice to the Department of Agriculture in regard to registration and release of new wheat varieties. It has endorsed the recommendation of varieties for the various parts of the State having regard to their yield and quality characteristics. The power of the Australian Wheat Board to apply discounts to poor quality varieties is included in clause 15.

Clause 6 (3) allows the Australian Wheat Board to accept advice from consultative groups established under the Commonwealth Act. This relates to the revised requirements in the Bill for the board to determine the price of wheat used in Australia for stock feed and industrial purposes.

Clause 11 authorizes the Australian Wheat Board to declare that the Act does not apply to certain categories of wheat, for example, seed wheat and wheat which is inferior due to natural circumstances or disease or weed contamination. This removes the need for the board to accept and pay for such wheat and process its sale.

Clause 12 widens the conditions under which a person may transfer wheat, with the permission of the board, from the farm on which it was grown to another farm under the same or associated ownership for the purposes of feeding livestock. Previously, use of feed wheat was restricted to the farm on which it was grown.

Clause 13 is a major new provision which allows direct delivery from the grower to buyer under permit from the board. The board will receive the payment from the buyer and make payments to the grower as part of the pool

arrangements. However the grower and buyer have the freedom to negotiate allowances for quality and freight.

The payment to the grower will however include a deduction for the provision of Grain Elevators Board facilities. The development of this system should reduce the incentive for both growers and purchasers to operate a black market outside the Australian Wheat Board.

Clause 15 contains a major change in the system for paying growers for wheat delivered. Previously the Australian Wheat Board was authorized to make advances with the approval of the Commonwealth Minister. The so-called first advance which was paid immediately after delivery was set annually by the Commonwealth after consultation with the Australian Wheatgrowers Federation. This amount was variable and had no fixed relationship to the estimated disposal value of the crop.

Under the new plan, growers will be paid a minimum delivery price equal to 95 per cent of the average pool return from the two previous seasons and the estimated return for the subject season. The minimum delivery price will be guaranteed by the Commonwealth Government which will finance reimbursement of the lending authority in the event of sales returns falling short of the minimum price. This arrangement will apply for five seasons commencing in 1979. Clause 17 provides for the payment of the net pool return only in 1984 and 1985.

This system will overcome several disadvantages of the previous scheme.

(*a*) It provides growers with an improved cash flow and ability to manage their finances.

(*b*) It removes the quick cash payment incentive for black market trading.

(*c*) By incorporating recent and current prices it provides a market signal to growers on the profitability of wheat production. It should therefore assist in the self-regulation of the volume of production and remove the pressure for undesirable mechanism based on quotas.

(*d*) The price is reasonably predictable in advance and not subject to the intervention of pressure groups.

(*e*) A limit of 15 per cent in the movement from year to year provides a measure of stability for growers in planning future programmes.

Clause 20 restructures the arrangements for the pricing of wheat on the domestic market. Under the previous scheme, wheat for all uses in Australia was sold by the Australian Wheat Board at a single price established yearly by indexing forward the previous season's price on the basis of increases in growers' costs.

This system resulted in a price in Australia which was quite unrelated to world prices. It produced considerable income transfers between the producers and consumers according to the relative levels of the home consumption and export prices. It is interesting to note that over the past five years because the domestic price has been below the export price, producers have subsidized consumers by about $80 million. In times of low export prices the difference provided a strong incentive for black market trading.

The proposed arrangement will also operate for the next five seasons. It provides for the price for human consumption to be set by a formula which takes account of average export prices and the rate of increase in growers costs and allows an average margin of 20 per cent over a period of years. This margin was selected in recognition of the higher costs imposed on the wheat industry by virtue of the protection afforded other domestic industries, and the costs local consumers would incur if wheat supplies had to be imported. The formula is detailed in the schedule to the Bill.

The price determined by the formula is restricted to a year-to-year movement of 20 per cent to limit its impact on the Australian consumer. For the coming year, the price has been set at $127.78 per tonne for ASW grade sold F.O.R. at the port of export.

The fixing of prices for wheat for stock feed and industrial uses, including the production of starch for adhesives,

paper sizing and glucose production will be the responsibility of the Australian Wheat Board. The board will be required to use its commercial judgment in the light of the many factors concerned, including current export prices and the present and future viability of the locally based user industries.

The board's performance in this regard will be monitored by a system of reporting through the Commonwealth Minister to the Australian Agricultural Council.

The proper use of discretion by the board should provide a better service to the Australian domestic market and further reduce incentives for illegal trading.

A number of provisions relating to quotas in the previous Act have been deleted in the new legislation in the light of the improvements outlined earlier and the Government's conviction that they are an inequitable and inept way of organizing the industry. These new proposals provide a framework for further development of the wheat industry in the light of market requirements. I commend the Bill to the House.

On the motion of the Hon. D. E. KENT (Chelsea Province), the debate was adjourned.

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

BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL

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

The Hon. G. A. S. BUTLER (Thomastown Province)—This extremely important Bill amends the Building Industry Long Service Leave Act 1973. From my personal involvement in the matter, I remember that that Bill ought to have been passed in 1963 because that is when the building industry attempted to have the measure introduced so that people who worked in an industry which was never of stable tenure could have equal opportunity with other working people of receiving long service leave. As a consequence of so many years of struggle, the Bill was enacted by the Government, which is to be commended for that.

The Opposition offers no objection to the Bill except in relation to clause 13 which I understood the Opposition won last night but lost again when the National Party adopted a "however" attitude.

The purpose of the Bill is to amend the principal Act in several ways.

The most important issue is the question of sub-contractors being liable to make long service leave provisions for themselves and their workers. That is an area in which the Opposition is in disagreement with the Bill because currently it is compulsory under the Act for all sub-contractors to make long service leave payments for their workers and themselves. The Bill recognizes that fact of life ten years later. Sub-contractors within the industry make provision for such things as workers compensation and, in this instance, long service leave is in line with that.

Obviously if one is sub-contracting for ten employees and one has to meet commitments of long service leave provisions as set out in the schedule, it would be to one's advantage to tender for contracts on the basis of not having to make provision for those payments.

Since the Act was introduced the Government has found it difficult to implement because so many sub-contractors have not complied with the Act. That is a disturbing feature because everybody should be entitled to the long service leave provisions. The Government introduced the Bill in 1973 but there was a backward step because those people who choose to avoid their obligations were given an option to do so. Those people have the opportunity to decide voluntarily whether to cover themselves.

The Government has recognized that fact to a degree because in respect to interstate employees it has ensured that board will have the option of determining whether or not those persons pay for the Victorian or New South Wales

schemes because of the Albury–Wodonga situation. It is to be hoped that all of the sub-contractors opt for the New South Wales scheme because when it comes to the question of discontinuance of employment for a period of time, the New South Wales Act provides for four years and not the suggested nine months.

It is unfortunate that the Government has found it necessary to propose amendments to the Act after such a short time, but the Opposition appreciates the Government's responsibility and problems. Having dealt with sub-contractors within the furnishing trades industry, I personally know how difficult it is to organize them into unions. Therefore, I imagine it is equally as difficult for the Government to organize sub-contractors into a self-protective insurance scheme but, nevertheless, this is a backward step and long service leave provisions should be compulsory.

The Bill is a series of amendments to the Act. However, there is one good point in the Bill because it clarifies and simplifies the directions relating to legal proceedings under the principal Act. If the Government can simplify legal proceedings, it is to be commended.

The Hon. W. R. BAXTER (North Eastern Province)—I do not share Mr Butler's disappointment that it has become necessary to amend the Act after a relatively short period of four years' operation. It needs to be remembered that it was new legislation, at least as far as Victoria was concerned, in 1973. It would have been surprising if it had been found, through experience, that everything has been catered for and covered by the initial Act. It is commendable that the Government has recognized one or two issues that need clarification or altering and is prepared to propose amendments to the Act.

The National Party is happy with that section of the Act which gives sub-contractors an option as to whether they remain in the scheme or apply for that delightful thing known as a certificate of non-applicability which enables them to be exempt from making contributions. As Mr Butler said, there were many sub-contractors who were not contributing at all and were in breach of the Act. However, it would have been an impossible task because of time and money constraints to try and rope in every sub-contractor.

From a personal point of view, I do not consider a sub-contractor to be an employee anyway. He is a man working on his own account and, in the normal course of events, long service leave provisions would not apply to such a person in any case. The legislation does provide the sub-contractor with the opportunity to contribute to the scheme and, in due course, receive the benefits.

I had a case of a sub-contractor in Myrtleford who did not work full time in the building industry because he did other jobs as well. That sub-contractor had to register and he continued and his monthly contribution was calculated according to the formula and he was paying into the scheme a significant percentage of what he was earning in the building trades. It is unfair that that person should have to do that. I took the matter up on his behalf with the board and it was at that stage that I became aware of the pending legislation.

The amendments will provide the sub-contractor with the option to opt out. The sub-contractor will get out because it will be to his benefit to do so. Obviously many sub-contractors will see it to their advantage to remain in the fund and good luck to them.

The National Party is pleased that the border anomaly situation which raises its ugly head on so many pieces of legislation is now the cause of a spirit of co-operation and a willingness to overcome border anomalies. The National Party supports the legislation which it believes is a housekeeping measure to ensure that what is a good piece of legislation will work better.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 12 were agreed to.

Clause 13 (What constitutes continuous service of a working contractor)

The Hon. G. A. S. BUTLER (Thomastown Province)—I move:

Line 30 omit the word "nine" and insert the word "twenty-four".

The Opposition believes that the period in between jobs in the building industry is an unstable time because a person could be employed in the building industry and then find himself displaced. The period of time in which that person should have the right to resume work to qualify for long service leave should be in accordance with the New South Wales Act, which is four years. However, the Labor Party did suggest in another place that it be two years or 24 months and accordingly, I move the amendment.

The Hon. HADDON STOREY (Attorney-General)—The Government has some sympathy for the views expressed by Mr Butler but, in the end, it becomes almost an arbitrary matter of whether it be 24 months or four years or nine months, as it is in the Bill.

The Government has considered the matter and believes that any longer period than that set out in the Bill represents such a disjunction of service that it is not possible to conceive of it as being continuous service. The original Act was a good and desirable piece of legislation. The Bill is designed to improve its workings and the term of nine months should remain and it should be seen whether it does achieve the purpose that it is intended to achieve.

The Hon. W. R. BAXTER (North Eastern Province)—The National Party supports the Government and opposes the amendment. Nine months would have to be considered the most reasonable break away from the industry. If one is away for 24 months, that cannot be considered to be continuity of service under any circumstances. The National Party supports the Bill in its original form.

The Committee divided on the question that the words proposed by Mr Butler to be omitted stand part of the clause (the Hon. W. M. Campbell in the chair).

Ayes	25
Noes	11
Majority against the amendment	14

AYES

Mr Baxter	Mr Hunt
Mr Bubb	Mr Jenkins
Mr Chamberlain	Mr Knowles
Mr Crozier	Mr Lawson
Mr Dunn	Mr Long
Mr Evans	Mr Radford
Mr Granter	Mr Storey
Mr Guest	Mr Taylor
Mr Hamilton	Mr Ward
Mr Hauser	Mr Wright
Mr Hayward	*Tellers:*
Mr Houghton	Mr Saltmarsh
Dr Howard	Mr Stacey

NOES

Mr Butler	Mr Walker
Mrs Coxsedge	Mr Walton
Mr Kennedy	Mr White
Mr Kent	*Tellers:*
Mr Landeryou	Mr Eddy
Mr Mackenzie	Mr Thomas

PAIRS

Mrs Baylor	Mr Sgro
Mr Reid	Mr Trayling

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.

PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL

This Bill was received from the Assembly and, on the motion of the Hon. A. J. HUNT (Minister of Education), was read a first time.

PUBLIC SERVICE (AMENDMENT) BILL

The debate (adjourned from December 6) on the motion of the Hon. A. J. Hunt (Minister of Education) for the second reading of this Bill was resumed.

The Hon. D. R. WHITE (Doutta Galla Province)—The Public Service Board is an organization to which Parliament will be paying increased attention over the next two or three years. With the Bill just introduced into this House and the other Bill in respect of public bodies, increasing attention will be paid to the role of the Public Service Board because it is the body which will play a key role in ensuring that departments and statutory authorities throughout Victoria operate effectively and efficiently.

I draw to the attention of the Leader of the House one matter which concerns the Leader of the House, that is, that the Public Service Act applies to only approximately 15 per cent of the public servants throughout Victoria; and there is a tendency when new statutory authorities are established for them to remain independent of the Public Service Board. It is about time the Government began giving attention to the dwindling authority of the Public Service Board. In fact, consideration should be given to reversing the trend.

The argument for keeping bodies independent of the Public Service Board, such as the recently-formed Victorian Government Travel Authority, the Victorian Development Corporation and so on, is that to come under the Public Service Act inhibits statutory authorities in their capacity to recruit the most able people in the community. I recognize that argument, but I believe that the solution being used at present is not the only solution available. I refer honorable members to the current practice in the Federal Public Service.

In the Federal Public Service most departments and statutory departments come under the umbrella of the Public Service Board; but in the Federal arena the Public Service Board plays a far different role from the role played by the Victorian Public Service Board. In the Federal arena the Public Service Board plays a less restrictive role. That is to say it decentralizes a degree of autonomy to the departments and statutory authorities. It does not police the recruitment of every individual and in that way is able to retain a degree of influence over the whole of the Public Service. It enables and produces a higher degree of transfer between and among departments and it is a model to which I direct the attention of members on the Government side of the House in an effort to stem the current deterioration in the power of the Victorian Public Service Board.

It is the easiest and most natural inclination when a new proposed authority is to be created to say that, in order to attract the best recruits, it should be kept clear of the Public Service Board. Another alternative is to say that the structure of the Public Service Board in Victoria should be reformed to give it fewer everyday powers over the recruitment of individual departments and authorities, that it should provide a general framework or model for each department or authority, that it should have power to conduct efficiency audits from time to time and that it should have a general power to review rather than exercising day-to-day control over recruitment.

The Government and the Leader of the House who is handling the Bill ought to give consideration to that proposal. If the present trend continues, the capacity of the Government to bring about major reforms in the operation of the Public Service is reduced because its instrument, the Public Service Board, has little power over such a large proportion of the Public Service. I refer, of course, to the teaching profession, to employees of the Gas and Fuel Corporation, to employees of the Board of Works and the State Electricity Commission, none of whom come directly under the control of the Public Service Board; and that situation creates anomalies. I am not saying that as of tomorrow they should all come under the jurisdiction of the Public Service Board. I am suggesting that the Government must contemplate reversing the trend; that when the creation of new authorities is contemplated, instead of always moving away from the Public Service Board, consideration should be given to bringing those authorities under the umbrella of the Public Service Board.

An additional reason for that is that the Public Service Board is an organization that has improved in stature and performance in recent years. Clearly, the Research Division is doing work worthy of note, and it is clear that the Chairman of the Public Service Board is a man with a creative and innovative capacity which is not common throughout the Victorian Public Service. Given that those capacities exist, it is appropriate that the Government and Parliament should be making maximum use of them.

Turning to the specific provisions of the Bill, I draw attention to the fact that the Leader of the Opposition in another place was concerned about certain provisions in the Bill which inhibit the process of appeal in respect to lateral transfer within departments. As the legislation currently stands, the permanent head of a department can transfer a public servant from one section of a department to another without that person having any right of appeal. In another place the Leader of the Opposition proposed an amendment suggesting that a public servant proposed by his permanent head to be transferred should have the right of appeal to the promotions appeal board. The Government has seen fit to take that amendment into consideration and, as a result, there was a revised second-reading speech in this House, a speech which has taken that amendment into consideration. The Government now proposes to amend the Bill so as to give a public servant a right of appeal to the promotions appeal board. The proposed amendment is in line with the amendment that was supported in another place. As it has the support of the Victorian Public Service Association, the Opposition does not oppose the measure but endorses the stand taken by the Government.

The Hon. W. R. BAXTER (North Eastern Province)—This Bill is, to a certain extent, a housekeeping measure to improve the Public Service Act 1974. From investigations, it appears that the revised Act, passed by Parliament in 1974, has worked reasonably well with the exceptions to which this measure relates. The National Party supports the proposals contained in the Bill.

I do not know whether I fully agree with Mr White's assertion that it is desirable that all Government workers, whether they work for departments or statutory authorities, ought to be under the umbrella of the Public Service Board. It is common knowledge that private enterprise is able to gain much more in productivity from its work force and the House ought to look towards that objective for Government enterprises. If statutory authorities have the right and ability to hire and fire staff as they see fit, without the restraints of the Public Service Act and the Public Service Board, it is desirable that they retain that right. That is probably why some of the statutory authorities—probably most of them—are extremely efficient authorities, as they should be. The National Party supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (amendment of No. 8656 s. 37)

The Hon. A. J. HUNT (Minister of Education)—I move:

Clause 3, lines 11 and 12, omit "with the approval of the Board, and after consideration by the Board of the views of the officers concerned," and insert "give notice of his intention to"; and

Clause 3, lines 15-23, omit all words and expressions on these lines and insert—

"(5B) Any officer who feels aggrieved by the proposal of the permanent head to transfer him to a nominated office pursuant to subsection (5A) may within 10 days of receipt of notice of the proposal appeal as prescribed against the proposal to the Board which may approve the proposal with or without any variation or disapprove the proposal and the permanent head shall give effect to the Board's decision."

(5C) Where no officer appeals against the proposal the permanent head shall forthwith give effect to the proposal."

These two amendments are interrelated. In another place, both the Government and the Opposition were

desirous of ensuring proper protection for the rights of public servants so two amendments were moved, one by the Government and one by the Opposition. The principles espoused in those amendments were clearly of value and were generally acceptable. They were accepted.

The Hon. W. A. Landeryou—Even by the National Party?

The Hon. A. J. HUNT—They were accepted, in any event. However, when examined the two amendments contain elements of inconsistency and create a situation where there could be a never-ending round robin of appeals. These inconsistencies cause concern because it is important that the final decisions be made on appointments as vacancies occur. Amendments were prepared which were foreshadowed in the second-reading speech which was read on my behalf. I played a part in preparing that second-reading speech.

This afternoon, for the first time, I saw the precise terms of the amendments and was dubious about whether they really cured the difficulty so discussions took place between representatives of the Public Service Board, the Department of the Premier, the Victorian Public Service Association and other affected bodies, together with Parliamentary Counsel.

The amendments which I have moved at least clarify the situation and avoid the problems that would have been created either by inconsistent amendments or by the further amendments envisaged. These amendments ensure that the rights of public servants are protected so that there will not be a never-ending succession of appeals. I commend the amendments to the House.

The amendments were agreed to, and the clause, as amended, was adopted, as were the remaining clauses.

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

PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a second time.

The Bill honours an undertaking given by the Government at the State election held earlier this year to set up an expenditure committee to assist Parliament in the management and control of Government administration and to scrutinize and evaluate expenditure programmes for economy, efficiency and effectiveness. The Bill is introduced as part of an ongoing commitment by the Government to better inform Parliament on public accounts and improve public accountability of funds allocated by Parliament.

The increased complexity of Government and the need to better inform the community on its operations has resulted in the view that the Public Accounts Committee be merged into an enlarged joint committee of both Houses expanding the philosophy and role of the Public Accounts Committee to cover the scrutiny and evaluation of public expenditures.

The right of Parliament to control expenditure and protect the public purse has a long history. The basic principles that the Crown has no power to tax but by legislation through Parliament is enshrined in Magna Carta. Taxation is the means of making grants to the Crown and all funds must be appropriated by Parliament on behalf of the people and used for the specific purposes for which they are authorized by Parliament. Control of expenditure is, therefore, a fundamental power and duty of Parliament and a careful scrutiny of the use of public moneys has become even more important with the growth of the public sector and the power of the Executive.

Both the British and Commonwealth Parliaments have found it desirable to establish committees with similar powers and functions to those proposed in

this Bill. The Public Accounts and Expenditure Review Committee will consist of eight members of the Legislative Assembly and four from the Legislative Council and will replace the existing Public Accounts Committee. Its functions are set out in the Bill. It will generally examine Budget allocations to departments and review and evaluate public expenditures for economy, efficiency and effectiveness. It will seek to pinpoint waste or extravagance, improve planning and expenditure control. It will exercise the powers of all Parliamentary committees set up under the principal Act and will have power to appoint sub-committees. It will of course require supporting staff of high calibre, and the Government will see to it that they are appointed or seconded for the task.

The comparable Commonwealth committee has found great value in sending a statement of its preliminary conclusions to the departments concerned. This gives the departments the chance to respond to committee views and the committee the chance to assess those responses. This procedure reinforces the real task of the committee, namely, to improve efficiency. There will most often be room for improvement but it will be best effected by making recommendations based on consultation rather than confrontation. The committee is not intended to be regarded as the adversary of the departments, but rather their monitor. This form of consultation procedure is similar to that practised by the Victorian Ombudsman with marked success and it is intended that the new committee should employ it in all appropriate circumstances.

The reports of this committee will strengthen the control Parliament has over public expenditures and finance and enhance its knowledge and understanding by individual members of Parliament as well as the public in general. 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 later this day.

ADJOURNMENT

Melbourne and Metropolitan Board of Works building—Working conditions in Parliament House—Special Branch activities—Melton and Belmont high schools—Geelong pipeline—Myrtleford High School—Preston East High School—Robinvale High School—Mulgrave Freeway—Housing Commission accommodation in Frankston

The Hon. A. J. HUNT (Minister of Education)—I move:

That the Council, at its rising, adjourn until tomorrow, at half-past ten o'clock.

The motion was agreed to.

The Hon. A. J. HUNT (Minister of Education)—I move:

That the House do now adjourn.

The Hon. D. R. WHITE (Doutta Galla Province)—Further to a matter raised on a question without notice concerning the rectification of the facade of the Melbourne and Metropolitan Board of Works building in Spencer Street, can the Minister of Water Supply inform the House whether it is his intention to make a statement to the House in regard to that problem?

The Hon. J. V. C. GUEST (Monash Province)—I raise a matter with you, Mr President, as the President of the Library Committee. It is as a result of a matter raised by Mr Walker last night which interested me in the unsatisfactory working conditions of many people in this building that my interest has also been engaged in other aspects of their conditions.

The Hon. D. R. White—Now he wants to be shop steward.

The Hon. J. V. C. GUEST—I invite those who have been shop stewards to do the job. As one who is amongst the first to criticize large, strong industrial organizations which behave like commercial monopolies, I believe it is right that honorable members should be sensitive to a case in which there is no industrial muscle or representation. I understand that the conditions of employment for some people in Parlia-

ment House may have been satisfactory in the first instance of employment. For example, I refer to *Hansard*——

The PRESIDENT (the Hon. F. S. Grimwade)—Order! The honorable member should either make a complaint or a request, or pose a query.

The Hon. J. V. C. GUEST—I am making a complaint. I understand that two or three years ago the House sat less frequently and because of the increase in the hours of sittings of Parliament the *Hansard* typists, who are paid a flat fortnightly rate for a session, now work considerably longer hours, for the same rate of pay per fortnight increased only by partial indexation. It is of considerable concern for they are not of course represented on the Library Committee, which deals with the conditions of employment for people employed in that capacity and various capacities at Parliament House. It would be desirable for honorable members to be informed about the conditions of employment, in all aspects, of people working in this building so that they may be satisfied from time to time that those persons are being properly looked after.

The Hon. JOAN COXSEDGE (Melbourne West Province)—I direct a matter to the attention of the Attorney-General, who is the representative in this place of the Minister for Police and Emergency Services. Anyone who wishes to study solar energy would obviously find Victoria and Australia a very useful investigation area considering the amount of work being done by the Commonwealth Scientific and Industrial Research Organization and Victorian universities. I imagine that such people would find it important to visit the hotter parts of the State and of Australia, such as the Northern Territory. It has been brought to my notice that an American gentleman, Andrew Thomson, who is temporarily living at 8 Burwood Road, Hawthorn, is visiting Australia for the stated reason of investigating solar energy. Even though I am normally critical of the Special Branch, I request the Minister to inform the House whether this man's reported activities in Victoria and at Woomera and Pine Gap as a chief Technical Officer of the Central Intelligence Agency are being investigated, or condoned and protected by the Special Branch.

The Hon. R. A. MACKENZIE (Geelong Province)—I raise a matter with the Minister of Education. A Ministerial statement on education was made in the House recently and it appears that considerable moves are afoot in the education field. It is therefore appropriate that I raise this matter with the Minister because it is a small area of concern that has quite considerable importance. I refer to the purchase two years ago by the school council of the Melton High School of brass band instruments for approximately $7000. The school has established a successful band which provides music instruction for pupils of the school and is also a remarkable outlet for pupils with social problems. Participation in the band gives self-confidence and provides another avenue of employment for a student when leaving school. It is important for the school to have a brass band orchestra. Unfortunately, next year, the Belmont High School, which has a fine band, will lose its music teacher because of staff ceilings and there is a strong possibility that the brass band instructor at the Melton High School will be transferred to the Belmont High School.

I urge the Minister to investigate the matter and determine whether it is possible for both schools to have the services of instrument teachers. The Minister has investigated other matters and has raised staff ceilings when needs have been proved. In this particular case, the need is most important.

The Hon. GLYN JENKINS (Geelong Province)—I direct my remarks to the Minister of Water Supply and refer to the Premiers Conference last Friday in which an application was submitted by Victoria on behalf of the Geelong Waterworks and Sewerage Trust for infrastructure financing to assist in a major pipeline from Wurdi Boluc to Pettavel. The Minister will be aware that the conference decided to consider the matter under the water resources programme. I request the honorable

gentleman to inform the House whether an application has been made under that particular programme and what would be the normal method of financing if the $12 million requested were to be made available.

The Hon. W. R. BAXTER (North Eastern Province)—I refer the Minister of Education to the change in policy concerning the provision for assembly halls at high schools. I make a particular plea for those schools which were very close to the top of the list and if the policy had not changed would presumably have been funded very shortly. I ask whether it is proposed that there should be some transitional period to assist those schools. I am particularly concerned about the Myrtleford High School which has already waited more than twelve years. During that time the school has raised much money through community effort and the school council thought that the school would obtain an assembly hall shortly. A letter I received from the school council stated, *inter alia*:

> Council also points out, with respect, that support for the Liberal Party candidate in this area—

I point out that Myrtleford is in the Benambra electorate—

> —was based upon well-publicized comments, at a campaign rally prior to the last election, in which a hall for Myrtleford High School was one of three major projects to be achieved in the life of the present Government if the Party were returned to power. That promise now seems very empty to Council members; the new policy is, thus, doubly disappointing, not only in terms of an extensive waiting and planning period, but because of expectations raised to hitherto unknown heights. Those hopes have now been dashed, as has been the credibility of the Government in the eyes of the Coucil, and of the Council in the eyes of the community.

I am sure the Minister will understand the situation that exists in the town and probably in other towns, such as Red Cliffs, and that some sympathy should be given to the people who were on the verge of obtaining a hall and who have now had their hopes dashed. Those hopes were raised by promises made in the last State election campaign and it appears that they will not now be honoured.

The Hon. R. J. EDDY (Thomastown Province)—I refer the Minister of Education to correspondence I have received from Mr Robert Nelson, the acting Principal of the Preston East High School, which the Minister recently visited for a short period. Mr Nelson is concerned about an impossible situation concerning accommodation and his efforts to obtain one extra portable class-room following an unexpected increased intake at form I level next year. The letter also points out that he made application for the teaching of Italian and Greek in the school but as yet no teachers are employed who are available for transfer and the secondary staffing office is by no means certain that the Minister of Education will be prepared to engage unemployed teachers to meet the needs in this area next year.

The Regional Director of Education, Mr Roscholler, replied to Mr Nelson on 5 December stating that in the opinion of that office the school had sufficient accommodation to cater for its enrolments in 1980. Mr Nelson forwarded further correspondence to Mr Roscholler, asking him to reconsider his decision and pointing out that the school is at presently using an interview room as a class-room for many lessons a week, that the year eleven geography class has had to occupy the interview room and has been unable to use basic aids, that the school uses a small section of the laundry as a class-room, that the discussion room in the library is used for lessons and there is barely enough room to seat a small class, that the audio-visual section of the library is also used, that the pottery, woodwork, and art rooms are used to teach academic subjects, and even the kitchens and dining room of the school are used as academic classrooms. The letter refers to many similar points. I request the Minister to raise the matter with the Regional Director of Education immediately to determine whether the school can obtain what it has applied for.

The Hon. K. I. WRIGHT (North Western Province)—I also direct a matter to the attention of the Minister

of Education. It concerns a recent fire at the Robinvale High School. I informed the Minister several weeks ago that this had occurred. The damage was mainly to the administration area, to the library and to several classrooms. I informed the Minister of the praise I had for the Education Department, the regional officers, the Public Works Department and other local schools for the way in which they assisted in cleaning up the area and in providing temporary accommodation at the school.

At present, a local contractor who has a temporary lull in his work is prepared to immediately undertake permanent repairs to the fire damaged school for what everyone considers to be a reasonable price that will result in considerable over-all saving. The Director of Building Operations and the regional officers are interested in this work being done and funds are available from the region for the work. It has been ascertained that it can be reimbursed later from the special funding available for these circumstances, of which I understand this year's funding has almost been exhausted. The problem is that this would be against the principle of public tendering. However, because of the special nature of the proposal and as experts on the spot agree with what is proposed, I request the Minister to support a special clearance from the Treasury, so that this particular action advocated by the local people, the regional officers and myself, can be proceeded with.

The Hon. C. J. KENNEDY (Waverley Province)—I direct a complaint to the Minister for Local Government who is the representative of the Minister of Transport. Today, in company with many other people, I attended the official opening of a section of the Mulgrave Freeway. I make it clear that I have an interest in the problem I raise because the freeway abuts onto my home. However, many people are affected. At the end of the official ceremony, a semi-trailer started to immediately use the freeway and to turn into Huntingdale Road from the freeway. The crowd at the ceremony noticed the enormous screech of brakes which could be clearly heard from the opposite side of the freeway. There is a substantial sound-proofing on the south side of the freeway to protect local residents but there is none on the north side for homes near the streets further abutting onto the freeway in the area towards Dandenong. I ask the Minister if he would confer with his colleague, and bearing in mind the very considerable expense involved on this freeway in the first place, I suggest that the erection of some fencing or sound barriers would be a petty cash item compared with the over-all expense of building a freeway.

The Hon. D. E. KENT (Chelsea Province)—I refer a matter to the Minister representing the Minister of Housing in another place. I refer to a report on the need for public housing in the City of Frankston, which was commissioned by the City of Frankston and conducted by a housing officer, Mary Ann Hayes. It reveals a startling situation in the City of Frankston in that there is a wait of at least four years for low-cost rental accommodation from the Housing Commission. If the commission counted the people eligible, as distinct from those who applied, the waiting period would be extended by 200 per cent. At present there is an average of only three vacancies a year in Housing Commission accommodation in Frankston.

I ask the Minister in this House to draw the attention of the Minister of Housing to the acute situation that exists there. There are statistics based on the 1976 census which show, taking a comparison of family income with Housing Commission figures, that 29·3 per cent of families in the Frankston municipality were too poor to qualify for purchasing a Housing Commission house.

The Hon. A. J. HUNT (Minister of Education)—Mr Kent and Mr Mackenzie raised the question of music teachers in two schools in their province. I point out that at high school level, total staff establishment is ascertained after having regard to the initial entitlement of teachers based on school population, and thereafter on

special needs. Once the total establishment is determined, it is for the school to decide whether it will have 1, 2, 3 or 5 musicians, one or more physical education teachers, or other specialists. That is the decision of the school. The total establishment is determined having regard to total needs, but the deployment of those teachers is a matter for the school.

It is of no use blaming the department for the lack of a musician, or a music teacher, or an art and crafts teacher or a physical education teacher. The school decides and the establishment is ample to enable them to make a decision. I appreciate that sometimes there may be problems when one teacher goes to another area, and it may take time for the school to fill a vacancy. Nevertheless, there is an opportunity there for the school to make a decision. That is what is called school-based decision making, and it has been sought by school councils for a long time.

It is hardly fair, once that system has been introduced, and once the options and elections are exercised, to then blame the department for the choices that have not been made.

Mr Baxter talks about Myrtleford, and its problem with its hall. Mr Baxter well knows that this year the department has suffered a decline in capital budgets of $10·2 million and, unless the State had taken action to address the imbalance created by two Federal decisions, one on special funding for education, and the other on loan funds, the loss by education would have been far greater than $10·2 million.

This has meant a review of commitments made in good faith on the assumption that funding at the previous levels, or something like it, would have continued. This year we have not received anything like the normal increase to meet inflation. In fact there has been an actual cut, and it is not possible therefore to meet all commitments or, indeed, all claims of schools throughout the State.

The Assistant Minister of Education, Mr Lacy, who is in charge of the building programme, made a major statement upon it in another place, a copy of which was tabled in this House. It is on the Notice Paper, and I invite the honorable member to give consideration to it or, alternatively, to make representations to my Ministerial colleague.

The Hon. K. I. Wright—When will the guidelines be decided?

The Hon. A. J. HUNT—Very substantial guidelines were set out in the Ministerial statement to which I refer.

Mr Eddy raised a similar issue in relation to Preston East High School. Of course there are a few schools in this State which have all the capital facilities that they believe they ought to have. We do not live in a perfect world where it is possible for anyone to wave a magic wand and satisfy all wants at once. However, I will refer the honorable member's remarks to the Assistant Minister of Education.

Mr Wright raised the question of the Robinvale fire, and there again, although enormous sums by way of capital expenditure are provided to meet fire damage, somehow or other with the spate of fires that we have unfortunately undergone, that money was utilized quite early in the financial year. It is therefore not possible to bring about immediate restoration of every area damaged by fire. As Mr Wright implied, and admitted in the closing stages of his remarks, to allow one contractor to proceed in anticipation of approval, would be to make commitments to change the whole programme. It was a good try.

The Hon. K. I. Wright—It would have saved you $50 000.

The Hon. A. J. HUNT—It may have well done so, but again I shall refer Mr Wright's remarks to the Assistant Minister of Education who is in charge of the programme.

Earlier today Mr Trayling raised questions in relation to the Elwood High School and the staffing position there. He implied that there would be no physical education teachers. This

year, that school had four physical education teachers. One is transferring away and that physical education teacher is being replaced. The school will have four physical education teachers next year, so the total position is quite unchanged.

The Hon. W. A. Landeryou—We will give you leave to make that statement.

The Hon. A. J. HUNT—No, I can make that statement on the adjournment. Mr Trayling alleged that there will be certain restrictions in the choice of other subjects at senior level.

The Hon. D. R. White—Where did this conversation take place? He is not here.

The Hon. A. J. HUNT—Mr Trayling raised it earlier today, and I promised to get an answer and I am giving it. There is a declining school enrolment in senior years, that affects the issue, but in the main the suspicion that I expressed has been proven by the inquiries I have undertaken today. The average teaching load at Elwood High School is 15·1 hours a week. That excludes the principal and teachers whose primary duties are outside the classroom. If teachers increased that load to 20 hours a week, the range of subjects and periods available would be increased by almost one-third. Alternatively, if further teachers were released for remedial-like teaching of one sort or another, there would still be ample scope to meet all the needs of Elwood High School.

The Hon. HADDON STOREY (Attorney-General)—Mrs Coxsedge raised a question concerning the Government's attitude towards solar energy, as I understood the question. The Government is encouraging research in this area, as Mrs Coxsedge recognizes, and it is a very important area for the future. The Government will continue to encourage this as much as possible.

Somehow, Mrs Coxsedge moved from this subject to the Special Branch and called on the Special Branch to examine the activities of a certain person. I am pleased Mrs Coxsedge has joined the rest of the community in recognizing that the Special Branch has a role to play in this community. The honorable members asked that the Special Branch investigate this matter, which is quite unknown to me and referred to certain reported statements. If she could indicate to me where those statements were reported, I could then pass on any credible statements to the Minister and ask him to take them into account.

Some time ago, on the adjournment debate, Mr Kennedy referred my attention to activities by a firm of real estate agents called A. G. Curry Real Estate, of 191 Springvale Road, Springvale. This was a complaint concerning the problems of a young widow with four children, on a widow's pension, in relation to accommodation. Mr Kennedy made certain allegations against these agents and severely criticized them.

As this matter was drawn to my attention, I had it investigated and am now in a position to inform the House the results of the investigation. The results are that Mr Kennedy's allegations, in my view, are totally unwarranted. It is true that the widow in question approached the agent and signed a tenancy agreement for the premises in question, but was specifically told they were no longer available to her. Far from this being the fault of the agent, the owner changed his mind about letting the property and did so against the recommendations of the agent. The agent did his best to persuade the owner to go on with the transaction, but he would not.

A member of the real estate firm telephoned the widow immediately, and offered her two other properties, each within 1 kilometre of the property in question. One of these properties had a rental of $70 a week, and the other $80 a week. The premises in question were $60 a week. In addition to those two properties the agent offered the widow a third property, 6 kilometres from the property in question, where immediate vacant possession was available and the rental was the same as the relevant property.

The widow refused to inspect any of these three properties. I am advised that shortly after the agent had concluded his conversation with the widow, Mr Kennedy telephoned the real estate office and spoke to a member of the firm who explained the situation to him.

Subsequently, the agent tried to persuade the owner of the relevant property to change his mind and let the premises to the widow, but he refused. I am informed that again on 8 September the honorable member rang the real estate office and was advised of the attempt to get the owner to change his mind. The result is that far from any blame attaching to the firm of real estate agents, the representatives of the firm did all they could to secure the release of this property for the widow and it was the instructions of the owner of the property and not the real estate agents that brought about the unfortunate situation.

It can be seen that every statement made by the honorable member was incorrect or misleading. The honorable member made allegations against this firm severely criticizing it but it is quite clear that those statements were not well founded and the honorable member used language which he should not have used.

The most remarkable aspect to arise from the facts I have ascertained is that the honorable member was informed of all these matters by the agent before he raised the matter in the House. The honorable member was advised of the true situation and yet in the House he was still prepared to make allegations which were unwarranted and quite baseless in an endeavour to attach blame to this firm and damage its reputation.

The privileges of Parliament should not be abused to make unfounded and unfair attacks on people who have no voice in this Chamber. The honorable member chose to draw the attention of the House to this matter and asked that it be examined. It has been examined and the true facts have now been ascertained, and I suggest the honorable member consider making a statement and apologizing to the real estate agent.

The Hon. D. G. CROZIER (Minister for Local Government)—Mr Kennedy raised a transport matter relating to noise level on the northern side of a section of the Mulgrave Freeway. His comments will be brought to the attention of the responsible Minister.

The Hon. F. J. GRANTER (Minister of Water Supply)—Firstly, Mr White raised a matter relating to the facade of the Melbourne and Metropolitan Board of Works building and asked whether I would make a statement on the building. I will be prepared to make a statement as soon as negotiations at present being conducted by the Melbourne and Metropolitan Board of Works are concluded.

Secondly, Mr Jenkins raised the Wurdi Boluc to Pettavel pipeline, covering a distance of approximately 20 kilometres. This matter was raised by the Victorian representatives at the Premiers Conference and from discussions I have had with the Premier following that conference, I understand there is a good chance of the pipeline being funded under the national water resources programme. The cost of the pipeline is approximately $12·7 million and it would be funded over a period of four years. If it follows the principle of the water resources programme funding it will be on a $1 for $1 basis. Today I wrote to the Premier including a draft letter which I suggested he forward to the Prime Minister in order that the matter be finalized or clarified. I trust this action will be taken.

Thirdly, Mr Kent referred to the acute shortage of Housing Commission homes in the City of Frankston, as pointed out in a report which he has received from a Mary Ann Hayes. I will certainly take up that matter with the Minister of Housing.

The PRESIDENT (the Hon. F. S. Grimwade)—Mr Guest raised a matter with me in my capacity as Chairman of the Library Committee, which covers the operation of *Hansard*. I will make arrangements for the honorable

member to have discussions with the Chief Reporter so that he can ascertain the information he seeks.

The motion was agreed to.

The House adjourned at 10.20 *p.m.*

QUESTION ON NOTICE

COURT HOUSE FOR WAVERLEY

(Question No. 125)

The Hon. C. J. KENNEDY (Waverley Province) asked the Minister for Local Government, for the Minister of Public Works:

Are there any plans for the construction of a court house in the City of Waverley; if so, when will tenders be called and closed?

The Hon. D. G. CROZIER (Minister for Local Government)—The answer supplied by the Minister of Public Works is:

A site is owned, but design work has not yet commenced as Treasury has not listed the project for schematic design in the 1979–80 works and services programmes.

Legislative Assembly

Wednesday, 12 December 1979

The SPEAKER (the Hon. S. J. Plowman) took the chair at 11.4 a.m. and read the prayer.

ABSENCE OF MINISTER

The SPEAKER (the Hon. S. J. Plowman)—Order! I have to announce that the Minister of Transport will be late for questions without notice today.

QUESTIONS WITHOUT NOTICE

THIRD-PARTY INSURANCE PREMIUMS

Mr WILKES (Leader of the Opposition)—Will the Treasurer inform the House whether the Government has accepted the recommendations of the Insurance Commissioner to increase third-party insurance premiums by more than $30, thus costing the Victorian motorist approximately an additional $60 million in premium charges? If so, will he state when an official announcement will be made?

Mr THOMPSON (Treasurer)—This is a topical question. I have just spent the last quarter of an hour discussing the matter. I have said previously that the Government would be analysing profits from workers compensation and comprehensive insurance and considering that before assessing the degree of increase necessary for third party insurance premiums. Last year, approximately $33 million profit was made by the State Insurance Office. Approximately $16 million came to Treasury as a result; the other $17 million went into investment reserves and so on of the State Accident Office. The answer is that before making a decision the Government will examine the over-all position and not merely that aspect of the activity of the State Insurance Office which relates to third party insurance.

KEYSBOROUGH TROTTING COMPLEX

Mr ROSS-EDWARDS (Leader of the National Party)—Will the Minister for Youth, Sport and Recreation give an assurance to the House, in the event of the Valuer-General submitting his valuation of the land at Keysborough owned by the Trotting Control Board after the House has risen, that the valuation will be tabled in the Library at the first available opportunity?

Mr DIXON (Minister for Youth, Sport and Recreation)—This is the third time that question has been asked. On each occasion I have given essentially the same answer in principle; that is, that the Valuer-General's valuation will be made available to honorable members at the first available opportunity, and that will be as soon as I and the Government have received it and studied it. If it so happens that I am not available, and that seems very unlikely at this stage, the acting Minister will follow that course. I am very happy to ensure that the valuation will be tabled in the Library.

TEMPLESTOWE HIGH SCHOOL

Mr WILLIAMS (Doncaster)—I direct a question to the Assistant Minister of Education. As the Minister may know, the Templestowe High School has wanted an assembly hall for the past twenty years. Will the Minister indicate whether the school is still moving up on the priority list and, if not, why not?

Mr LACY (Assistant Minister of Education)—The assembly hall and community education programme which has an allocation of $4·1 million in the Budget was reviewed by me earlier this year, and in fact abolished. The $4·1 million was retained but the basis of ordering priorities for the new programme was changed. In place of the assembly hall community and education programmes, I announced to the House on 16 October a programme designed to provide many more schools with facilities.

Mr Fordham—Templestowe?

Mr LACY—Templestowe High School was on the list of high schools and to properly answer the question I have to indicate to the honorable member whether Templestowe High School has moved up the list, off it, or where. In reviewing that matter, the Government has changed the basis upon which priorities will be allocated for an Education and Community Activity Centre, known as the ECA centre, which consists of a full-size Olympic basketball court with change-room, showers, toilets and other facilities. As a result of that review, different criteria than simply the date of application have been used as the basis of allocating priorities.

Mr FORDHAM (Footscray)—On a point of order, Mr Speaker, as the Minister said, he has already given the House this information twice—on 16 October and once since that date. The question was specific: What is the situation with Templestowe High School's application? The answer should have taken only a couple of seconds. I ask you, Mr Speaker, to exercise discretion from the Chair to remind the Minister of the forms of the House.

The SPEAKER (the Hon. S. J. Plowman)—The question is not quite so simple as put by the Deputy Leader of the Opposition. Part of the question is, "If not, why not?" The Minister is prefacing his answer and giving the hard news by giving the reason first.

Mr LACY (Assistant Minister of Education)—I am answering the second part of the question first, the reason for the change in the priorities. Templestowe High School has changed its position on the priority list as a result of the new criteria. The new criteria are, firstly, the existence in the community of facilities suitable for assembly, gymnasia or drama; secondly, the existence in the school of facilities of that sort by one means or another; thirdly, enrolments at the school; fourthly, any other factor recommended by the regional priority review committee and approved by the Assistant Minister.

As a result of the reordering of priorities, I am in a position today—although I will not delay the House with it—to announce the names of the nineteen schools that will receive ECA centres in the 1980–81 financial year. The advance announcement is necessary to allow planning for the programme to commence. As a result of that, I have to indicate to the honorable member that Templestowe High School, together with a number of other schools which formerly had a high priority on the list, is not included in the programme for 1980–81. The matter will be reviewed in respect to the next financial year.

ROYAL COMMISSION INTO HOUSING COMMISSION

Mr CRABB (Knox)—Will the Premier, as head of the Government, use his good offices to ensure that the extension of the terms of reference of the Royal Commission are placed before the Governor in Council at a meeting this week in order that subpoenas can be issued immediately for the vital documents and files necessary for the Royal Commission and thereby ensure that the possiblity of tampering with that evidence is minimized?

Mr HAMER (Premier)—The answer is, "Yes, there will be a special meeting of the Executive Council this week."

LPG CYLINDERS

Mr JASPER (Murray Valley)—Can the Minister for Minerals and Energy indicate to the House the progress made in rectification works on gas cylinders manufactured by Rheem Australia Ltd and fitted to motor cars operating on liquefied petroleum gas? Is the Minister aware of difficulties being experienced by country people using gas in cylinders manufactured by Rheem Australia Ltd, and will he indicate what further progress has been made to assist country people to have rectification work performed as soon as possible?

Mr BALFOUR (Minister for Minerals and Energy)—This matter was mentioned to me by the honorable member some little time ago. Inquiries revealed that Rheem Australia Ltd would set up a mobile workshop to enable its mechanics to go into country areas. Those mechanics should be in the Shepparton district next Friday. When they have finished there they will move on to Wodonga. I am unable to give further details on this matter.

"AGNOTES"

Mr McCLURE (Bendigo)—Is the Minister of Agriculture aware of criticisms in certain sections of the farming community and by the National Party of the cost of promoting the news sheet *Agnotes* of the Department of Agriculture? In view of the trenchant criticism by the National Party, can the Minister advise the House whether *Agnotes* is a failure, as has been suggested, or whether it has been successful and whether he intends to review its operation as a result of this criticism?

Mr ROSS-EDWARDS (Leader of the National Party)—I raise a point of order.

Mr Fordham—Sensitive!

Mr ROSS-EDWARDS—It is not a question of being sensitive. The honorable member for Bendigo is completely ignoring the purpose of question time. That purpose is not to make a statement that is absolutely untrue and then to base a question on it. If the honorable member wants to know how the *Agnotes* project is going, that is a simple matter, but it is wrong to make an accusation against a political party, which everybody knows to be untrue, and then to base a question on that. It is destroying the purpose of question time.

The SPEAKER (the Hon. S. J. Plowman)—Order! The Chair is not in a position to know the facts behind a question. It is up to the honorable member concerned to check the authenticity of the facts. If the material presented is found not to be factual, the honorable member concerned has to wear the responsibility. The Chair cannot judge a matter such as this. I do not rule the question out of order.

Mr I. W. SMITH (Minister of Agriculture)—In the first three months of the release of the information kits called *Agnotes*, the success has been rewarding. The department has sold approximately 15 000 kits and has received approximately $120 000 for them. By anyone's standards, that is rewarding. It will not be long before the first series of updated information is available to the farmers who have purchased the kits and that information will enable them to continue to keep abreast with changing information and update their farming practices. In my view, any reasonable person would agree that the *Agnotes* scheme has so far been an outstanding success.

HOUSING COMMISSION LAND TRANSACTIONS

Mr ROPER (Brunswick)—In respect of the McCauley report on the Carlton land transactions, can the Minister of Housing advise at whose initiative Mr McCauley prepared the report, when it was completed and whether it was made available to the honorable gentleman's predecessor, the honorable member for Wantirna, and the Director of Housing, Mr Allwinton, and, if so, when?

Mr DIXON (Minister of Housing)—Those are matters for the Royal Commission.

MOTIVATION OF TEACHERS

Mr TANNER (Caulfield)—It has been claimed by an education researcher in Canada that teachers in private schools in that country are more highly motivated than teachers in Government schools. Can the Assistant Minister of Education advise whether such a claim has been made in respect of Victorian school teachers and, if so, whether it is valid, and, if it is valid, what does the Government intend to do to improve the motivation of school teachers in Victorian Government schools?

Mr LACY (Assistant Minister of Education)—The report referred to by the honorable member was referred to in this morning's *Sun*. It relates to Canadian and British research and has no applicability to Australia and Victoria. Anyone moving around the schools in this State could understand why, because one would have to gain the overall impression—and I am sure all honorable members share this view—that the teachers in Victoria's State school system are highly motivated people who are performing at a level beyond that required in must other professions.

There is some evidence—although it does not necessarily relate to this claim—that the proportion of students in non-Government schools at year 7 has increased from 24·6 per cent in 1974 to 28 per cent in 1979. At year 12 level, it is claimed that there has been an increase from 42·5 per cent in 1974 to 45·7 per cent in 1975. That does not reflect the respective teaching staffs of the two systems. In fact, most of the educational innovation at primary and secondary level comes from the State school system.

HOUSING COMMISSION LAND TRANSACTIONS

Mr CATHIE (Carrum)—I ask the Minister of Housing what action his predecessor took on the McAuley report, and whether the McAuley report was discussed between the Minister and his predecessor, Mr Hayes, either at the Ministerial changeover or subsequently when the Minister referred more than 100 other transaction files to the police for investigation.

Mr DIXON (Minister of Housing)—I have previously indicated to this House that I considered this matter was serious and that, unless the matters concerned in that research were validated, that report should not be made public because the allegations were so serious. I believe that I acted correctly in handing that matter to the police at the first available opportunity.

Investigations by the police have since proceeded as this House has already been informed. It was the considered opinion of the officer in charge of that investigation that that matter should appropriately be referred to the Royal Commission and that would be an aid to the police investigation. That is precisely what I have done.

CO-OPERATIVE FARMERS AND GRAZIERS DIRECT MEAT SUPPLY LTD

Mr HANN (Rodney)—With respect to the Chernov investigation into the failure of the Co-operative Farmers and Graziers Direct Meat Supply Ltd, can the Minister of Housing advise whether charges are to be laid as a result of that report and, if so, why is it taking so long to lay those charges?

Mr DIXON (Minister of Housing)—I am unable to comment on the preliminary advice which the report contains until the further work which has been mentioned by the Premier and myself has been undertaken. We want to see that work completed as quickly as possible and all the necessary instructions to the Registrar, the Attorney-General's Department and the Police Force have been carried out to that effect.

WHEAT HARVEST

Mr EBERY (Midlands)—The Minister of Transport is aware that the wheat harvest is in full swing in all parts of Victoria. There is clear evidence that there is a shortage of railway trucks at sidings in many parts of Victoria. Has the Minister had discussions with the railways on this matter? If discussions have taken place, what is the outcome of them?

Mr MACLELLAN (Minister of Transport)—I do not want to occupy too much time so I will be brief and say that it appears that the grain harvest this year will be of the order of 4·3 million tonnes which is even larger than the harvest last year of 2·6 million tonnes. When storage made available by the Grain Elevators Board is taken into account and the additional areas that are provided through bunker storage, VicRail will need to move over 1 million tonnes of grain in ten weeks. That is a tremendous challenge and task. It means that buses will have to be substituted for some other services, such as passenger services, to make locomotives available for other traffic, such as briquettes for the Minister for Minerals and Energy and gypsum. The other transport tasks VicRail is carrying out at the same time will have to be restrained to the minimum to provide as much rolling-stock as possible for the grain trade. There have been difficulties and shortages.

It is expected that, in any overflow period when farmers are using more expensive machinery to produce the harvest more quickly in a fewer number of weeks, there will be difficulties. The position has been monitored by the Grain Elevators Board, VicRail and the two export ports at Geelong and Portland.

I receive reports on a daily basis on the number of trucks loaded and unloaded and the reason any truck remains unloaded for more than 24 hours. If the House rises, I will arrange for honorable members to have a contact between the Grain Elevators Board and VicRail should any problems concerning the harvest arise over the Christmas period, so that they can be resolved.

TRANSPORT INQUIRY

Mr WALSH (Albert Park)—As it is now more than six months since the House resolved to establish an inquiry into transport, can the Minister of Transport inform the House what action has been taken to implement that resolution, and can he give an undertaking that the terms of reference will be published openly in the near future?

Mr MACLELLAN (Minister of Transport)—The terms of reference are being negotiated with the person who has been selected to head the study. In fact, he has commenced preliminary discussions with the various operational sections of the transport industry on the matter. The holdup at the moment is in securing final approval for the financial arrangement of the appointment of the study, and the terms of reference will be made public. Submissions will be invited from interested members of the public on various matters which will be the subject of the study and office accommodation has, with the blessing of the Minister for Property and Services, been secured. The team is being assembled and is at work, although not formally at work as a study. Nevertheless, it is at work on the administrative arrangements necessary and preliminary to the commencement of the study.

VIRAL MENINGITIS

Mr WEIDEMAN (Frankston)—Has the attention of the Acting Minister of Health been drawn to newspaper reports this morning of 55 cases of viral meningitis in Victoria? If so, does this constitute an epidemic, as it is claimed, and what action has the Health Commission taken to allay the fears of the community in regard to such an outbreak?

Mr WOOD (Acting Minister of Health)—I do not consider that the report of that outbreak is any real cause for alarm. This is not the dreaded form of bacterial meningitis that was common years ago and has now virtually disappeared. This viral meningitis is similar to influenza, and, like influenza, is seasonal and is common to all parts of Australia.

The Fairfield Infectious Diseases Hospital has reported some 40 cases of viral meningitis in the past six weeks. Although this is a mild disease, any person who suffers the symptoms—which are nausea, fever and stiffness of the neck and back, debilitation and headaches—should see his medical

practitioner. There are no control methods available. Because so many forms of virus can cause viral meningitis, immunization would be impossible. However, although the disease is usually contracted through inhalation, the outbreak indicates that personal hygiene is an important preventative measure.

MULTI-CULTURAL EDUCATION

Mr FORDHAM (Footscray)—I direct a question to the Assistant Minister of Education. In view of the results of further research that have recently been published, some as recently as this morning, recommending the need to incorporate into the normal school curriculum those aspects of multi-cultural education which at present are not being incorporated in most Victorian schools and which have had to be undertaken after hours in ethnic schools, will the Minister agree to review this matter further urgently and refer it to his advisory committee on multi-cultural education with a view to a significant expansion of this area of education being undertaken in the 1980 school year?

Mr LACY (Assistant Minister of Education)—Yes, I am aware of that research and I am at present having it evaluated. I will review the matter and refer it to the advisory council on migrant and multi-cultural education.

HUME FREEWAY, SEYMOUR

Mr TREWIN (Benalla)—Will the Minister of Transport visit Seymour soon to inspect the Hume Freeway beyond Seymour, and does he expect that section of the freeway will be ready for use by Christmas traffic, which is expected to be extremely heavy this year?

Mr MACLELLAN (Minister of Transport)—Yes, I will be visiting Seymour. I understand that I will be invited to open a new section of the Hume Freeway, which will be available next week, if all goes well.

I will be making some inspections, as I undertook to a deputation from the Seymour Council, and I will be accompanied by the Chairman of the Country Roads Board. Honorable members representing the area, including the honorable member for Benalla, will be advised as soon as the final arrangements have been made. Those final arrangements were still being decided at the opening of the extension to the Mulgrave Freeway about an hour ago.

PURCHASE OF "HEIDE"

Mr SKEGGS (Ivanhoe)—Further to a reply from the Premier to a question without notice last week regarding the acquisition by the State of the property "Heide", is the honorable gentleman able to provide further details relating to this valuable purchase? Further, is he able to advise the House of the over-all significance to Victoria's art heritage of the "Heide" art collection and the Manton collection of the Heidelberg School of Paintings at the Banyule Gallery?

Mr HAMER (Premier)—The purchase of the "Heide" property is at an advanced stage. It is in the hands of the Crown Solicitor to complete the contracts with the solicitors of the owners. The property will be added to the Yarra Valley Metropolitan Park and the garden will be maintained as it is now. The actual house will be a gallery principally for painters of the famous school of Sidney Nolan, Arthur Boyd, Vassilieff and Albert Tucker, who actually painted there, and were promoted and fostered by the Reed family. That is as much as I can say at the moment but, obviously, with the collections of the two main schools, the Heidelberg school and this group, Victoria will be well represented in its cultural growth and art heritage.

GEORGE ADAMS ESTATE

Mr MILLER (Prahran)—Has the Treasurer taken steps to ascertain whether the list of beneficiaries of the George Adams estate, which was tabled in the Library recently, is a complete and accurate list? In particular, will the Treasurer explain to the House why the descendants of Sir Henry Braddon, a former Premier of Tasmania and one of the original beneficiaries of that trust, are no longer on the list?

Mr THOMPSON (Treasurer)—To the best of my knowledge and belief, the list is accurate. That matter was raised recently and I am making further inquiries to determine why someone was dropped from the list of beneficiaries.

TATTOOING

Mr COX (Mitcham)—Has the attention of the Minister of Health been drawn to proposed legislation measures in South Australia to ban tattooing and, if so, will the Minister examine that proposal and investigate the possibility of initiating similar legislation in Victoria?

Mr WOOD (Acting Minister of Health)—I am not aware of the proposed legislative measure in South Australia but I shall certainly examine it and determine what action if any will be taken in Victoria.

HOTEL WINDSOR

Mr EDMUNDS (Ascot Vale)—In view of the vast amount of public money involved in the purchase of the Hotel Windsor, will the Premier inform the House what is the financial situation of that property now?

Mr HAMER (Premier)—Those details will need to be provided by the Minister of Public Works. The hotel is let to Federal Hotels Ltd as a result of tenders which were publicly submitted; there is a base rental and in addition there is a share of the profit. I am unable to provide the exact details but I will ascertain the figures and inform the honorable member.

CASEY UNIVERSITY

Mr McINNES (Gippsland South)—I ask the Premier, in view of the general restraints on Commonwealth funding, what consultation, if any, was held between the State and Federal Governments prior to a decision being made to establish Casey University in the face of recommendations from all four Victorian universities that Casey University should not be established?

Mr HAMER (Premier)—There have been no recent discussions with either my department or the Government as a whole. The matter was in the hands of the Public Works Committee of Federal Parliament for investigation and that committee was unanimously opposed to the entire project. I am not aware of the reasons why the committee was over-ruled or why the project is proceeding. It does seem strange, especially when there is fairly solid opposition from the academic community and quite considerable opposition even from the armed services themselves. Some reasons ought to be given. The Federal Minister for Defence has said that he will provide those reasons and all honorable members will be interested to hear them.

PETITIONS

Women's refuges

Mr ROPER (Brunswick)—I present a petition from certain citizens of Victoria praying that action be taken to ensure the continuing effectiveness of the Women's Refuge Programme. The petition is respectfully worded, in order, and bears 292 signatures. I desire the petition to be read.

The Standing Orders were suspended to enable the petition to be read, and the petition was read by the Clerk. It was in the following terms:

TO THE HONORABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN THE PARLIAMENT OF VICTORIA ASSEMBLED.

Your petitioners most humbly pray that the Legislative Assembly in Parliament assembled should take action as it deems appropriate to ensure the continuing effectiveness of the Women's Refuge Programme and in particular that the addresses of refuges remain secret and that there be no requirement that refuges be open to inspection by officers from Government departments; and that existing procedures which ensure accountability through annual audit by an independent auditor, quarterly financial statements, quarterly estimates of expenditure, receipts for capital items, monthly meetings with the Department of Community Welfare Services and Statutory Declarations, would be considered sufficient.

And your petitioners as in duty bound will ever pray.

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

Public transport fares and services

Mr SPYKER (Heatherton) presented a petition from certain citizens of Victoria praying that action be taken to reduce fares for public transport and increase services. He stated that the petition was respectfully worded, in order, and bore 1355 signatures.

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

Homosexual teachers

Mr EBERY (Midlands) presented a petition from certain citizens of Victoria praying that action be taken to prohibit homosexual advocacy in schools, to remove teachers advocating homosexual practices and remove all literature promoting homosexual activities from public and school libraries. He stated that the petition was respectfully worded, in order, and bore 21 signatures.

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

Child health services

Dr COGHILL (Werribee) presented a petition from certain citizens of the State of Victoria praying that the House take action to provide a Child Guidance and Clinical Service Centre and speech therapists for children in the Melton area. He stated that the petition was respectfully worded, in order, and bore 149 signatures.

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

Women's refuges

Mr TEMPLETON (Mentone) presented a petition from certain citizens of Victoria praying that action be taken to ensure the continuing effectiveness of the women's refuge programme. He stated that the petition was respectfully worded, in order, and bore 886 signatures.

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

Mr McARTHUR (Ringwood) presented a petition from certain citizens of Victoria praying that action be taken to ensure the continuing effectiveness of the women's refuge programme. He stated that the petition was respectfully worded, in order, and bore 167 signatures.

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

AUDITOR-GENERAL'S REPORT

The SPEAKER (the Hon. S. J. Plowman) presented the Treasurer's statement of the receipts and payments of the Consolidated Fund and the Trust Fund for the year ended 30 June 1979, accompanied by the report of the Auditor-General, and by the documents specified in section 47 of the Audit Act.

It was ordered that the report 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:

Lands and Survey—Report of the Department of Crown Lands and Survey for the year 1978-79.

Town and Country Planning Act 1961—

Melbourne Metropolitan Planning Scheme, Amendment No. 69 (Part 2), and No. 111 (Part 1) (two papers).

RESIDENTIAL TENANCIES BILL

Mr MACLELLAN (Minister of Transport) moved for leave to bring in a Bill to simplify and modernize the law relating to residential tenancies, to define the rights and duties of landlords and tenants of residential premises, to promote the quick and inexpensive resolution of disputes between landlords and tenants of residential premises, to provide for a Residential Tenancies Tribunal, to amend the Landlord and Tenant Act 1958 and the Ministry of Consumer Affairs Act 1973 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

STATE EMPLOYEES RETIREMENT BENEFITS BILL

Mr THOMPSON (Treasurer) moved for leave to bring in a Bill to constitute a State Employees' Retirement Benefits

Board, to make provision for the administration by the board of a State Employees Retirement Benefits Fund and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL

Mr LIEBERMAN (Minister for Planning) moved for leave to bring in a Bill to make provision with respect to the compensation payable for certain land in Central Gippsland, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

SELECT COMMITTEE INTO FILES

Mr MACLELLAN (Minister of Transport)—By leave, I move—

That a Select Committee be appointed to investigate and report upon the loss, discovery and use of Community Welfare Services files referred to by the honorable member for Greensborough in the House; such committee to consist of Mr Cathie, Mr Coleman, Mr Cox, Mr Miller, Mr Richardson and Mr Whiting and that the committee have power to send for persons, papers and records; to move from place to place; to meet during sittings of the House and to sit on days on which the House does not meet; four to be the quorum.

Mr FORDHAM (Footscray)—The Opposition wishes the committee due expedition and a speedy investigation.

The motion was agreed to.

CO-ORDINATOR OF URBAN LAND DEVELOPMENT

Mr CAIN (Bundoora)—I move:

That in the opinion of this House, in view of the continuing evidence being given before the Royal Commission into certain Housing Commission land purchases concerning the activities of Mr A. Ashman, Co-ordinator of Urban Land Development, including his alleged actions in July 1979 concerning the fabricating of a letter given in that evidence to the Commission, the Government take such action as may be necessary to ensure that the public is protected in any case where the probity of an office-holder is questioned.

Mr CATHIE (Carrum)—I second the motion.

Mr CAIN (Bundoora)—The motion is about what action should be taken by the Government upon evidence of impropriety or misconduct by a servant of the Government. It might be suggested that this is not of such great importance today as it would have been yesterday, before a certain announcement was made. I suggest, however, that in view of the action taken yesterday it is even more important that this matter be considered by the House.

What happened yesterday could be described as a settlement of the problem. Mr Ashman decided to take long service leave, and to that extent he let the Government off the hook. One might well ask what would have happened had Mr Ashman not been entitled to long service leave or had he not elected to take it or been prepared to take it. In that case, would he still be there in the top job that he occupied prior to yesterday?

Mr Lieberman—Monday.

Mr CAIN—According to the Minister, it was Monday. The Government has, since the disclosure of a number of these matters over the past three or four weeks, become paralysed and effectively inactive in performing its obligations and duties. It might be distasteful and undesirable to have to take the sort of action that should have been taken, but a point is reached at which it is necessary, in the public interest, to take that action. The issue is: What should the Government do in the public interest in these matters? To that extent, this is a matter of general concern, and it is not just an issue relating to Mr Ashman. It is about propriety and responsibility and a concern for some of the fundamental aspects of our system.

The Opposition regards the job occupied by Mr Ashman, since his moving from the Housing Commission, as being one of considerable status and importance in the affairs of the State. It is a position of sensitivity and responsibility. As a corollary to that, it is a job about which it ought to be said that the occupant of the position must be totally above any suggestion of impropriety or suspicion.

I also make the point that in these matters there must be a degree of consistency and even-handedness. The Opposition is concerned about the apparent discrepancy and difference in the treatment of Mr Ashman compared with the treatment of Mr Riach and Mr Hansen, who were in precisely the same position so far as prima facie cases being made out against them is concerned. It is clear that the Government has lost its sense of values and judgment in these matters. It has lost the capacity to discern what is the right and proper course. It has lost its way because it has become so used to and grown to accept the standard of behaviour that has become apparent in the Housing Commission over recent months. The Government has become impervious to clear evidence of ineptitude and incompetence and the clear merging of a public duty with a private interest, as appears to have occurred here. Again, there is a grave suggestion of a public officer receiving some private gain by virtue of the public office he holds. In summary, the Opposition says the Government has become insensitive to all these matters because it has become so used to them in departments it controls.

From the evidence before the Royal Commission, which was referred to in the motion, the Opposition says that by 22 November last it became perfectly clear there was a duty to act on the part of the Government. Nothing was done and. by Friday, 7 December—last Friday —the evidence and material was absolutely overwhelming. I ask the House to consider just seven aspects of the evidence that has emerged in the past three weeks.

By last Friday it was perfectly clear that Mr Ashman had, firstly, negotiated or been a prime mover and a principal party in his position as Deputy Chairman of the Housing Commission in negotiating a contract worth approximately $1 million with Majestic Constructions Pty Ltd, of which Mr Preece was the principal. Secondly, it is clear that he was responsible for the Treasurer and the then Minister of Housing being misled about the real nature of the transaction. Thirdly, while the deal was being negotiated, he owed a substantial sum to the contractor for work carried out for him in a private capacity.

Fourthly, there is clear evidence that he had an $8000 job done, in the work I have referred to, for $4750 and that the job was performed by the contractor. Fifthly, last July, when Mr Ashman had already left his job as Deputy Chairman of the Housing Commission and was in his new job, he arranged with another person, Mr Preece, the fabrication of a letter about that private contract. He sought Mr Preece's concurrence in the preparation of the document. Sixthly, he passed that document off to the Royal Commission, or was a party to its being passed off to the Royal Commission, as something it was not. Lastly, in the expressed view of the Chairman of the Royal Commission, he indulged in a subterfuge with that letter in relation to its involvement in the considerations of the Royal Commission.

I shall now refer to page 3596 of the transcript, at which the chairman was questioning Mr Ashman.

Mr Lieberman—Was this last Friday?

Mr CAIN—Yes, 7 December. At the top of the page the chairman referred to what he regarded as an opportunity Mr Ashman had to direct the attention of the commission to the fact that the letter was a reconstructed copy. Mr Ashman replied:

> Right. I can only offer the explanation that to my mind there was no problem. It was the best I could produce of a copy of the original letter.
>
> As a methodical man your natural inclination would be to be precise and state that it was a copy, would that not be so?—On reflection, yes.
>
> It makes it difficult to ascertain the reason for you going to the length of what proved to be a subterfuge to produce a copy of a bill?—I did not see it as a subterfuge, Mr Chairman, I did it in good faith.
>
> Why did you not tell the Commission that it was a copy?—It did not occur to me. I always felt it was a fair copy of the bill.
>
> It was a piece of information that you withheld from the Commission, was it not, that this was a copy?—Not by intention.
>
> You had opportunities, did you not, and I think you have already said you did in questions, to bring out the fact that it was a copy?—Yes, and that was not intentional either.

Later, the chairman referred Mr Ashman, in somewhat rhetorical terms, to the oath he had taken to tell the truth. The Opposition is fortified in the view it has come to on the evidence of what it contends is the view any responsible Minister or Government should have come to by the statements made by Mr Hanlon, counsel assisting the Royal Commission, in a submission presented to the commission yesterday. I acknowledge that I shall quote selectively from this long document, but the passages to which I refer indicate the view Mr Hanlon has already taken and they fortify the Opposition's contention and are a reinforcement of the clear view taken by the Chairman of the Royal Commission. At page 44 Mr Hanlon said:

> It becomes apparent that both these witnesses must have been conscious that not only was Mr Ashman the recipient of favoured treatment in as much as Majestic Constructions undertook the work on the beach house at all, but also that they were aware that the price purported to be that agreed for the work to be done was one which was lower than would normally be appropriate.

At page 42 Mr Hanlon said:

> For all the foregoing reasons we say that Mr Ashman and Mr Preece have deliberately endeavoured to mislead the Royal Commission as to this matter and since we make this serious charge it is incumbent upon us to examine the reasons for which this may have been done.

He continued to present those reasons in support of that serious suggestion. I now refer to page 54, at which Mr Hanlon submitted:

> All these matters make it plain beyond the possibility of mistake in our submission that Mr Ashman and Mr Preece have combined to deceive this Royal Commission as to a number of matters foremost amongst which are the arrangements pursuant to which payment was required and made.

At page 55 he stated:

> Finally, we would observe that deception is rarely practised by those wishing to inform and enlighten. In particular deception is rarely practised concerning one's own affairs.

He continued in that vein.

Mr Lieberman—Was this submitted yesterday?

Mr CAIN—Yes, it is yesterday's submission and it is available. These are matters of the utmost gravity. If one considers just one instance of a senior officer who requests and obtains a fabricated document and uses it in the way in which this was used, one must conclude it is extremely grave. What would honorable members say if a member of this House did the same thing and passed off a document prepared in that way in this place? Would it be a contempt of and a fraud on this place? It is all the more a matter for concern when one remembers what has been done in compounding that which has been done.

On 27 November, under the provisions of the Public Service Act, Mr Ashman was required to offer some explanation of his conduct. On 30 November he replied to Mr Haynes, the head of the department, and set out a number of matters.

In the third paragraph of that letter he stated:

> Although I had made a number of requests, the account was finally rendered on 6 December 1976 and paid on 8 February 1977.

He again referred, as recently as 30 November, to the fabricated document; that again was part of the matters he put in his defence to the head of the department. As recently as ten days ago Mr Ashman was not prepared to come clean and say what had occurred. What would any of us think if we were associated in a job with a person who had acted in that way? Would we not think that any other documents with which he had been associated and which were put to us may also bear the taint?

The Opposition is concerned that, with all that material available, the Government does not act. If the Government does not act in a positive way to carry out its obligation to the public, the motion must guide it and tell it what it should do. I ask the members of the Government party, the so-called champions of free enterprise, whether they would not want in their businesses a system that provided some check on private employees who were in a similar situation to this. What could they do if something like that occurred, or if two or three of those matters occurred, each involving a person occupying a top job—in either a large company or a small company? Would Government supporters seek to stand him down? Would they consider the interests of the company and of

the employees to be paramount? Would Government supporters not regard those matters as being of concern to them in the conduct of that business? Would they, as bosses, think that some conflict of interest or deception had occurred?

In this case a senior officer was involved and the first deception occurred when he was Deputy Chairman of the Housing Commission of Victoria. The later matters occurred in July of this year and those referred to at the Royal Commission occurred when he held the second position. Let us consider the disparity that exists and can be conjured up by comparing the lack of Government action in these circumstances with what happened in the case of Mr Riach and Mr Hansen. The Government's general response has been to avoid the issue.

It is true that on 27 November when the matter was raised in this place—I make no point on whether it was as a result of the adjournment motion or otherwise—a notice was served on Mr Ashman under the provisions of the Public Service Act.

Mr Lieberman—The same day as you moved the motion. Why didn't you move it before?

Mr CAIN—The first opportunity I had of moving that motion was on Tuesday, 27 November. I make no point about whether the notice was given in response to the motion. All I say is that no step was taken under those provisions until that day. The Opposition contends that there was sufficient reason for the Government to take steps at least six days before, on 22 November. The Government effectively did nothing; it just let the evidence go on mounting up from 22 November until it became absolutely overwhelming by last Friday.

The point was taken on 27 November that there was some legal difficulty about the matter. The Government was on notice on 22 November and it ought to find a way of ensuring that the public of this State is protected in these matters. If problems exist because of section 40 and the interpretation of section 60 of the Public Service Act, by 22 November or early this month they should have been overcome and action should have been taken. At some stage the Government must choose between concern for the rights of the individual and the public interest, which is paramount. In this case there is an issue which gravely affects public confidence, where a man cannot do his job because his integrity is undermined, where his credibility is absolutely devastated, as it has been by the comments of the Royal Commissioner, where the Royal Commision has clearly rejected his credibility and said in effect that it is in tatters, but the Government will not act. Therefore the motion provides that a procedure must be laid down and followed to protect the public.

A prima facie case had been made out by 22 November. The Government then had a clear duty to act under sections 59 and 60 of the Public Service Act. I examined those sections again this morning and do not believe that any serious problem is presented to the Government or the appropriate officer in using them. Section 59 provides, *inter alia*:

> Every officer who—
>
> (*a*) commits any breach of the regulations;
>
> . . . . . .
>
> shall be guilty of an offence.

Section 60 provides:

> Where it appears to the Minister in the case of a permanent head or to the permanent head in the case of any other officer that the officer is guilty of an offence under section 59 he may after giving the officer an opportunity of submitting an explanation charge the officer with the offence and may suspend the officer from duty.

That is the procedure that can and should be followed when it becomes apparent that those powers should be used. The Government has a duty to use those provisions to protect certain public offices in the public interest. It has a clear duty that has been neglected in this case.

This motion says, in effect, that if the Government is so remiss in carrying out its duty and has been so tardy in taking action that should be taken, it is time Parliament told Ministers, heads of department and those responsible for giving effect to the provisions of

the Public Service Act, what is required of them. A procedure must be laid down stating that in certain circumstances action must follow.

If the Government is not prepared to concede that by 22 November that situation had been reached and the Government did nothing about it, the Minister and the Government have no perception of their responsibilities. If the Government and the Minister are so insensitive and impervious to everything that has happened, the Opposition must spell it out, and that is what the motion does. If it must be spelt out in chapter and verse, the Opposition will do so.

The Parliament ought to say to the Government that it has not carried out its duty and has not protected the public in this situation. That is made perfectly clear by the motion. This incident has demonstrated that the Government does not know how to operate these sections and does not know how and when it should act pursuant to them. The Government has lost its sense of judgment in determining when this action should be taken.

It may well be—I put it no higher than that—that other occasions will occur when situations of this type will occur, distasteful as they may be. The Government must face up to them, but it has not done so on this issue. The Government has happily been bailed out on this occasion because long service leave has been taken or given, whichever verb one chooses to use. The Government has got off the hook, but Parliament should tell the Government that it did not behave as it should and that in future when these sorts of things come to its notice, the Government should act. It should carry out the provisions of the Act promptly because it has a clear public duty to protect the public and it should have a sense of responsibility.

Mr LIEBERMAN (Minister for Planning)—The motion moved by the honorable member for Bundoora today acknowledges, by reason of the honorable member's introductory remarks, that the action of the Government in accepting Mr Ashman's application for long service leave was reasonable.

Mr Cain—I make no comment on that.

Mr LIEBERMAN—The honorable member for Bundoora did so, but I will touch on that in greater detail later. Because of the way in which the honorable member put his argument today it will be necessary for me to refer to the debate that took place in this House on 27 November 1979, and I will be referring to passages of that debate.

The SPEAKER (the Hon. S. J. Plowman)—Order! I pre-warn the Minister that he may not refer to another debate in this session of Parliament.

Mr LIEBERMAN—Perhaps I may seek your guidance in this matter, Mr Speaker. A motion was moved in the House on 27 November dealing with Mr Ashman and the Opposition's request that he be suspended. The honorable member for Bundoora, who moved that motion, said in his argument that the evidence given before the Royal Commission on the previous day warranted the Government taking that action, and it was clear to any person that the honorable member's argument was based on the evidence that was given on that day. He referred to evidence of previous days and conceded—this would be a fair view on reading the matters he put forward on that day—that his motion arose from the evidence given on 26 November. The wording of the motion moved on 27 November was that the honorable member wished to move the adjournment of the House because of concern at the failure of the Government to suspend Mr A. Ashman, Co-ordinator of Urban Land Development, as a result of evidence given on 26 November 1979.

The SPEAKER (the Hon. S. J. Plowman)—Order! The wording of the motion may be referred to by the Minister, but reference may not be made to any debate of the present session. I dare say that the Minister will be able to make a general reference to comments made without referring to the debate itself. Direct reference to a debate that has passed in this Chamber or to any decision taken by the House in the same session is out of order.

Mr ROSS-EDWARDS (Leader of the National Party)—May I ask a question, Mr Speaker? I have always understood that the interpretation of that rule in the past has been that a member may not read from *Hansard* the exact wording of debates, but it has not applied to general reference to previous debates. My understanding is that, provided that an honorable member does not quote extracts from *Hansard*, it has always been accepted that he has a completely open go.

The SPEAKER (the Hon. S. J. Plowman)—Order! Honorable members may certainly not quote from *Hansard*. They may refer to matters in which—I do not want to put the words into the mouths of honorable members—an honorable member has made plain his position on a situation, but an honorable member may not refer to the debate or make any direct quotation from *Hansard*. I think that is reasonable guidance for honorable members.

Mr LIEBERMAN (Minister for Planning)—The action taken by the honorable member for Bundoora in this place on 27 November was, as honorable members will recall, to put to the House a motion of urgency stating that the officer, Ashman, ought to be suspended because of the evidence that was given to the Royal Commission on 26 November, the previous day.

The argument put forward by the honorable member to the House on 27 November acknowledged that until the evidence of 26 November was given, there was no need or justification for the "suspension" for which the honorable member argued, as the result of that evidence.

That is quite clear. I suggest that the honorable member cannot now conveniently change his line of argument on behalf of the Opposition and say that, with the benefit of further submissions to the Royal Commission, he believes there is now a connection which is more apparent to him which arose from evidence on an earlier day. The reason why the Government said in the debate on 27 November that this was a matter before the commission, that evidence had not been completed and that submissions were yet to be given, which ought to have been evident to all, including the honorable member for Bundoora, was that experience shows, as a matter of common sense and judgment, that when there is a hearing before a court or a Royal Commission, the best place for the matters to be determined is in that arena where justice is preserved. Honorable members should respect that and should not try to usurp the role of the Royal Commission. Honorable members will agree that the line taken by the Government on 27 November was consistent with that principle which is worth upholding. Now, with the benefit of what he says is knowledge of and assessment of evidence on days other than 26 November, the honorable member for Bundoora says that the Government should have acted in a different way.

It is a shallow argument of convenience which does not do justice to the honorable member for Bundoora and I believe he could not have had his heart in it when he said it.

I remind honorable members that on 27 November I said to the House that the question of Mr Ashman's position under the Public Service Act was complex, that it was not clear what his position was, that advice was being obtained, that nevertheless the permanent head, Mr Haynes, had consulted me and, with my approval, had acted correctly in asking Mr Ashman in writing to make an explanation. I said that that course of action was based on the provisions of section 60 of the Public Service Act which, if it did not apply to this person, was certainly a fine example or precedent for what should be done. It is common sense that where an officer works for a permanent head or Minister, in circumstances such as these, that permanent head of Minister should say to the officer that he is concerned about matters before a court and desires an explanation within a certain time. To have acted otherwise would have undermined the whole purpose of the Royal Commission and would have made nonsense of the whole structure and purpose of the inquiry.

That was the scenario and on that day the notice to Mr Ashman had been given. He was given until the following Friday to provide that explanation and he did so. He denied impropriety. He gave his view of the construction of evidence and he pointed out that the evidence and submissions had not been completed on the Somerville transaction. He thought they should be completed and he said that further evidence was also to be given and that he believed action should not be taken about him which would pre-empt the role of the Royal Commission. The position was and ought to have been apparent to any observer, and to the honorable member for Bundoora, that the evidence was reopened, that it was to be given over the following days, that submissions would be given in this matter and therefore it was proper to watch it carefully and to assess it and make judgments and decisions at the appropriate time.

Since the debate on 27 November the advice received is that Mr Ashman's appointment is an exempt appointment; he is not subject to the provisions of the Public Service Act in relation to discipline and other matters. He is a Crown employee and as such can be treated as any other common law employee. His employment can be terminated, his employment can be the subject of a suspension with or without pay and virtually the same sorts of rights prevail. This has been clarified. It is clear that the disciplinary provision of the Public Service Act which entitled employees to have a charge laid against them, to have a hearing and an assessment and, in some cases, an appeal, do not apply to this person. However, as I said earlier, it was appropriate to use the example of section 60 because that provided a sensible and clear basis for commencement of an assessment and appraisal of this person's role, employment and future employment by the Crown.

The evidence was completed by last Friday, as the honorable member for Bundoora says, and the submissions were made yesterday by counsel. On Monday, which was the first opportunity that I had as Minister for Planning, and I think the honorable member for Bundoora is in a similar position in that Monday would probably have been the first opportunity he would have had to appraise the situation in the events that followed, I held discussions with the permanent head of my department, Mr Haynes, and later with Mr Ashman. Mr Ashman requested that he be given part of the long service leave to which he was entitled and which I was advised had accrued during his employment in various roles for the State of Victoria as a public servant and since as an exempt public servant. I was advised that in excess of twelve months' long service leave had been accumulated. Mr Ashman applied for six months of that. The permanent head indicated that he had made some inquiries from the Public Service Board about the machinery for this and, as a result, the permanent head indicated to Mr Ashman, with my permission, that his application for six months' long service leave was approved, commencing 17 December, next Monday.

I discussed the matter with Mr Ashman and satisfied myself on his proposal that during the six months' period he would at all times be available to the Royal Commission and to the Housing Commission to assist in the completion of the most important task before the Royal Commission. I satisfied myself that he was genuine in saying that and that there were ways and means of ensuring that if he did breach that proposal, he would nevertheless be available. Mr Ashman will not be in his position, which I agree with the honorable member for Bundoora is an important position in the State of Victoria, for the next six months. During that time the Royal Commission will complete inquiries and bring down its determination.

Moreover, it is obvious that further evidence on transactions will be put to the Royal Commission. It will be possible for me, the Government and all honorable members to assess that evidence as it is given each day and determine what other action, if any, is

appropriate and justified in the circumstances. It should be obvious to everybody that this may or may not be the end of the matter; it may just be the beginning of the matter. The important thing is that appropriate steps have been taken for Mr Ashman not to work in the role of Co-ordinator of Urban Land Development for the next six months.

Mr Cathie—Or in charge of the Teacher Housing Authority.

Mr LIEBERMAN—That is correct. The Teacher Housing Authority is administered by the Minister of Housing. I explained to Mr Ashman that the position requires a continuous chairman. Action will be taken by the Minister of Housing to replace Mr Ashman in that role. In the meantime, I am taking action to arrange for the appointment of an acting Co-ordinator of Urban Land Development. I have conferred with the permanent head, Mr Haynes, who has taken up the matter with the Public Service Board because it will be necessary for the board to consider an application and, it is hoped, approve of the provision of an acting urban land co-ordinator.

That is a summary of the events that have transpired. I suggest that it is clear that the Government has taken reasonable and justifiable steps to ensure that the public is protected. I do not intend to pronounce any judgment on Mr Ashman; that should not be my role. However, I believe it is quite clear that the evidence that has been given raises concern and doubt. I acknowledge that concern and doubt have existed in my mind certainly since the evidence of 26 November. Like the honorable member for Bundoora, I have watched the evidence evolve and develop and I have taken certain steps and have also formed certain conclusions.

By interjection the honorable member asked what I would have done if the long service leave had not been applied for. I suggest that that hypothetical question should not and need not be answered. Honorable members should judge what I said in the debate on 27 November, what has happened since and what I have said today, that the Government is watching the matter closely and that the interests of the public were being borne in mind at all times and the public was being protected. I do not wish to say anything more because it would possibly preempt the role of the Royal Commission.

I have confidence in the Royal Commission. It ought to be left to its task. The Government intends to do all it can to assist the Royal Commission and enable it to proceed with its most difficult task. It is not appropriate for me to say anything more on a hypothetical situation that no longer exists. I remind honorable members, however, that the options are there and open to be taken and the position seems to be well under control at present and ought to be left that way.

Mr ROSS-EDWARDS (Leader of the National Party)—This motion brings before the House some matters of high principle. When one analyses the motion moved by the honorable member for Bundoora one finds that the wording is interesting. Although in the first part of the motion the honorable member refers to Mr Ashman, Co-ordinator of Urban Land Development, the last two and a half lines ask the Government not to take action so much against Mr Ashman but to take general action. The wording is:

> the Government take such action as may be necessary to ensure that the public is protected in any case where the probity of an office-holder is questioned.

That is rather extraordinary wording, that if probity is questioned, the Government should take such action as may be necessary. That leaves it very much in the air as far as I am concerned. Obviously, every time probity is questioned one does not necessarily suspend, stand down or dispense with the services of the person in question. No action may be taken, because all sorts of accusations which can be made against people may be based on fact or rumour. Sometimes there is the difficult situation when it is impossible to make a judgment before all the evidence is given.

The Opposition has outmanoeuvred the Government hook, line and sinker

over the past fortnight. The Government and the Minister for Planning—I do not want to be unduly critical—have been half a yard behind the whole time. If the Government had acted on the morning of Tuesday, 27 November, it would have been in front. However, the matter was raised in the House before honorable members were told that notices had been served on Mr Ashman to give an explanation by the following Friday. It is most likely that that action was decided upon by the Government before it heard the Opposition's motion. However, if the Government had been a bit quicker, the Opposition would have collapsed. The Government did the right and proper thing and the National Party supported the Government when that motion was put before the House.

Mr Dixon—The Opposition was not half a yard in front, surely?

Mr ROSS-EDWARDS—The Opposition was half a yard in front because the first the National Party heard about the matter was from the Opposition. The Opposition had proceeded half-way through its case when the National Party heard that a notice had been served on Mr Ashman. Surely any Government that is wide awake and has some foresight would have realized that the Opposition was likely to take some action that afternoon?

The same situation applied yesterday in another place. A substantive motion was moved and, half-way through the debate, honorable members were informed that some arrangement about long service leave had been made for Mr Ashman. That copes with the situation in a satisfactory way but, once again, the Government was a little slow. What the Government has done is in order, but politically it has been outmanoeuvred and it has been half a yard behind from start to finish.

I followed the situation in another place. The Opposition put its case forward clearly and it was only after the Opposition's case had finished that the Government announced what it had done. There was nothing to stop the Minister from making a statement earlier in the day because he must have foreseen that something was going to happen. I am not being unduly critical of the Minister for Planning, but he has learnt a lesson as a young Minister and I trust he will be half a yard in front next time. What the Minister has done is correct, but he has been a bit slow and he has probably been waiting to get approval from other people. Knowing the Minister, I realize that perhaps he did not push the matter quite as hard as he might have in getting a "yes" or a "no". Getting a "yes" or a "no" answer from the Government is difficult sometimes, no matter how good one's judgment is.

There is a tendency to prejudge a person who is subject to an inquiry and, whatever the views of the Minister for Planning or my views are, one lesson I have learned in life is not to prejudge anybody, whatever the evidence is. I shall not comment at all upon what Mr Ashman has done, that is, whether it is right or wrong because that is open to question.

It is all very well for some of the Opposition back-bench geniuses to cast judgments. One day the reputations of those honorable members will be on the line and it is to be hoped that I or other honorable members of the House will show a little more consideration to them than they have shown to some of the unfortunate people who are under attack.

I do not know what the decision of the Royal Commission on Mr Ashman will be; only time will tell and I will accept that judgment when it is delivered.

Mr Cain—The National Party does not suggest the evidence does not require suspension?

Mr ROSS-EDWARDS—A couple of points should be made to the honorable member for Bundoora, who is not slow when it comes to the law; he is a good solicitor. Mr Ashman is not subject to the Public Service system. He can either be sacked, suspended with pay or suspended without pay. It would be unfair to sack him. If the Government suspended him with pay, the Government would be accused of

wasting public money. If the Government suspended him without pay, the Government could well be accused of being unfair.

Mr Ashman would be sitting on ice; he would not be able to get another job and he would have no pay. A compromise has been reached. He was owed twelve months' long service leave and, no doubt, the heavy pressure was applied and he accepted six months' leave. I question the wisdom of the Minister for Planning in not insisting that that leave should have applied from last Monday because Mr Ashman has held the position for a week and I suggest to the Minister that that was unwise.

Mr Lieberman—The Public Service regulations require that sort of notice, as I am advised.

Mr ROSS-EDWARDS—The Minister for Planning should not be snowed by the Public Service. It is for the Minister to decide when Mr Ashman should go on long service leave. The Minister should not have been advised by the Public Service in that regard. That is a second lesson the Minister has learned today. If Mr Ashman had to go, he had to go on that day. The Minister is leaving himself open to personal criticism by saying that he was advised by the Public Service Board to have Mr Ashman go on long service leave when he did. The Government has been a yard behind over the past fortnight. The actions the Government has taken are fair and reasonable, but the long service leave should have started last Monday instead of next Monday.

Mr CATHIE (Carrum)—The defence of the Minister for Planning has been that the Government has acted in this matter by supporting Mr Ashman's application for long service leave. However, the point which has been reiterated by the Leader of the National Party is that the Government acted only because the Opposition criticized the Government's repeated failure to act. The Government has acted in the matter only in response to actions and motions moved by the Labor Party here and in another place.

Mr Lieberman—The honorable member for Bundoora said in his speech today that the Opposition did not maintain that point of view.

Mr CATHIE—The honorable member for Bundoora argued his case cogently. The Government has not acted in the direction suggested by the honorable member for Bundoora.

Much has happened since 27 November when the honorable member for Bundoora moved his previous adjournment motion. However, later evidence has only confirmed the previous evidence that has been put before the Royal Commission. It has been put by the Minister for Planning that by 27 November a prima facie case had been established. It is on the basis of that sort of case that the Government should have taken action.

Mr Lieberman—The Government did take action.

Mr CATHIE—The action the Minister for Planning took is not the sort of action suggested by the honorable member for Bundoora. The Minister said that the matter ought to be left with the Royal Commission and the Opposition should not usurp the role of the Royal Commission. The Opposition is not attempting to do that.

These matters can only be finally determined by the Royal Commission. The Opposition is not opposed to that principle. It is the Opposition's view that the suspension of Mr Ashman would not in any way pre-empt the decisions of the Royal Commission. That would be a proper course of action for the Government to take.

Mr Dixon—The Opposition thinks Mr Ashman should be suspended?

Mr CATHIE—That is what the Opposition has been arguing. Mr Ashman should be suspended with pay.

Mr Ashman was a top public servant of the State. Mr Ashman was not just a purchasing officer, as were other officers who were suspended. Mr Ashman was a deputy chairman, an advisor to the Government and a decision-maker. Mr Ashman was favoured by the Government in his appointment as

the Co-ordinator of Urban Land Development at a salary of $35 370. He was also Chairman of the Teacher Housing Authority, and, I assume, received additional moneys because of that position. He was one of the top men in the State.

Mr Ross-Edwards—He still is.

Mr CATHIE—Yes. The Government has acted only because the Opposition has, over a period, taken a stand on the matter on principle. The Government could have taken action by 27 November when a prima facie case had been clearly established. Indeed, as the Leader of the National Party pointed out, the House received the announcement of Mr Ashman taking his long service leave only because the matter had, once again, been raised by the Opposition in another place.

The Government has continued to react in an ineffective and tardy fashion. All the Government has done has been to send Mr Ashman on a holiday —on long service leave. Like an ostrich, the Government believes the matter will disappear and be readily solved, but it will not. The Minister for Planning, for example, does acknowledge that the matter raises concern and doubts in the public mind. In other words, the Minister suggested that the Opposition believes that public interest is the major overriding concern in the matter and ought to be the major overriding concern of the Government. The National Party equally believes the matter raises questions of high principle.

Throughout the debate, the Opposition has been concerned about propriety and responsibility. The procedures laid down and outlined by the Minister demonstrate that Mr Ashman could have been suspended. If one reviews the evidence before the Royal Commission, one discovers that it is not a case that simply deals with incompetence. It is a case that deals again and again with questions of propriety. Those are serious questions and the community has serious doubts and concerns. I will reiterate what has been proven, accepted and repeated by Mr Hanlon at the Royal Commission. Mr Ashman received a substantial benefit from Mr Preece by way of works at his holiday home at Merricks. Mr Preece received for the Somerville contract almost $1 million because of the efforts of Mr Ashman, whose efforts included deception of the Minister of Housing and the Treasurer.

Mr Ashman and Mr Preece deliberately attempted to mislead the Royal Commission. If one examines the written statement of Mr Preece dated 6 December 1979 presented to the Royal Commission, one finds that he said, *inter alia*:

> On Thursday 29 November 1979 I recollected that in July, 1979 Mr Ashman had telephoned me and asked me to furnish him with a copy of a document which I had sent to him.
>
> . . . . . .
>
> The letter dated 6 December 1976 requesting payment of $4750 was the copy Mr Ashman had requested.
>
> . . . . . .
>
> He told me the letter had been dated 6 December 1976. I accordingly had the letter typed, I believe, on the IBM typewriter and sent to Mr Ashman on July 1979.

Mr Preece had that recollection on 29 November and yet the letter that Mr Ashman sent to Mr Haynes, Secretary for Planning, is dated 30 November, the day after Mr Preece suddenly had that recollection. In that letter of 30 November, Mr Ashman still reiterates his previous position; he still refers to an account which was finally rendered on 6 December 1976 with no indication that this document was typed in July 1979. He went ahead and paid it on 8 February 1977.

The Labor Party suggests that the further one investigates the evidence put before the Royal Commission the more clearly it establishes that a prima facie case has existed for a long time. I shall quote from the evidence given to the Royal Commission on Friday, 7 December, at page 3556 of the transcript. Mr Preece was being questioned by Mr Hanlon:

> And the visit of the police to your office, to your home, and the taking of your typewriter did not bring it to your mind, did it?—No way.

Mr Hanlon then said:

> Is this what you are telling us: you did not remember the composing of this letter throughout the questioning about it when you were

here; you did not recollect the composing of this letter and the conversation with Mr Ashman when the police came and took the typewriters away; but seeing Mr Ashman and Mr Davey in the street last Thursday just acted like an electric light going on in your mind, and you remembered, is that what happened?—It could be described that way.

That is not a very credible account of what happened.

Mr Ross-Edwards—We are not here to judge that.

Mr CATHIE—Perhaps not, but the Government has been saying that evidence along those lines was not given. It is a serious matter.

Again at page 3585 the following appears in the evidence of Mr Ashman:

What I want to put to you is, was it not perfectly plain to you that the questions you were being asked were proceeding on the basis that what you had produced was what you had received in December 1976?—Yes, but I think what my mind is running on was my belief I would have when I received that bill in December.

The simple point is this, if you knew what you produced was not the original but a copy, why did you not tell us that?—Well, it did not occur to me and thinking back perhaps I should have done that when I submitted the accounts to the Inquiry in the first place.

Is it any wonder that on page 3596 of the same day's transcript the chairman was to use the word "subterfuge" in addressing his questions to Mr Ashman? At page 3596 the following appears:

It makes it difficult to ascertain the reason for you going to the length of what proved to be a subterfuge to produce a copy of a bill?—I did not see it as a subterfuge, Mr Chairman, I did it in good faith.

The word "subterfuge", according to the dictionary, has a clear meaning. It was a very serious attempt to mislead the Royal Commission by claiming a document was something which it was not and clearly was not. A subterfuge is an artifice, a device—a trick, in other words. Here, a former Deputy Director of the Housing Commission was resorting to a device or trick, to some form of expediency, in order to escape the force of an argument or to avoid condemnation or censure or to justify his conduct. It is in the minds of the Opposition members that there has been a conspiracy to mislead the Royal Commission.

It is equally clear that a substantial benefit accrued to Mr Ashman as a result of work done on his Merricks holiday home. Even Mr Preece, the builder, admitted this, with hindsight. Both Mr Preece and Mr Ashman must have been aware of this benefit at the time. Those are serious matters which certainly will be decided ultimately and quite properly by the Royal Commission.

In raising these matters in the form in which the honorable member for Bundoora has raised them, the Labor Party is not seeking to prejudge any issue, but rather is pointing to the impropriety and the overriding concern of the public good. That is the key principle at issue and that is the whole point which the Government is trying to run away from and to duck because Government supporters know that ultimately the Government and its Ministers are answerable to Parliament and to the people of Victoria.

Mr DIXON (Minister of Housing)—The honorable member for Bundoora must be considerably embarrassed at the acrobatic antics of his colleague, the honorable member for Carrum. Yesterday the Opposition was prepared to move in another place a motion relating to the failure of the Government to suspend the Co-ordinator of Urban Land Development, Mr Ashman, and today it moves through the honorable member for Bundoora that the Government should take such action as may be necessary to ensure that the public is protected in any case where the probity of an office holder is questioned. That motion is phrased in moderate terms and is one which I suggest is unnecessary because that is exactly what the Government has done. To compound those two differences, the honorable member for Carrum now suggests that Mr Ashman should be suspended with pay.

The Government takes up the interjection made by the Leader of the National Party. It is clear that to have suspended Mr Ashman with pay would

have been a considerable financial benefit to Mr Ashman. In fact, the State would have been up for his pay for the time being and then, assuming that the whole matter was satisfied appropriately within the Royal Commission, Mr Ashman would then be entitled to take long service leave. According to the honorable member for Carrum, Mr Ashman ought to be suspended indefinitely with pay and then, at the appropriate time when the Royal Commission reaches what it still may reach, a judgment in favour of Mr Ashman, he could then take his long service leave.

Honorable members see these three different interpretations from the Opposition and it is no wonder that the honorable member for Bundoora is highly embarrassed by his colleagues in another place and by his colleagues in this place. He has not been able to reach any firm conclusion himself. He says that the Government should take such action as may be necessary. He is unwilling to define the action that should be taken, but he is damned sure and certain that any action the Government has taken must of necessity be wrong. He is utterly confused by the gymnastics which have occurred between the other place and this place on the part of his colleagues.

I turn now to analyse the question of a jump ahead or a jump behind, because it is important. The Minister for Planning has acted most appropriately and efficiently and has been a jump ahead, and I want to make that clear. On 27 November action began at 8 a.m., arising out of matters brought before the Royal Commission on 26 November. I suggest to honorable members that action could not have been taken prior to that date. The action which was taken had to be delayed until approximately 4 p.m. or 4.15 p.m. when the letter was actually delivered. That delay was caused by problems associated with the actual conditions of Mr Ashman's appointment. It has now become clear to the House—indeed, it was my view all along—that Mr Ashman was appointed as an exempt employee under section 40 of the Public Service Act; but at that time it was unclear. To this day the honorable member for Bundoora is sufficiently confused as to quote from the appropriate provisions of the Public Service Act. That illustrates that even to this day the Opposition has been confused as to the exact manner of Mr Ashman's appointment, yet the Government is expected to have acted through the appropriate channels under the appropriate Act.

Mr Cain—Two weeks ago.

Mr DIXON—The honorable member says by interjection that the Government should have acted two weeks ago. When the matter was raised at the Royal Commission, work began at 8 a.m. the following morning. I suggest that, by the letter being delivered at 4.15 that afternoon, the Government indeed acted as quickly and as appropriately as was possible. That is my view. Actions speak louder than words and the Government took action whereas the Opposition's reaction has been words.

I refer now to the events of 10 December. Mr Ashman's request was received at 2 p.m. on 10 December and was approved at about 4 p.m. that day. In conjunction with this was a matter which is my responsibility as Minister of Housing, namely, the appointment of Mr Ashman as Chairman of the Teacher Housing Authority. Mr Ashman was appointed as Chairman of the Teacher Housing Authority on 11 May 1971. It seemed to me that, in the event of his going on long service leave, and as I wanted to bring the Teacher Housing Authority under the direct jurisdiction of the Ministry of Housing anyway, the time was appropriate for Mr Ashman to be relieved of that appointment and to be replaced by Mr Bernard Leonard, who is the General Manager of the Estates Management and Teacher Housing Division. That appointment had to wait until the Executive Council approved it on the morning of 11 December. Quite properly, the Minister for Planning waited for this House, which was the appropriate place to make the announcement, to begin its sitting. Now honorable members see the spectacle of the Opposition moving in another place that

Mr Ashman be suspended when that other place happened to sit, as it does not often do, at 2.15 p.m. on that day.

The Opposition was then embarrassed to learn of the action that had been taken, and its embarrassment is amply shown by the motion moved through the honorable member for Bundoora today. It acknowledges, by the motion moved today, that the motion moved yesterday was a mistake and the honorable member for Bundoora is embarrassed because the honorable member for Carrum compounds the mistake of yesterday. Confusion reigns in the Opposition.

The only other point I wish to make is that from time to time one hears it said that Mr Riach and Mr Hansen have been treated differently from the way in which Mr Ashman has been treated.

Mr Cain—It is true, too.

Mr DIXON—Yes, it is true. They were treated differently because the circumstances were different. Both Mr Riach and Mr Hansen were charged and found guilty of an offence under the Public Service Act. The Minister for Planning has asked Mr Ashman for an explanation. That explanation has been received and action has been taken. The House is aware of that action. The point made by the Leader of the National Party should be understood by all honorable members. That is, that different individuals in different circumstances have to be treated differently. An attempt by the Opposition to confuse those circumstances and to assume in some way that the same sort of thing which occurred in the case of Mr Riach and Mr Hansen is the same thing which has occurred in the case of Mr Ashman is to make decisions without awaiting the conclusion of the umpire, in this case the Royal Commission.

The Government is concerned about the matters which have been raised. It is concerned, as it ought to be, with what occurs within the Royal Commission on a day-to-day basis. If such matters arise, as arose with Mr Riach and Mr Hansen, then action will be taken under the appropriate Act. That would apply to any person who has some responsibility to the Government. I suggest that the motion before the House is unnecessary. All it has done is to highlight the confusion in the minds of members of the Opposition.

Mr LIEBERMAN (Minister for Planning)—With the leave of the House, Mr Acting Speaker, may I have the opportunity of speaking for 30 seconds?

Mr CATHIE (Carrum)—Leave is not granted.

Mr LIEBERMAN (Minister for Planning)—On a point of order, during the time I spoke, in my mind, I conveyed to the House that I was satisfied that Mr Ashman would remain available to the Royal Commission. It has been reported to me that I may have said unwittingly——

The ACTING SPEAKER (Mr B. J. Evans)—The Minister is making a personal explanation. I suggest that he approach the Speaker during suspension of the sitting for lunch about this matter.

The sitting was suspended at 1.2 *p.m. until* 2.5 *p.m.*

Mr CRABB (Knox)—I support the motion moved by the honorable member for Bundoora and seconded by the honorable member for Carrum. In so doing, rather than canvassing matters that have already been discussed, I shall address myself to three aspects of this issue to which the Government should set its mind. Firstly, I take up one matter raised by the Minister of Housing before lunch when he claimed that the Government had taken action and had acted appropriately. The reality is not that the Government acted but that Mr Ashman requested to take his long service leave. If that is not what the Minister said, he should have made himself more clear. Mr Ashman went on long service leave. I hardly see that as the matter characterized by the Minister.

Mr Lieberman—You are being petty.

Mr CRABB—I am not being petty. Before lunch, and without being unduly contentious, the Minister said that the Opposition never does anything but that one can count on the Government to take action. Mr Ashman solved the

problem of the Government by asking to go on long service leave. The Government appointed a senior public servant on terms and conditions that even the Minister did not understand. A couple of weeks ago the Minister tabled the terms and conditions of Mr Ashman's appointment. They were as follows:

> The Public Service Board exempts from the provisions of section 40 of the Public Service Act 1974, the employment of Alan A. Ashman—

The Minister of Housing said that in his view Mr Ashman was employed under section 40, but according to the document from which I quoted he was exempt from that section. The terms of his employment were tabled last week. The indecision of the Government is apparent from the fact that it does not even know the terms and conditions of appointment of one of its senior public servants.

Mr Lieberman—That is not right.

Mr CRABB—Two weeks ago this House was told that the Government has to follow the Public Service Act and that the Government acted properly under the terms of that Act. Today the Minister says that the Public Service Act does not apply to Mr Ashman, and never did. That is a peculiar set of circumstances. The Public Service document further states:

> The conditions of employment shall be as far as practicable those applying generally from time to time to employees in the Ministry for Planning employed pursuant to the provisions of the Public Service Act.

That document must be meaningless if present legal opinion states that none of the Public Service provisions apply. The Government has been caught in a web of its own making.

The Government had nowhere to put Mr. Ashman after he ceased to be Deputy Chairman of the Housing Commission. Mr Vaughan was sacked, but Mr Ashman was moved into a new post. I will not say that the position was a sinecure but not much has been produced from that post of Co-ordinator of Urban Land Development. Mr Ashman may have spent more time preparing his defence. The Government employed him in a scrappy way because, when it wanted to remove him, it did not understand the terms and conditions of his employment. The Government did not remove Mr Ashman from the position; he volunteered to take long service leave.

The second matter to which I draw the attention of the Government is that throughout this debate Ministers have repeatedly said that it is necessary to await the results of the Royal Commission and that everything depends upon the findings of the Royal Commission. The Royal Commission can look at only some purchases of land. As far as I am aware, the only purchase of land in which Majestic Constructions Pty Ltd was involved was the Somerville transaction and evidence has been completed on that matter.

Mr Ashman's holiday home, which is admitted by all parties to have cost him considerably less than it cost Majestic Constructions, was contracted for eighteen months before the Somerville transaction. In his submission to the Royal Commission, Mr Ashman said that there had, therefore, been no causal connection between the Somerville transaction and his holiday home. The Government does not appreciate that Majestic Constructions is a company which for twenty years has built houses for the Housing Commission of Victoria. That is the only work that company has done.

I put to the Government that although it seems reasonable for Mr Ashman to claim there may be no connection between the cut price job done on his holiday home at Merricks and the Somerville transaction, the Government should look at the building contracts Majestic Constructions was engaged in with the Housing Commission at the time it promised to do work on Mr Ashman's holiday home for half price. The Royal Commission has no power to investigate that matter and will not investigate it.

The Minister of Housing and the Minister for Planning should concern themselves with the building contracts Majestic Constructions were involved in when Mr Ashman was acting chairman of the Housing Commission. It is incumbent on the Government to look into those matters. I ask the Government to do so rather

than wait for the Opposition to drag the Government screaming to another investigation. I ask the Minister of Housing to take the initiative rather than wait for the Opposition to drag him into doing something about it.

The third matter I draw to the attention of the Government——

Mr ROSS-EDWARDS (Leader of the National Party)—On a point of order, I am concerned about honorable members in this debate continually traversing the evidence before the Royal Commission. That evidence is irrelevant to this debate. Honorable members should not read from the transcript of the Royal Commission. There is a matter of principle as to whether a person could be stood down or suspended. Whether there is sufficient evidence to do so is unfair to the person in question. I feel strongly about the principles involved. If I achieve no more than to ask you to act, Mr Deputy Speaker, I will get some satisfaction out of making my point. It is morally wrong and is not fair to the public servant involved.

Mr CAIN (Bundoora)—On the point of order, the motion makes specific reference to the evidence before the Royal Commission. All honorable members must be circumspect in the way in which they handle that evidence—the honorable member for Knox has been, as have other honorable members. There is no point of order in stating that the evidence before the Royal Commission cannot be raised in this place. How it is raised is a matter for every honorable member to decide.

The DEPUTY SPEAKER (Mr A. T. Evans)—Since the Royal Commission, the custom has developed that there has been considerable discussion and wide scope for discussion here and in another place. I, personally, regret that debates are so wide because I believe all members of this House, whatever their political feelings, should uphold the Royal Commission and the courts of the land. If we fail, we will jeopardize the system of fair trial. The matter should rest on the shoulders of the legislators.

Although I cannot uphold it, I appreciate the point of order raised by the Leader of the National Party and I ask honorable members to realize that they are elected to this place and have obligations regarding a fair trial for their fellow men. I ask honorable members to honour those principles.

Mr CRABB (Knox)—Mr Deputy Speaker, I appreciate the homilies delivered by yourself and the Leader of the National Party, but I draw the attention of the House to the fact that since the suspension of the sitting for lunch I have not canvassed the evidence put before the Royal Commission.

I have been talking about matters outside the terms of reference of the Royal Commission, which is surely what honorable members are here to discuss.

The DEPUTY SPEAKER—Order! I appreciate the honorable member for Knox summing up the situation and I look forward to greater co-operation from him and other honorable members in the future.

Mr CRABB—The document from which I was about to quote and from which I will now quote is the letter written by Mr Ashman to Mr Haynes as a result of his request, as honorable members were told, within the terms of the Public Service Act. The letter is dated 30 November, which is the final date on which Mr Ashman had to provide that letter. It purported to be his explanation of what had transpired on the Somerville transaction. He referred to the transcript from the Royal Commission and referred Mr Haynes to it, which I suppose anyone would have done in the circumstances, and he went on to make two points, the first of which was:

> Although I had made a number of requests, the account was finally rendered on 6 December 1976—

That is simply not true. It is a remark directed towards the letter which was fabricated by Mr Preece on Mr Ashman's request. Mr Ashman was deliberately misleading the Secretary for Planning, Mr Haynes, in exactly the same way as he was misleading the Royal Commission. There was no letter of

6 December. It never existed except as a fabricated letter typed some months ago. The second point Mr Ashman made was:

> The final cost in Preece's books was established at $5100. Much evidence has been called to establish whether the $4750 was a realistic figure for Preece to quote at the time.

The letter goes on to justify that figure as being reasonable. What occurred in the Royal Commission subsequent to the letter being written is a clear demonstration and an agreement by all parties that $4750 was far short of the amount of the value of the work actually done.

Mr Ross-Edwards—It is the Royal Commission that you are talking about.

Mr CRABB—I am talking of the explanation provided to the Minister.

Mr Ross-Edwards—You are talking of far more. Where did that evidence come from?

Mr CRABB—It is evidence from the Royal Commission. The Leader of the National Party is saying that honorable members should not be canvassing the conclusions which the Royal Commission may or may not draw, and I am not doing that, nor am I inviting the House to do so. The Labor Party is discussing what action the Government took about Mr Ashman. It is pertinent to canvass the explanation which the Minister provided to honorable members and it is proper that honorable members should examine it. It is proper to examine Mr Ashman's conduct.

Mr Ross-Edwards—It is not necessary to debate it, and you know it.

Mr CRABB—It is very necessary to do that. It is mentioned in the Royal Commission; the fabrication of the letter came to the attention of the commission. It is the basis of what the Opposition is putting forward. Mr Ashman not only fabricated the letter for the purposes of the Royal Commission but also used the same fabricated letter in the explanation he provided to his own Minister. He also uses the spurious contention that the value of the work done on his holiday home was about $5000. The reality, which is admitted by everyone and which is not under contention, is that the value of the work was closer to $8000 than $5000. It is not a matter on which Mr Ashman came clean on to the Minister any more than he came clean at the commission.

I draw the attention of the Government again to the fact that it is incumbent on the Government to take action when a Minister is misled by one of his senior public servants and to ascertain what relationship existed between Mr Ashman and Mr Preece of Majestic Constructions Pty Ltd at the time the work on the holiday home was quoted for $4750.

Mr Lieberman—When was the evidence given that apparently established that he misled the Minister?

Mr CRABB—It is Mr Preece's statement dated 6 December. If the Minister does not have a copy of it, I will make one available to him.

Mr Lieberman—You know well that that evidence was given last Friday.

Mr CRABB—It was on 6 December, subsequent to Mr Ashman providing the letter to the Minister. I am making that point.

Mr Lieberman—Your conclusion was made on the evidence given last Friday.

Mr CRABB—I do not see the relevance of that.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! The point raised by interjection by the Minister for Planning is very relevant and the point which was made by the Leader of the National Party is that it is unfair for honorable members to draw conclusions from the evidence. If the honorable member is quoting from evidence, it should be stated. It is not the right of any honorable member to draw conclusions and express them in the House while a man is before a trial.

Mr CRABB—This is the first time I have heard of a ruling based on an interjection! Firstly, the man is not on trial, and secondly, I am not reflecting on any trial.

The DEPUTY SPEAKER—Order! The Chair has the right at any time it sees fit to intercede in a debate and that is what I have done on this

occasion. I interceded. Furthermore, I did not accuse the honorable member of casting aspersions on the Royal Commission and I only hope that when he continues the debate he will keep more closely to the principles.

Mr CRABB—I was concluding my remarks when a ruling was made on the interjection. I was drawing the attention of the Minister to the fact that the Royal Commission is not able to investigate building contracts which were entered into between the Housing Commission and Majestic Constructions Pty Ltd. It is able to investigate only one land purchase in which Majestic Constructions Pty Ltd was involved. I suggest strongly to the Government that these matters should be investigated. It is incumbent upon the Government to do that because the Royal Commission does not have the necessary power and an investigation ought to be made into the relationship between Mr Ashman and Mr Preece at the time Mr Preece quoted for work to be done on Mr Ashman's holiday home for a price of $4750 which more reasonably should have been at a higher cost. If the Government does not carry out an investigation, the Opposition will have to do so. It is not the function of the Opposition to clean out the Government's stables; the Government should do that now.

Mr SIMPSON (Niddrie)—I support the motion moved by the honorable member for Bundoora and so capably seconded by the honorable member for Carrum. I refer to the matter raised by the Leader of the National Party who said that honorable members must not prejudge matters of other jurisdictions in Parliament. I make it abundantly clear that it is upon the evidence available to all honorable members and to every person in Victoria that the Opposition is putting forward the motion relating to the transaction at Somerville, which involves approximately 779 pages of transcript from the Royal Commission.

The Chairman of the Royal Commission is Sir Sydney Frost. The Deputy Chairman is Mr A. J. Ellwood. Three Queen's Counsel assist the Royal Commission. Almost every witness is represented by counsel, generally a Queen's Counsel. The Royal Commission has at is disposal four detectives and three people with the expertise to investigate public accounts and people's books, cheque accounts and so on. That is the expertise and strength of the inquiry. The Royal Commission has power to obtain documents and to elicit statements of fact from people. That is the basis, expertise and knowledge upon which the Opposition moves the motion. I certainly intend to quote from the transcript of the Royal Commission. The Royal Commission is being held in public and the transcript is a public document. There is nothing to forbid me from quoting from a public document in Parliament.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! Obviously, the honorable member is addressing those remarks specifically to my earlier rulings. I remind him that in the rulings I have given previously in the debate I have not in any way indicated that honorable members are not allowed to quote from the transcript of evidence of the Royal Commission. I have never disputed that, but I remind the honorable member that I have asked honorable members—and I believe it is fair and just—not to draw conclusions which may in some way harm the findings of the Royal Commission in regard to Mr Ashman.

Mr SIMPSON—I shall be quoting from the evidence and the only conclusions I shall draw will be conclusions of fact. I shall inform the House what the Chairman of the Royal Commission has said to Mr Ashman, which is recorded at page 3596 of the transcript of 7 December. The transcript reads, *inter alia*:

> (The Chairman): As a methodical man your natural inclination would be to be precise and state that it was to be a copy, would that not be so?—On reflection, yes.
>
> It makes it difficult to ascertain the reason for you going to the length of what proved to be a subterfuge to produce a copy of the bill?

The Chairman of the Royal Commission used the expression, "what proved to be a subterfuge"—this is not my interpretation of it. It was proven to

be a falsification, as the chairman of the commission stated. He also reminded Mr Ashman of his oath when he stated:

> You were mindful of the terms of your oath, not only to tell the truth but to tell the whole truth?

The chairman believed and stated that the account in fact proved to be a subterfuge. I refer now to the letter dated 30 November from Mr Ashman to Mr Haynes following a request some days earlier by Mr Haynes in accordance with the authority of the Minister for Planning. The letter states, *inter alia*:

> The final submission sets out the salient points clearly. I entered into a contract with Preece for additions to a beach house on 18 February 1975 for $4750. Construction continued throughout 1975. Although I had made a number of requests, the account was finally rendered on 6 December 1976 and paid on 8 February 1977.

On 7 December the chairman of the commission said that the account rendered on 6 December 1976 was proven to be a subterfuge and yet Mr Ashman puts that forward as evidence in his defence when he is asked to respond to Mr Haynes on the approval and under the guidance of the Minister.

I ask the Minister whether he accepts that everything in the letter dated 30 November 1979 from Mr Ashman to Mr Haynes is the truth. There is no answer from the Minister. It is very clear that Sir Sydney Frost says that that part of the evidence relating to the account rendered on 6 September 1976 is not the truth. The commission has heard 779 pages of evidence, from a number of witnesses, and has had the best legal back up that is possible. With that expertise, and the information obtained, the chairman made a determination in respect of the letter. Yet when I inquire from the Minister for Planning whether he is satisfied that the document from Mr Ashman contains any untruths, he sits there mute and does not answer. If he believes, as does the Chairman of the Royal Commission, Sir Sydney Frost, this letter is not true, he should dismiss the letter and take the action that the Opposition suggests in the motion.

Mr Simpson

As the honorable member for Knox rightly said, Mr Ashman jumped in and beat the gun and said, "I will take my long service leave". As the Leader of the National Party said, "The Labor Party has been half a yard ahead of the Government in the past fortnight", particularly on this matter. I suggest that Mr Ashman is half a yard ahead of the Government. He decided, "I had better not wait, because the Minister obviously knows, after reading what Sir Sydney Frost said at the Royal Commission, what I said in my letter, and he will have no alternative but to dismiss me". But Mr Ashman got in first and took six months long service leave. That makes it abundantly clear that not only was the Labor Party half a yard ahead of the Government but Mr Ashman is also half a yard ahead of the Government.

I wish to cite part of the evidence that relates to Mr Preece after the police had visited him and taken from him two electric typewriters, one that he had prior to November 1977, and one that he purchased in 1977. It became abundantly clear, after the police had picked up the two typewriters, that Mr Preece could see that there might be some difficulty with this letter dated 6 December 1976. I have no doubt that he worked out in his mind that, if the forensic experts examined the letter of 6 December 1976, they would be able to ascertain that it was typed on a typewriter that was bought in 1977, and so it had to be a falsification. It could not have been typed in 1976 if the typewriter upon which it was typed was not purchased until 1977.

Let me refer to what occurred at the Royal Commission after the typewriters were taken by the police. This passage appears in the transcript of evidence given by Mr Preece:

> Mr Hanlon: Had you discussed with Mr Ashman any aspect of the job at Merricks?—I could have done; I cannot remember clearly.
>
> You could have done?—We have spoken to each other, I think in July. I could have done. I cannot clearly recall all that was said.

What did you want to say to us?—I am trying to recollect it for you. It was one day recently, I passed Mr Ashman in his car on the road. I did remind Mr Ashman that this letter was a retyped letter.

When did that happen?—In the last couple of weeks. I am trying to recollect my memory here. I am poor on dates. I think it was the letter I retyped. I was going through Somerville at the time. I could not recall the exact day. I could make a stab, but I could make a blue.

It was a chance meeting that day, you going in opposite directions through Somerville?—No; yes, it was a chance meeting.

Where did it happen?—In Somerville, near Bungower Road, and Mr Ashman was stopped at the side of the road. I came along and I stopped. We had a few words. The only thing discussed about this, as I stated then, "That letter you have got is a retyped letter".

That happened within the last couple of weeks some time?—In the last couple of weekends.

This weekend that has just gone by?—Yes, I think it had to be.

I beg your pardon?—Yes, it could be. I do not remember where I was at this stage, whether it was this weekend or the weekend before. No, it must have been last weekend. I do not know what weekend Mr Ashman went down to Merricks.

This is a remarkable set of circumstances. In July 1979 there was going to be a Royal Commission and Mr Ashman, the Deputy Chairman of the Housing Commission, knowing that there were 117 deals to go before the Royal Commission, rang Mr Preece and said, "Can you get that bill for $4750 for the job you did on my house down at Merricks?"

It is remarkable that is one of the earliest actions that the former Deputy Chairman of the Housing Commission takes when he knows that there is to be a Royal Commission into 117 land purchases in which he obviously had a very big say. Mr Preece told him that he did not have the bill that he was referring to, and Mr Ashman reminded him that it was about 6 December and would he type one up for him, and that was done. That goes in evidence to the Royal Commission, and there is no doubt, from the evidence before Sir Sydney Frost, that Mr Ashman misled the Royal Commission into believing that was the original bill. Sir Sydney Frost was in no doubt about it, nor was there a doubt about it by others who were there.

When the police picked up the two typewriters from Mr Preece, I have no doubt that Mr Preece's son, who is a policeman, told him that there was a possibility that the forensic squad would see that it was not possible for a letter dated 1976 to be typed on a typewriter bought in 1977. When all that comes out in evidence, Mr Ashman and Mr Preece are driving along Bungower Road and they happen to meet by the strangest coincidence. Nothing was planned. They were driving along in opposite directions. Preece said, "There is Alan Ashman, I will pull over", and he said to Ashman, "By the way, do you recall that was a retyped letter, not an original?" On page 3559 of the transcript of evidence of Mr Preece, this passage appears:

Mr Hanlon: Do you think he might have forgotten?—No. I knew it was a retyped letter. I told Mr Davey on Thursday. I was walking in Little Collins Street and Mr Davey was there and I said I typed something for Mr Ashman. I could not think of what it was, I think it was a quote for the letter. That was Thursday morning. I was going up the street and I spoke to Mr Davey after lunch that day. I said then it was a retyped letter. It hit me just before then.

This conversation that you are now referring to in the street happened yesterday week, Thursday 29 November, is that what you are telling us?—Yes, I had come out from lunch in Little Collins Street. Mr Davey was walking along and I said, "By the way there was a letter or a paper I retyped for Mr Ashman at his request, I cannot remember what it was." It was on the Friday morning when I came in and I went and got a copy of this.

It is almost reading like a fairy story. Once the police are getting on to the fact that the letter of 6 December 1976 has a big question mark about it, and the forensic experts will be looking into it, Mr Preece flukes a meeting with Mr Ashman down in Bungower Road, Somerville. Further, he comes out after lunch and by a fluke he meets Mr Davey. It is almost unbelievable the way these things were happening.

This has not been the only thing that has occurred with this transaction at Somerville. It has come out quite clearly and distinctly that earlier in

the transaction with the Housing Commission there was a price of $262 000 on the land, when in fact the price to be paid was $297 500. Honorable members know how the missing $35 500 came about. Three particular theories are being presented as a possibility why and how the $35 500 was not on the price of the land in the first place. Part of it was the deposit on the package deal of just under $1 million and that is what the $35 500 was all about.

Honorable members know that the reality of it is what Mr Hanlon said in his submission: That the Premier, the Treasurer at that time, was deceived by none other than Mr Ashman and others, once again. The Valuer-General said, "You can only pay $262 000 for that", but the company from whom Preece was buying the land said it would not take less than $297 500. Preece wanted the land because he had organized a package deal of houses and land for $1 million. He wanted those houses and land for $750 000 and a deal is cooked up; "We will tell the Treasurer that we are buying the land for $262 000. What will we do with the other $35 500? We will say that is the deposit on the package deal." The letter seeking approval is sent off by the Minister of Housing at that time, the honorable member for Wantirna, and Mr Ashman and Mr Allwinton, and there is no doubt that this is another case where the Treasurer was deceived.

It has come out in evidence that a quantity surveyor who worked with the Housing Commission had made an assessment of the cost of those houses in the package deal. He came up with a much cheaper figure than that asked by Mr Preece for the houses. A quantity surveyor working for the Housing Commission goes to the commissioners, of which Mr Alan Ashman was one, and says "It is too much money". But Mr Ashman accepts a revised increased price by Mr Preece and takes no notice of his own Housing Commission quantity surveyor.

Mr Simpson

I now come to the job done at Merricks. The minimum valuation figure, and the most generous figure, would be $8000. There have been independent quantity surveyors and experts who said the jobs would cost $11 000, but in the most generous way we say $8000. The figure paid, as stated in evidence, is $4750. That means there could have been a handsome consideration to Mr Ashman of $3250. Mr Hansen got the sack for a lousy $650. There was no hesitation about that. There were no worries about debates in Parliament or Ministers approving letters sent by their permanent heads and waiting for a reply. There was no opportunity given to Mr Hansen to take long service leave. There was one consideration of $500, another one at Wangaratta for $100, another one for $50, a total of $650, and Mr Hansen is out. But Mr Ashman's consideration could be as much as $3250. The Government accepted Mr Ashman's offer to stand down for six months and take long service leave.

The evidence is not just prejudging somebody. This is not what the Labor Party investigating team has been able to ferret out from the Corporate Affairs Office or from the Titles Office, or from talking to people. This is evidence that has been presented to a Royal Commission, where the presiding officers of the commission say that a subterfuge has been proven.

The Minister sits there and declines to state whether he believes the full contents of the letter delivered to him by Mr Ashman on 30 November 1979. He is remiss in his responsibility.

Mr LIEBERMAN (Minister for Planning)—On a point of order, Mr Deputy Speaker, it is well known that, under the forms of debate in this House and under the Westminster system, no honorable member is entitled to have written into the record through his own mouth, words that will imply that, by the silence of another honorable member, that honorable member is acquiescing in what he is saying. It is entirely improper, misleading and it should be stopped.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I uphold the point of order. The point of order made by the Minister for Planning is quite correct. An honorable member cannot use a quotation from somebody else to impugn another person's reputation or character.

Mr SIMPSON (Niddrie)—I naturally accept your ruling, Mr Deputy Speaker, but I am disappointed that the Minister for Planning did not take the opportunity, during his contribution to the debate, to explain his position. Possibly only he can say why he did not take that opportunity.

As the conclusion of the debate is only a matter of minutes away, I reiterate the words used by the Leader of the National Party when he said that in the past fortnight the Australian Labor Party or the Opposition has been half a yard ahead of this lazy, incompetent, hopeless Government.

Mr Lieberman—That is drivel.

Mr SIMPSON—I entirely endorse what the Leader of the National Party said, that the Opposition is half a yard ahead of the Government, but in reiterating those words, I add that the Government is facing the other way as well.

The House divided on the motion (Mr A. T. Evans in the chair).

Ayes	..	30
Noes	..	45
Majority against the motion	..	15

AYES

Mr Cain	Mr Rowe
Mr Cathie	Mr Sidiropoulos
Mr Crabb	Mr Simmonds
Mr Edmunds	Mr Simpson
Mr Ernst	Mr Spyker
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Gavin	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Walsh
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	
Mr Mathews	*Tellers:*
Mr Miller	Dr Coghill
Mr Roper	Mr Remington

NOES

Mr Austin	Mr McGrath
Mr Balfour	Mr McInnes
Mr Birrell	Mr McKellar
Mr Brown	Mr Mackinnon
Mr Burgin	Mr Maclellan
Mrs Chambers	Mr Ramsay
Mr Coleman	Mr Richardson
Mr Collins	Mr Ross-Edwards
Mr Crellin	Mr Skeggs
Mr Dixon	Mr Smith
Mr Dunstan	(*South Barwon*)
Mr Ebery	Mr Smith
Mr Evans	(*Warrnambool*)
(*Gippsland East*)	Mr Tanner
Mr Hamer	Mr Templeton
Mr Hann	Mr Thompson
Mr Hayes	Mr Trewin
Mr Jasper	Mr Weideman
Mr Jona	Mr Whiting
Mr Kennett	Mr Williams
Mr Lacy	Mr Wood
Mr Lieberman	
Mr McArthur	*Tellers:*
Mr McCance	Mr Cox
Mr McClure	Mr Reynolds

PAIRS

Mr Amos	Mr Borthwick
Mr Culpin	Mrs Patrick

PERSONAL EXPLANATION

Mr LIEBERMAN (Minister for Planning) (*By leave*)—Mr Deputy Speaker, I wish to make a personal explanation concerning the subject of the debate which has just been voted on. I believe I said that I was satisfied that Mr Ashman would remain available to the Royal Commission during the time he was on long service leave. That was certainly what I wanted to say and what I believed to be the case.

However, I apprehend that some members may have believed I said the opposite and if I did do that, that is not what I meant, and it would be unfair to say that of Mr Ashman. I am satisfied, as I said, or as I thought I said, that Mr Ashman will remain available to assist the Royal Commission.

Mr WILKES (Leader of the Opposition) (*By leave*)—Mr Deputy Speaker, I ask whether the Minister for Planning complied with the requirement to write down what was contained in his personal explanation? That condition is required by the Speaker and Opposition members are required to write out the personal explanation and submit it to the Speaker for consideration or, alternatively, on occasion, to explain the

personal explanation to the Speaker, before they are permitted to make it in the House.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I inform the Leader of the Opposition that the Minister for Planning has carried out those conditions.

LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL

Mr BALFOUR (Minister for Minerals and Energy)—I move:

That this Bill be now read a second time.

The present law, particularly the Local Government Act and the Uniform Building Regulations made under that Act, is inadequate and unduly restrictive in respect of building on land liable to flooding. The shortcomings are:

Under the regulations the lowest floor or approved flood proofing measures must be 300 millimetres above flood level and the reference in clause 1701 to a flood which could be reasonably anticipated can be interpreted as meaning even the maximum probable flood;

as a consequence drainage authorities have been advising the flood of record as a minimum because they could not designate a lower level without the risk of attracting liability;

the present law does not recognize the Government's intention that a flood level for an area may be designated which acknowledges a risk of some flooding may exist in the use and management of land. The Government's policy promotes the concept of drainage authorities adopting the 1 per cent probability flood as the basis for defining a reasonable level of risk to which a community may be exposed;

councils and drainage authorities are not protected against liability for claims for damage due to flooding; and

owners or builders may not be aware of a flooding risk and no formal machinery exists for future purchasers to find out if there is a potential flooding risk.

There are a number of towns in Victoria, such as Echuca and Horsham, which are concerned that building and development is being inhibited by the restrictions of the law as it now stands. The Bill is designed to overcome these restrictions by rationalizing the provisions of three Acts so they complement one another in the context of building on land liable to flooding. The three Acts concerned are the Drainage of Land Act 1975, the Dandenong Valley Authority Act 1963 *re* drainage, and the Local Government Act 1958 *re* building matters.

When the Bill becomes law, the Uniform Building Regulations can then be amended, in particular clauses 1701 and 1702, thus enabling the policies of the Government to be implemented.

Honorable members will be aware that when introducing the Water Resources Council publication *Flood Plain Management in Victoria,* the Premier referred to the need to provide guidelines rather than inflexible rules, with attention being paid to the need for flexibility to suit the differing needs and circumstances of different urban and rural communities. The Government also stressed its intention that local municipalities should play an effective role in their own areas in the closest co-operation with the drainage authorities.

The Bill, which has been prepared in consultation with water resource interests, gives effect to that intention. Its four basic objectives are:

Firstly, to empower the drainage authorities to designate flood levels;

Secondly, to enable regulations to be made under the Uniform Building Regulations with respect to the construction of buildings on land liable to flooding;

Thirdly, to enable local councils, through their administration of building controls under the Uniform Building Regulations, to play an effective role in the management of their own areas by implementing policies which achieve the flexibility sought by Government; and,

Fourthly, to ensure that building control, in these circumstances, is consistent with the protection of the interests of potential purchasers and the need to minimize claims for compensation from the public purse.

I turn now to the first objective. The opening clauses of the Bill make parallel amendments to the Dandenong Valley Authority Act and the Drainage of Land Act to enable the drainage authorities, namely the Dandenong Valley Authority, the Water Commission and the Melbourne and Metropolitan Board of Works, to designate flood levels. As honorable members are aware, there is general acceptance, both Australia-wide and overseas, that the 1 per cent probability flood level is an acceptable designation in that it represents a reasonable degree of risk to which communities may be exposed, and that level will normally be the designated flood level for an area.

I stress that the purpose of the Bill is not to prevent building below the 1 per cent flood level, but to ensure that any development below such level does not impose an unreasonable risk on an individual or on the community and takes place with the full knowledge of the risks involved. Any affected landowner may appeal against the designated flood level.

The Bill indemnifies the drainage authority against any loss or damage allegedly sustained as a result of the designation. This is necessary because, in the opinion of senior counsel, a claim could be made against the drainage authority if a flood of greater magnitude than that designated occurred. Counsel suggests that, without this indemnity protection, a drainage authority would need to designate the highest recorded flood or even the maximum probable flood.

The second objective is to amend the Local Government Act to enable the Uniform Building Regulations to be amended so as to put into effect the Government's intentions for a more flexible approach to building and development of lands liable to flooding. This is necessary, in senior counsel's view, to enable appropriate regulations to be made.

The third objective, and one which the Government sees as of substantial importance, is to provide for councils to administer, in their own districts, building development on lands liable to flooding.

As previously mentioned, the Government's policy promotes the concept of adopting the 1 per cent probability level as the basis for this designated flood level. There is, as I stated, wide acceptance of this policy. However, regard must also be had to the existing conditions that apply in those areas where development has proceeded apace for many years. For example, municipalities such as Horsham and Echuca are experiencing problems with infill development in existing subdivisions and with new subdivisions on land liable to flooding which has been zoned for urban development.

In such cases there are reasoned, and reasonable, arguments for permitting such development and for amending the Local Government Act to enable councils, through their administration of the Uniform Building Regulations, to permit such development if the allotments so created allow any buildings to be constructed thereon to comply with the provisions of the regulations.

The relevant amendments provide:

For the proper officer of the council to determine the specified flood level in relation to any building proposal having regard to the flood levels designated by a drainage authority.

For a permit to be issued allowing development at or below the specified flood level subject to the carrying out of such flood proofing measures or works as the council specifies. The exercise of this latter power is, in each case, subject to the approval of the Minister for Local Government after consultation with the Minister of Water Supply. In order to obviate numerous referrals

to those Ministers, however, a council may, with Ministerial consent, specify areas where such development may be permitted.

To achieve the Government's fourth objective of protecting future purchasers and the public purse, the Bill also provides:

For the applicant for a building permit to indemnify the council against the consequences of its approval for him to build at or below the designated flood level.

For the issue, on application, of a certificate specifying whether a particular piece of land is subject to designated flood levels; if so, its specified flood level; whether the land has been granted a permit to build at or below the specified flood level; or if the land lies in an area where such a permit will be granted.

The Government believes these measures will alert a purchaser to the situation of lands liable to flooding, leave development options open to both the council and the purchaser and, as well, protect the public purse from claims. A further protection to all parties is, of course, given by the involvement of the two Ministers in question.

The remaining provisions of the Bill are designed to protect councils and drainage authorities in relation to permits issued, or levels designated, before the commencement of the Act.

The Government believes the Bill will result in a legislative framework that will enhance the administration of building controls, particularly at the municipal level. It will enable councils to proceed with urban building proposals which accord with the aspirations of local communities and it will protect the interests of individuals, at the same time allowing for the evolution of long-term strategies to mitigate existing and potential flooding and drainage hazards.

The Bill represents the community interest and I have much pleasure in commending it to the House.

Mr KIRKWOOD (Preston)—It is obvious that the measure has been drawn up to cope with the situation that exists in municipalities such as Horsham and Echuca, which were mentioned by the Minister in his second-reading speech. There is no doubt that action had to be taken about the situation in those areas and it is to be hoped that the regulations that could flow from the Bill will be of benefit. Therefore, at the outset of my remarks, I indicate that the Opposition will not oppose the Bill, which has already been debated in another place.

However, I am somewhat concerned about the application of the principles embodied in the Bill to metropolitan Melbourne. In many areas of metropolitan Melbourne, buildings are constantly being flooded after heavy rains and we have all seen examples of the difficulties faced by the families who are affected and the strain placed on police, firemen and sewerage and water authorities. So long as there is a consistent build up in the development of metropolitan Melbourne, flooding will continue to be a problem.

In the electorate I represent, it is obvious that, if the development to the north of Preston continues at its present rate, there could be even more serious flooding down the various creeks. One of the areas of most concern is Fyffe Street, Thornbury. Factories as well as homes are being flooded in that area. Retardation basins are being built along some creeks, but I do not know whether that will be done throughout all areas. The municipalities are most concerned about the problem.

In my view, anyone who is prepared to build in a flood-prone area is a fool, but if people are prepared to take their chances, and provided that all the information has been made available, they do so at their own risk. Who can help people who want to do that? If a person in Victoria wants to gamble every cent he has, there is nothing to stop him from doing so, and the same thing applies with this measure. Where a designated flood level is set out in the Act, insufficient time is allowed for

its implementation, and a time should be set. The designated flood level should be set by the municipality to apply by a particular date. In the past the various authorities which have had the job of setting the level have never got around to doing that, for various reasons.

Anyone who has been involved in local government will realize that council officers and, in this case, the proper officer, are subject to all types of pressures. Those pressures have operated in the past and will continue in the future, and one can do very little about that, but everybody should be aware that this type of legislation still applies and will cause similar difficulties to those that have occurred before.

Another matter that may be taken up by the Government later is flood-proofing. In my view this should be defined clearly, not only when buildings are being constructed, but conditions should also be applied providing that the buildings must be kept in good repair. What is the use of having flood-proofing if the flood-proofing course deteriorates?

Most honorable members would readily agree that regulations apply for fire escapes in various commercial and industrial buildings, but how often does one walk down a corridor to find the doors locked and bolted and the area being used for storage? The regulations require that a fire escape be provided, but they do not stipulate that it must be kept clear in case of fire or other disaster. I can foresee that this may happen, because the legislation does not provide that a constant check should be kept on the kind of flood-proofing that is required. Perhaps buildings should be required to be kept constantly in good repair and municipal building inspectors should be required to inspect buildings every twelve months, in much the same way as a business operates by obtaining approvals for various permits.

If permits are to be issued when an area has been designated, it is probably justifiable that the Minister should give approval, because the blame will fall on him if anything goes wrong. If that is the case, it is fair that that should be done. However, timing may prove to be a problem in some cases.

If this Bill becomes law, and a person obtains a permit allowing him to develop a building at or below the specified flood level, what will happen if he sells the property? Does the requirement still bind the new owner? Can it be said that he should not have a claim on the council? I am not sure about this matter because indemnity cannot be written on a title document. If a person buys such a property and flooding occurs, he would probably try to get everything he could out of the council or authority which gave the approval to build.

However, the Bill does not spell out such an indemnity or look far enough into the future. Perhaps the intent is that when regulations are laid down, those small matters may be looked at, and they need to be examined because they give rise to concern.

Basically, as I said at the commencement of my speech, the Opposition does not oppose the Bill; its provisions are required urgently in most country areas and in creek ways in metropolitan Melbourne. Nevertheless, municipalities will be loath to implement these provisions on canals or river banks that may be subject to constant or annual flooding.

Mr HANN (Rodney)—I thank both the Minister and the spokesman for the Opposition for allowing the debate on the Bill to proceed forthwith, because the National Party is anxious for the measure to be passed through Parliament quickly. The problems of designated flood levels and the issue of building permits has been under discussion for more than two years, particularly in the Echuca area, since the series of floods that occurred there from 1973 to 1975.

Difficulties have been experienced since then as a result of a flood study carried out by the State Rivers and Water Supply Commission which indicated that the highest flood on record occurred in 1870. That flood level was some 5 to 6 feet above the 1975

level. Considerable discussion has ensued on whether it was reasonable to establish that as the appropriate level for the issue of building permits.

Since the level was established by the Water Commission, which is the appropriate drainage authority, the council was locked into a situation where it was prevented from issuing building permits on land below the 1870 level. This has resulted in a virtual freeze being placed on development in the City of Echuca. It also affects other places, including the Shire of Deakin, where land in the village area is subject to the 1870 flood level; land in the Shire of Rochester and the township of Nathalia, which are subject to similar difficulties.

In most municipalities where major towns are situated on rivers or streams that are inclined to flood from time to time, Uniform Building Regulation No. 1701 applies. It specifies that a permit must not be issued unless the building is above the highest known flood level, and consequently building in those towns is affected by the present legal situation. One of the realities of development over the years in Australia is that the towns and cities—and Echuca is a classical example—have been developed close or adjacent to river systems or based on the nearest watering system. Residential development has taken place right on the river bank and has gradually moved out from there.

Although the 1870 flood was supposedly a flood of record, dispute has occurred in the City of Echuca on whether that level was realistic. As a result of further studies which were instigated by the Premier at the request of the Echuca City Council, under the Government's new policy of 1 per cent flood frequency for designated flood levels, a new level has been established in the City of Echuca and it is some 600 millimetres below the 1870 flood level. As the Echuca City Council has not committed itself to this level at present, it is in a much better position because much more of the land in the town is now outside the bounds of the 1870 flood level and closer to the 1975 level. If the council had persisted with using the 1870 level in the City of Echuca, much of the residential development and commercial development, including my electorate office, would have been 3 or 4 feet below the level adopted.

The general belief is that the 1870 flood could not be considered as a 1 per cent frequency flood, because it is now 1979 and there has not been a flood like it since. As I said, the Water Commission has set a different level with which the council is much happier, and it now appears that a flood like that of 1870 is likely to occur only once in 190 years, so that has taken the pressure off the council.

However, the introduction of this proposed legislation was essential because there was still a percentage of the land for which the council could not issue permits. Even with the new designated level, there is land below that level that is quite suitable and desirable for development. The council had discussions with the former Minister for Local Government, the Honorable A. J. Hunt, almost three years ago, when Mr Hunt visited Echuca. At that stage the Minister believed a simple solution would be to change the wording of Uniform Building Regulation No. 1701, but he found that it was much more complicated than that, particularly because of the legal ramifications and the implications of setting different levels.

As a result of further discussions with the Government during the year by the City of Echuca, the City of Horsham and members of the House, the Bill has been presented to the House. The basis of the proposed legislation is that a drainage authority, whether it be the Dandenong Valley Authority, the State Rivers and Water Supply Commission or the Melbourne and Metropolitan Board of Works, will designate the 1 per cent flood frequency level, and that level will then be taken into account by the proper officer of the council as the specified level for that municipality. There is an avenue for appeal within the Bill, and that is essential, particularly in Echuca, because the level which is now

proposed to be designated is hypothetical, and there is still some dispute about whether the level should be lower.

Once the designated level has been specified there is an exemption of liability for the drainage authority and changes must be made to the Local Government Act to create more flexibility in municipalities for the issue of permits. In the City of Echuca the people wish to build on certain land which they do not believe will ever be flooded, and it is doubtful whether it would ever be flooded; nevertheless, because of the previous highest level of flooding, permits to build on the land have been refused. The council will have the right to ask the Minister for Local Government to grant a special permit for particular land; the council may then issue permits to allow building to take place on land at or below the designated flood level. This provision is contained in clause 5.

The Echuca City Council has given consideration to the proposed legislation and commented on the provisions in a telex message. It believes the remainder of the Bill is satisfactory in that it will enable the council's wishes to be met. However, it emphasizes that the regulations which are ultimately promulgated and the attitude of the Minister for Local Government in bringing in areas within which building may be constructed at a lower level may be critical.

The council is not being critical of the Minister in saying that, but is indicating that it will depend very much on the flexibility of the Minister. I have discussed this telex message with the present Minister for Local Government, who indicated his desire to be as flexible as he can where possible on the wishes of the council with regard to areas that may be designated under this special permit. They should be designated, bearing in mind that the Minister must always bear the ultimate responsibility for doing so, and it must be his decision. The council also has asked for the opportunity of perusing the draft regulations prior to their finalization. Once again the Minister has indicated his desire that the discussions take place. The council is anxious that the legislation be proclaimed at an early date. I understand that the drafting of the regulations will have a bearing on that, and therefore it is essential that the regulations be prepared as soon as possible.

In a letter to the Premier as a result of preliminary discussions between representatives of the Building Regulations Committee and officers of the State Rivers and Water Supply Commission, the council indicated its general acceptance of the proposals in the Bill and its desire that some areas of historic interest in Echuca be subject to the special permit provisions. In these areas even allowing for redevelopment, it would be essential to have special permits so that the natural surface levels that have operated for many years would be observed in the future. It is not realistic to change the designated areas and make people who desire to build do so at levels 2, 3 or 4 feet above the general level of the ground surface. One of the consequences of the present situation is that the owner of a motel had to build the foundations of the premises 4 feet above the ground, and create a basement. A similar situation occurred with a number of houses. The owners were forced to build the foundations extremely high in order to obtain a permit.

The Bill provides general acceptance by the councils of all previously designated levels. That is important. It is also important in relation to permits approved by the Building Regulations Committee as a result of appeals. At this stage the committee has been reasonable when dealing with appeals submitted to it. It has asked that people provide some flood proofing, but it has permitted some building, particularly in the Shire of Deakin where many appeals were made. People were allowed to build below the 1870 flood level provided that they built up to the 1975 level. There has been some flexibility but each person has had to appeal to the committee with no guarantee that the appeal would be approved.

Councils will have the right, through the special permits, of indicating what action should be taken by the person wanting to build. It is hoped that this will not be too complicated. The early draft of the Bill contained some complicated proposals suggesting markings of flood levels on houses and streets. I am pleased that the Minister for Local Government has come to terms with that matter.

The person obtaining a special building permit must exempt the council from liability. That is reasonable, and most people would be prepared to agree to it. For the first time there is a provision for people who wish to build or purchase blocks to obtain a certificate which specifies the flood levels. This is covered under clause 6 of the Bill. The area has been neglected in the past.

On Monday evening I attended a meeting in Echuca to discuss problems in Echuca West which is a low-lying area. One of the complaints of the residents was made by a lady who has been in the area only approximately three years. She said that she saw an advertisement in a Melbourne newspaper for the block of land and the house. She contacted the people who were selling the property and after looking at it she purchased the property. When looking at that land at this time of year, unless one has some understanding of the historical nature of the area, one would have no idea that it flooded. Not only in recent years but as far back as twenty years ago, a number of people in the area have purchased houses not being aware that the properties were subject to flooding. In two or three of the instances of which I am aware the flooding was in excess of 4 or 5 feet through the house, which is an impossible situation.

Until now there has been nothing to indicate to people what the flood levels are. Now a person can apply to the municipality for a certificate which will specify the flood level, if any, whether the land is situated within a flood area and whether any special building permits have been issued for the area. Of course, there will still be people who are unaware of their rights to seek a certificate or who will not bother to do so, but on the whole this provision will give much greater protection to people in the future. It is to be commended.

Later I will move a small amendment to the definitions, which has been discussed with the Government. I welcome the Bill and am particularly pleased that at long last it has been introduced and is being dealt with quickly. It is essential that that be done, that the regulations be prepared and the Bill proclaimed as soon as possible, to enable the municipalities to get on with their development. In the City of Echuca, and on a smaller scale in the surrounding areas, the building industry has been retarded unnecessarily because of unrealistic flood levels. Those levels may again be reached, but the Bill makes provision for that. People like to live in those areas and many are prepared to build above the ground. However, by the same token this Bill will enable residential development to proceed. The City of Echuca is more than pleased that the Government has gone ahead with the measure in its present form. If any difficulties arise, they will be handled in future years.

Mr McGRATH (Lowan)—Like my colleague, the honorable member for Rodney, I express gratitude to the Government and the Labor Party for allowing debate on the Bill today. Since the State Rivers and Water Supply Commission ruled some eight months ago that all buildings within the Horsham area should be constructed above the 1909 flood level, there has been a marked decline in confidence in the building industry and amongst the residents in the City of Horsham. This Bill provides flexibility to the building regulations and provides for the designated flood level that the Premier suggested would be available. It has taken some eight months to bring about the alterations to the building regulations pertaining to the designated flood levels. The Minister for Local Government in another place has done much work in

this area. I commend him for the speed with which he has brought the Bill forward. I am sure that it will be much appreciated throughout Victorian towns and cities faced with flood level problems.

Mr Bernie Dunn and Mr Ken Wright in another place should also be commended for the work they have done in resolving the problems, but the most credit should go to Councillor Brian Brooke, the Mayor of Horsham, and the city councillors as well as the 4200 people who signed a petition which was presented through the local council to the Premier for consideration of a more reasonable flood level. It must be remembered that Horsham was developing nicely on the 1957 flood level which was accepted by all in the community. Then the State Rivers and Water Supply Commission demanded what was an unreasonable level—the 1909 flood level. This was unrealistic in view of the development and improvements in the Wimmera River that flows through the city, and the developments in the agricultural lands of the Wimmera. Although it is possible that heavy flooding will be repeated, it is unlikely that it will ever reach the height of the 1909 flood level.

The setting of the 1909 flood level brought to a halt $1·2 million of building development in Horsham. It was reported in the *Warracknabeal Herald* that a township 30 miles away was having a building boom but that the building industry in Horsham had stagnated. It is a great relief to me as the member for Lowan that the Bill is now before the House and regulations are being altered so that the building industries of major cities such as Horsham and Echuca will be able to go ahead on a reasonable basis,

I realize that people must be safeguarded, as a spokesman for the Labor Party said, against building in flood-prone lands, but this country was built with an element of risk. People accept a 1 per cent chance. When fires have occurred in the Western District in years gone by, the owners of the properties have returned and rebuilt. They have accepted the 1 per cent chance, and people in the cities would accept these elements of risk.

I wholeheartedly support the Bill. My only concern relates to developers in the area. This is an interim measure, awaiting a flood study. A developer must look at a two or three year's programme and if he is in the middle of his development, he cannot wait for a flood study to be carried out. He must continue and take the risk and accept the interim measure. I heard the Minister in another place mention that 60 flood studies are being carried out in Victoria at present. I hope the State Rivers and Water Supply Commission hastens its flood studies throughout Victoria so that developers who are making tremendous contributions to the communities are able to proceed and are not stopped in their tracks in eighteen months' time by a flood level that is not acceptable to them.

I support the Bill and on behalf of the National Party commend the Minister for Local Government for the speed with which the measure has been brought before the House and has been dealt with this afternoon.

The Bill was read a second time and committed.

Clauses 1 to 4 were agreed to.

Clause 5 (Provisions as to construction of buildings on land liable to flooding)

Mr HANN (Rodney)—I move:

Clause 5, page 3, line 39 insert the following subsection—

The motion was agreed to.

"(1A) In this section 'river' and 'watercolrse' shall have the same meanings as are contained in Part III. of the Drainage of Land Act 1975".

I mentioned earlier in the second-reading debate that I would move an amendment. The Echuca City Council has considered the provisions contained in the Bill. The council has done that quickly because the amendment was produced only last week. The council is concerned about one small

aspect which relates to the definitions in proposed section 925 AA (1) which states, *inter alia*:

> "land liable to flooding" means land which is likely to be flooded by waters from any river, creek, stream, watercourse, lake, lagoon, swamp or marsh.

The Echuca City Council is concerned that the Government has not clarified sufficiently the interpretation of the words "river" and "watercourse". The council is of the opinion that a definition should be provided for the words "river" and "watercourse" to ensure protection against liability for loss or damage caused by flooding, including flooding which occurs as a result of water overflowing from an artificial channel and concentrations or flows of stormwater.

The council is concerned because Echuca is controlled by levy banks and there is a risk of local flooding from time to time especially during high rainfall. It would be unreasonable to expect the council to accept liability under the terms of the Bill in the designated flood areas as a result of rivers and watercourses unless the Bill takes into account artificial drainage within the municipality, and also natural surface drainage.

One area in the township of Kyabram experiences a drainage problem. There is a basin effect in the centre of the town and during high rainfall, such as occurred in 1974, a flood occurs in the town. It was a local flood and it did not come from a river or a stream; it was simply the drainage water in the town with which the town's pumping system was unable to cope.

There is a need for an amendment to define the words "river" and "watercourse". Part III. defines these areas which will cover artificial drainage situations. On behalf of the City of Echuca, I commend the amendment to the Committee.

Mr KIRKWOOD (Preston)—The Opposition has no objection to the amendment. It clarifies the position and will make it that much easier to control flooding in the areas of Echuca and Horsham.

Mr BALFOUR (Minister for Minerals and Energy)—The Government accepts the amendment. When the Bill was originally drafted, the Government felt the situation was covered by clause 5. However, the Minister for Local Government has examined the submission from the City of Echuca. The further definition will clarify the situation. The object of the Bill is to clarify the position and, therefore, the Government accepts the amendment.

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

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

SHIRE OF OMEO (TOURIST GOLD MINE) BILL

Mr BALFOUR (Minister for Minerals and Energy)—I move:

> That this Bill be now read a second time.

It is a Bill to authorize Omeo Shire Council in association with a mining consultant, Tallangalook Pty Ltd, to enter into an agreement with a mining company—Ashton Mining NL—to explore and mine for gold on a crown reserve for public purposes known as the Oriental Claims Reserve. The potential of this site for a profitable mining venture was brought to notice as a result of a study undertaken for council under the terms of the National Estate Programme 1977–78 entitled "Preliminary Study of Mining Sites".

The council is a committee of management for the reserve and, under the terms of the proposed agreement, the mining company will carry out the work and council will share in any earnings from the venture. The reserve is about 2 kilometres south of Omeo, is about 38 hectares in extent and contains large deposits of alluvium which were worked by a series of prospectors and companies between 1856 and 1904. The deposits, which are about 30 metres deep, are believed to occupy the bed of an ancient mountain lake and are auriferous for almost the complete depth. Work on the site ceased in 1904 when the Sludge Abatement Board

stopped the discharge of waste into an adjoining creek. The name of the reserve is derived from the Oriental Sluicing Co. which worked there. The shareholders of the company were all Europeans but Chinese mining groups also worked in the area.

Legislation is necessary to enable the shire council to participate in the venture because the powers vested in municipal corporations do not include power to explore and mine for gold or to take out leases and licences and enter into agreements with respect to such matters.
The Bill:

1. Validates the issue to the council of an exploration licence under Part V. of the Mines Act 1958 which licence is now held by council and Tallangalook Pty Ltd;

2. authorizes the Governor in Council to grant a lease under the Mines Act to council, either alone or together with any other person, for the purpose of mining for gold on the Oriental Claims Reserve;

3. authorizes council to enter into an agreement with any other person with respect to—

(i) exploring and mining for gold;

(ii) applications for licences and leases under the Mines Act and the disposal of an interest in any licence or lease;

(iii) the exercising by a party to an agreement on behalf of council and any other party to the agreement of the rights of council and the other party under any lease or licence; and

(iv) the payments to be made by the parties under the agreement;

4. requires that any such agreement must include an indemnity to the council against all claims, costs and demands arising out of the conduct of the exploration and mining operations;

5. authorizes council, with approval of the Minister, to apply money out of the municipal fund for or towards any payment in respect of any licence or lease or any agreement authorized by the legislation; and

6. requires that any moneys received by council from the venture shall be kept in a separate fund and applied for the promotion of tourism and the provision of attractions and facilities for tourists in the shire.

I commend the Bill to the House.

The SPEAKER (the Hon. S. J. Plowman)—If it is the desire of the House to proceed forthwith, I advise that I have examined this Bill, and am of the opinion that it is a private Bill.

Mr BALFOUR (Minister for Minerals and Energy)—By leave, I move:

That all the Private Bill Standing Orders be dispensed with, and that this Bill be treated as a public Bill.

The motion was agreed to.

Dr VAUGHAN (Glenhuntly)—The Bill is an unusual measure. Indeed, the Bill had a most unusual passage through the other House. I do not suppose it is going to have a very unusual passage through this House, but if it does, that will not be of my making. A proposal that a shire mine gold is an unusual proposal. Gold mining, as honorable members know, is a risk venture. However, in this instance, the Shire of Omeo is not taking any risks—only profits, if they occur. As the honorable member for Brighton is attempting to interject, tourism is the motive behind the council's interest in participating in this venture, and Omeo needs a boost. Alluvial gold or tourist gold would be welcome—alluvial gold from the ancient mountain lake bed or tourist gold from the pockets of Victorians or tourists from other States or, indeed, from overseas. All would be welcomed by the people of Omeo.

One point I draw to the attention of honorable members—in particular to the notice of members of the National Party and the Liberal Party—is that this is Socialist legislation. It is like the purchase of the Shamrock Hotel or the Hotel Windsor or the Gas and Fuel Corporation's explorations in Bass Strait. In this case, the democratically elected local council is participating in

a venture to generate wealth for the benefit of the community at large, a most commendable enterprise.

I ask the Minister for Minerals and Energy to comment on one minor technical matter. The mining operation is basically a tourist attraction, both directly and indirectly. However, all mining operations generate waste. I ask the Minister to comment on potential problems in the vicinity of the mining site or downstream in any watercourse as a result of the mining operations.

What happens if the Shire of Omeo strikes pay dirt? Will it want to secede from the Commonwealth in the manner of Prince Leonard, the Regent of the Hutt River Province, or what will happen?

The Labor Party supports the Bill and wishes the people of the Shire of Omeo every success. "Good luck" may be the term: Good luck in this venture, and a prosperous future.

Mr B. J. EVANS (Gippsland East)—I am delighted that the House has agreed to deal with this measure expeditiously. I commend the council of the Shire of Omeo and the Government for getting together on this important project and having the necessary Bill brought before the House.

Many honorable members have not visited the Shire of Omeo and have not seen the Oriental Claims Reserve on which this venture will be based. The site is virtually on the fringe of the township. Its main feature is the sheer cliffs which remain where the sluicing operations finished some 75 years ago. The area has a degree of tourist attraction at present but undoubtedly this venture will add considerably to the interest which tourists will have in the area in the future.

It is significant that, at a time when the Government has raided the resources of the Shire of Omeo and when that shire has protested vehemently against so many of its resources being tied up in national parks and being denied utilization by the timber industry, the cattle industry and the like, a venture such as utilization of the minerals in the soil—perhaps the type of operation most disliked by so-called conservationists—should be the type of venture being entered into and supported by the Government.

The Shire of Omeo was built largely on the discovery of gold and quite a number of reminders of the gold rush days when Omeo was virtually a boom town still remain throughout the area. The town still contains buildings which are a little out of character with the size of the township today. The magnificent court house is in sharp contrast to the log cabin gaol just a few yards from it, a log cabin gaol which is part of the tourist attractions of the Shire of Omeo but which the police find inconvenient and difficult to work in. There is a conflict of interest there and it is hoped the problem will be resolved shortly. Perhaps this venture may do something to help the Omeo Shire Council to realize its long-held dream of developing these interesting buildings into a tourist complex. I understand that the first dividends from this project will be applied in that direction.

The shire has other areas which are gold-bearing. The honorable member for Glenhuntly raised the question of what will happen if this gold mine does strike pay dirt. I do not know what the prospects are for the Oriental Claims Reserve. Over many years, the old gold mines of Maude and Yellow Girl at Glen Wills, some miles north of Omeo, have been operating. Over the past ten or fifteen years, they have not operated very successfully but with the rising price of gold who knows what sort of bonanza may await the interests concerned in that development? If commercial development is to proceed in the area, the greater prospect probably exists in the Glen Wills area rather than at the Oriental Claims Reserve.

My only criticism of the Bill is a minor one. Why was it decided that any profits from the venture must be devoted to tourism and tourist facilities? The interests of the people of the Shire of Omeo should come first. If those

people choose to utilize the funds in tourist facilities—as I believe they will —they should have the right to make that decision. However, if they choose to utilize the returns from the venture to build something of specific benefit to the residents of the shire, they ought to have that right, and the Bill should not tie them down so specifically.

I do not oppose the Bill or propose to move any amendments to it because I believe, in the foreseeable future, all of the projects which the people of the shire would want to develop would be tourist orientated. The Shire of Omeo rightly sees that its prospects in the future depend substantially on the tourist industry. With the current trend of the Government towards cutting down utilization of timber resources and other resources in the alpine area, practically the only avenue left for development in the Shire of Omeo is tourism.

I hope the Government will see this as an additional reason, in the light of the shire's interest in tourism, to speed up inquiries into the Omeo low-level road deviation, another important project on which the shire will depend heavily in the future for the development of its tourist industry. The Government is getting out of this problem cheaply by the introduction of this Bill, which costs nothing. It costs nothing to pass legislation to enable the Shire of Omeo to embark on this project; it costs nothing to say that if the shire makes any profit from the venture it can spend that profit on tourist facilities. If the Government is really interested in the shire's tourist potential, it will do something active to provide money to ensure that tourists can get there quickly and safely and that tourist development in the shire is stimulated. That could be achieved by a bit of direct interest by the Government.

I share the good wishes of the honorable member for Glenhuntly. This will be an interesting project from a tourist point of view. I hope it pays handsome dividends for the Shire of Omeo; and I wish the shire and its commercial partners in the venture every success.

Mr BALFOUR (Minister for Minerals and Energy)—I thank honorable members for the expeditious way in which they have passed the Bill through the House.

In reply to the honorable member for Glenhuntly, the Shire of Omeo at present has an exploration licence. For the mining operations which are proposed, it will need a mining lease. The provision of that lease will be dependent upon certain conditions under which the shire will have to work.

In the second-reading speech, I indicated that in 1904 the Sludge Abatement Board closed down the mining operations on the reserve because of pollution of the creek. The Sludge Abatement Board still exists and today there is also the Environment Protection Authority, so I can assure the honorable member that operations carried out at the Oriental Claims Reserve will be carried out properly and should not be any disadvantage to nearby streams or other places in the locality.

In respect to the provision that the money must be spent on tourist activities, I understand that that is the wish of the Shire of Omeo. Certainly that provision has been written into the Bill. However, if sufficient money is raised from the venture to develop tourist activities and to have some to spare for other purposes, appropriate arrangements can be made. I hope the venture is a goer. I join with other honorable members in wishing the Shire of Omeo and its partners the best of luck.

The motion was agreed to.

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

PRESBYTERIAN TRUSTS BILL

Mr MACLELLAN (Minister of Transport)—I move:

That this Bill be now read a second time.

The Presbyterian Church of Australia Act 1971 was passed, amongst other things, to enable the Presbyterian Church of Australia to enter into union with other churches and to provide for those of its congregation that did not

wish to join in the union. The Act set up a property commission to allocate Presbyterian property between any church to be constituted by union and those who continued in membership of the Presbyterian Church.

On 1 May 1974, the General Assembly of the Presbyterian Church of Australia resolved that the Presbyterian Church of Australia should enter into union with the annual conference of New South Wales, Victoria and Tasmania, South Australia, Queensland and Western Australia of the Methodist Church of Australasia and with the Congregational Union of Australia on its own behalf and on behalf of those churches on whose behalf the Congregational Union was empowered so to do.

The Uniting Church in Australia Act 1977 was passed to provide for the inauguration of The Uniting Church in Australia and to constitute a property trust for that church. Section (20) (3) of that Act dealt with the acquisition and vesting of the property held in trust for the Presbyterian Church.

The 1977 Act other than section (20) (3) was proclaimed to come into operation on 22 June 1977. Section (20) (3) has not been proclaimed as the Uniting Church of Australia and those Presbyterians who did not wish to join the union and have continued to function as the Presbyterian Church of Victoria have not agreed that it should be proclaimed.

The significant property of the Presbyterian Church of Victoria, prior to 22 June 1977, was vested in the Presbyterian Property Trusts Corporation under the provisions of the Presbyterian Trusts Act 1890. The Registrar of Titles has taken the view that he should not register any dealing dated on or after the date of union by or in favour of the Presbyterian Trusts Corporation as such dealings could only be effected by means of the machinery provided by the 1890 Act for the Presbyterian Church of Victoria as recognized in that Act. Doubts have arisen as to whether the continuing Presbyterian Church of Victoria is able to function under the 1890 Act.

The members of the Presbyterian Church of Victoria wish the provisions of the 1890 Act and the Presbyterian Church of Australia Act 1900 to continue to apply to and in respect of the church and to its property.

The Bill has been the subject of prolonged discussion and consultation with all interested parties; and I believe it gives effect to those wishes of the Presbyterian Church of Victoria and, in addition, confirms, ratifies and validates arrangements made between that church and the Uniting Church in Australia for the division of certain property.

The Bill specifically provides that it shall not apply to any school property, that is, property held or used for or in connection with a school, save and except for a provision which validates transactions listed in the Second Schedule to the Bill, and a provision which makes it quite clear that the Bill is in no way to affect proceedings in the Supreme Court in respect of two of the schools referred to in the Bill, namely, Scotch College and Presbyterian Ladies College.

For the rest, the Bill gives effect to the intent of those Presbyterians in Victoria who did not wish to join the union and are continuing to function as the Presbyterian Church of Victoria and validates arrangements made by that church with the Uniting Church in Australia for the division of property between them. This will resolve the problems relating to the property of the Presbyterian Church of Victoria before 22 June 1977 and will facilitate dealings in that property. I commend the Bill to the House.

The SPEAKER (the Hon. S. J. Plowman)—I have examined this Bill and am of the opinion that it is a private Bill.

Mr MACLELLAN (Minister of Transport)—By leave, I move:

That all the Private Bill Standing Orders be dispensed with, and that this Bill be treated as a public Bill.

The motion was agreed to.

Mr FORDHAM (Footscray)—The Opposition does not oppose the Bill. For historical reasons, since 1890 Parliament has provided management for Presbyterian trusts and the principal Act with which this Bill deals is an amendment to the Presbyterian Trusts Act 1890. In line with tradition, the House is asked to take into account that in 1971 the Presbyterian Church of Australia Act was passed to enable the church to consider entering into union with associated churches. That was followed by the Uniting Church in Australia Act 1977, but, in order to facilitate the division of property between the Uniting Church and the body that is continuing as the Presbyterian Church in Victoria, and for that matter the nation, an amendment to the original Presbyterian Trusts Act is required. The key comments of the Minister's second-reading speech are as follows:

> The Bill has been the subject of prolonged discussion—

That is an understatement:

> and consultation with all interested parties, and I believe it gives effect to those wishes of the Presbyterian Church of Victoria and, in addition, confirms, ratifies and validates arrangements made between that church and the Uniting Church in Australia for the division of certain property.

I have discussed the matter with members of the Presbyterian Church who agree that the Bill should be supported by Parliament.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party supports this measure which deals with the settling of property between what is known as the continuing Presbyterian Church of Australia and the Uniting Church and deals with all matters except questions which are at present subject to litigation.

There have been grave problems for the church selling or transferring property, because it has not been able to do so. This will be done by agreement between the two churches and the Bill will put a lot of their worries behind them. The Bill has nothing to do with the litigation of which we have heard so much.

Mr RICHARDSON (Forest Hill)—This important Bill affects a number of people in a specific way. It is the result of a number of matters being brought to the attention of the Government. One example, involved a young couple from the electorate I represent who bought a property from the Presbyterian Church prior to the unification of the Presbyterian Church into the Uniting Church and the separation of a group of people into the continuing Presbyterian Church.

The difficulty was that the property was sold on terms and the final payment was made after the decisions were made to create the Uniting Church and to have running parallel to that church the continuing Presbyterian Church. The result was that the young couple who paid in full for the property and met all of the terms of the contract of sale were unable, through no fault of their own, to obtain title to the property for which they had paid. It was, therefore, necessary to bring instances of this kind to the attention of the Government, the Attorney-General and officers of the Government.

I compliment those people for the way in which they have acted to resolve the difficulties in which a number of people have found themselves, through no fault of their own and without any fault attaching to either the Uniting Church or the continuing Presbyterian Church.

A legal and historical anomaly created a series of difficulties for a specific group of people in the community and this measure resolves that difficulty. I commend the Bill to the House and wish it a speedy passage.

The motion was agreed to.

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

PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL

The debate (adjourned from November 22) on the motion of Mr Hamer (Premier) for the second reading of this Bill was resumed.

Mr WILKES (Leader of the Opposition)—When the Premier explained the Bill, he said that an undertaking was given by his Government at the last State election to set up an expenditure committee to assist Parliament in the management and control of Government administration and to scrutinize and evaluate expenditure programmes for economy, efficiency and effectiveness. If the Bill did that, one would not argue with it because, if ever there is a need for legislation of this kind in any State, it is needed in Victoria.

Unfortunately, the Bill constitutes a fraud.

The Bill does not do precisely what the Premier suggested it would when he informed the House that that was the intention of his election promise. In his second-reading speech, the Premier said that the Bill would expand the philosophy and the role of the Public Accounts Committee to cover the scrutiny and the evaluation of public expenditure. In fact, the Bill diminishes the powers of the existing Public Accounts Committee.

It is well worth noting that the Public Accounts Committee will no longer exist in Victoria and that Victoria will be the only State in which an Expenditure Review Committee has been established and a Public Accounts Committee abolished. With the exception of New Zealand, where the Expenditure Review Committee supersedes the Public Accounts Committee, I know of no other country where both the Public Accounts Committee and the Expenditure Review Committee do not work side by side and each for its specific purpose. In the Federal Parliament, there are expenditure review committees in both the Senate and in the House of Representatives; of course, there is also a Public Accounts Committee. Several committees concentrate on specific areas in the mother of Parliaments, in Great Britain.

The committee proposed in the Bill will necessitate the abolition of the Public Accounts Committee. Later, I shall draw attention to the functions of the existing Public Accounts Committee. It was originally appointed under Standing Order No. 220 in 1895 and it was intended and determined to have very specific functions. At present, the Public Accounts Committee of the Legislative Assembly is governed by sections 4 to 6 of the Parliamentary Committees Act. Those sections do not say very much, merely that the Public Accounts Committee shall hold office as such committee. The sections refer to the commencement and expiry of its tenure on the day before the commencement of a new session of Parliament, the expiry of the Assembly by effluxion of time or the dissolution of the Assembly, whichever of such events first happens and that where any matter is inquired into or referred by the Assembly to the Public Accounts Committee and the committee has lapsed or ceased to have legal existence before such matter is reported on by the committee, then the new committee takes over from where that committee left off. In other words, the Parliamentary Committees Act does not spell out the particular functions of the Public Accounts Committee. However, Standing Order No. 220 does enunciate those functions specifically.

The Bill proposes to replace the eight-member Public Accounts Committee by a twelve-man committee to be known as the Public Accounts and Expenditure Review Committee of both Houses of Parliament. Under its charter, the Public Accounts Committee may exercise all the powers conferred on it by any Act or Standing Order or otherwise. However, the Bill proposes to completely change this to the extent that the new committee may exercise all powers conferred on it by the proposed legislation or otherwise. That is purely a change in drafting.

Legislation usually originates with the Executive Government while Standing Orders can be altered only by the

legislature. That is a distinct difference to be considered by the Government. With the proposed committee, any alteration in its powers will be determined by the Executive Government whereas, with the existing committee, it is necessary to alter the Standing Orders. For that to be done, legislation must be initiated. Standing Order No 220 governs the duties of the Public Accounts Committee and states, *inter alia*:

(*a*) To examine the accounts of the receipts and expenditure of the State and to bring under the notice of the House any items in those accounts, or any circumstances connected with them which it may consider appropriate;

That provision is also in the Bill.

(*b*) To report to the House any alteration which may appear desirable to be introduced in the form of or method of keeping the Public Accounts, or in the mode of receipt, control, issue, or payment of the public money;

That cannot be altered by the Executive Government but, under the Bill, the powers of the new committee can be altered.

(*c*) To inquire into and report upon any questions which may have arisen in connexion with the Public Accounts;

(*d*) To inquire into and report to the House upon the investment of and dealings with the funds of Commissioners of the State Savings Bank of Victoria; and

(*e*) To deal with any special references that may be made to them by the House.

Upon motion made in the usual manner by any Member of the House any matter of public account or any question of finance may be referred to the Committee. The Committee as soon as conveniently practicable shall deal with the matter so referred to them and report to the House the result of their inquiries.

Those are the important functions of the Public Accounts Committee as laid down by the Standing Orders. The Bill proposes to change that. The Standing Order will no longer apply to the new committee. The functions of the new committee are described in proposed new section of the Bill, as:

(*a*) to examine the accounts of the receipts and expenditure of the State and to bring to the notice of the Parliament any items in those accounts, or any circumstances connected with them which it may consider appropriate;

That is the same as the provision in the Standing Order.

(*b*) to inquire into and report to the Parliament on any question in connexion with public expenditure which is referred to it by the Council or the Assembly;

The new committee will inquire into and report to Parliament on any question referred to it by the Council or by the Assembly, not on any matter on its own initiative. The new committee should be quite separate from the Public Accounts Committee and should have separate functions. There is a benefit to be derived from the two committees working side by side, particularly if the new committee wants to inquire into public expenditure, which I assume is the expenditure governed by statutory authorities and all public bodies. That is not spelt out clearly, but I assume that is what the Bill means where paragraph (*b*) of the proposed new section adverts to public expenditure. Paragraph (*a*) adverts specifically to departments. There does not seem any doubt that paragraph (*a*) refers to receipts and expenditure of the State and that the committee can examine any aspect of those on its own initiative but, paragraph (*b*) for public expenditure—and after all, public expenditure is an area of the nature or the intention of public expenditure—the new committee ought to be able to operate of its own volition.

It ought not need to wait for a matter to be referred to it. If for some reason or other there is a defalcation or an area of waste in a body such as the Housing Commission of Victoria, the committee should be able to determine the urgency of the need to carry out an examination of the accounts of the particular authority. However, it will have to wait until Parliament sees fit to refer the matter to it. Whatever the political colour of the Parliament, the Executive Government of the day can, if it sees fit, delay that entirely, and that is not desirable. Paragraph (*c*) states:

(*c*) to consider and report to the Parliament how, if at all, the administration of Government programmes and policies may be carried out more efficiently, effectively and economically; and

Presumably, it does that of its own volition. Paragraph (*d*) states:

> to report to the Parliament any alteration which may appear desirable to be introduced in the form or method of keeping and presenting the Public Accounts, or in the mode of receipt, control, issue or payment of the public money.

The Bill does not expand the role of the Public Accounts Committee. Indeed it cuts back its powers in many ways. Instead of adopting world trends and expanding the powers of an Expenditure Review Committee, this committee is an amalgamation of the functions of two separate and distinct committees which will weaken the existing powers of the Public Accounts Committee instead of increasing control by Parliament of the public purse. It further increases the powers of the Executive over Government expenditure decisions. I do not believe even the Premier intended that when he made his specific promise during the last State election campaign.

The amalgamation of the Public Accounts Committee and the Expenditure Review Committee is undesirable and in his explanation of their functions in the second-reading speech, the Premier misled the House, not deliberately, when he claimed that the British Parliament determined that it was desirable to establish a committee with similar powers and functions to what is proposed in the Bill. I shall discuss the powers that exist in the British legislation. One has only to examine the House of Commons report from the Select Committee on Procedure.

The ACTING SPEAKER (Mr Richardson)—Order! The honorable member should return to matters in the Bill rather than refer to legislation which exists in another Parliament.

Mr WILKES—I am referring to what the Premier has already referred to in his second-reading speech.

The ACTING SPEAKER—I am cautioning the Leader of the Opposition that his remarks should be directed specifically to the Bill. While it is customary to allow a wider range for the leading speaker of each party, it is equally appropriate for the Chair to remind the honorable member that his obligation to the House is to relate his remarks specifically to the Bill before the House and not to stray at length into legislation which may exist in the Parliament of another country.

Mr JOLLY (Dandenong)—On a point of order, in the second-reading speech, it is clear that the corresponding committee in the House of Commons deals with a number of issues. Specific reference is made to it in the second-reading speech. On that basis, the Leader of the Opposition is completely in order.

Mr ROPER (Brunswick)—On the point of order, I suggest that when the House is considering a Bill to set up a committee to inquire into these matters, it is quite reasonable for the honorable members leading for the Opposition and the National Party to canvass the kind of checks that Parliament in other parts of the world have on these matters. I also suggest to you, Mr Acting Speaker, that there are additional ways in which checks need to be placed on public service expenditure. The Leader of the Opposition is referring to the British example, which was referred to so clearly by the Premier in his second-reading speech. I put it to you further that the Leader of the Opposition is obliged, as part of his duties, to put to you and to the House the full range of checks and powers that this committee should have and use by explaining the way that other Parliaments, not only the British Parliament but also others throughout the world, look at public accounts.

The ACTING SPEAKER (Mr Richardson)—There is no point of order. I have invited the Leader of the Opposition to relate his remarks specifically to the Bill, and not to stray, in detail, into matters that relate to a committee that exists in another House of Parliament and in another country. I am sure he will do that.

Mr WILKES (Leader of the Opposition)—I leave the matter temporarily to draw attention to some specific differences that are contained in the proposal before the House and the existing Public Accounts Committee. The present Public Accounts Committee has five duties, which I have already adverted to, under Standing Order No. 220, that empowers it, upon motion by any member of this House, to investigate any matter of public account or any question of finance. This Bill contains a list of four functions of the committee, but the crucial power to investigate any matter of public account or any question of finance is not in the Bill. Three of the four functions of the new committee are nearly identical with three of the five duties of the existing committee.

Consequently, the new committee will lose two of the existing functions that the Public Accounts Committee now has. They are very important. They are, to inquire into and report to the House upon the investment of and dealings with the funds of commissioners of the State Savings Bank of Victoria, and to deal with any specific reference that may be made to the committee by the House. That is missing from the measure. These are lost in addition to the important catch-all power, I suppose, to investigate any matter of public account or any question of finance. It is not spelt out as specifically as it could be, or as it should be, as it was in Standing Order No. 220.

The only new function that the new committee will acquire is to consider and to report to Parliament how, if at all, the administration of Government programmes and policies may be carried out more efficiently, more effectively and presumably more economically. In fact, the catch-all power which is about to be lost would well and truly have covered this new function of the proposed committee.

The reality is that the existing Public Accounts Committee possesses every power, and why we want to move sideways rather than retain it, is beyond the comprehension of the Opposition.

To ensure that the Premier will reconsider that proposal, I move the following reasoned amendment:

That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to (*a*) provide for an Expenditure Review Committee to be established whilst retaining the Public Accounts Committee in its present form; and (*b*) specifically provide for the appointment of sufficient specialist and other staff to service the Expenditure Review Committee".

The ACTING SPEAKER (Mr Richardson)—Is the amendment seconded?

Mr ROPER (Brunswick)—I second the amendment.

The ACTING SPEAKER—I advise honorable members that from this point on they will be deemed to be speaking to both the amendment and the main question.

Mr WILKES (Leader of the Opposition)—In supporting the amendment, I do not want to traverse the area that has already been covered. The new committee will not be specifically empowered to investigate the accounts and financial practices of statutory authorities and other public bodies. If it is the intention of the Premier to include the power of investigating accounts of statutory authorities and public bodies, he did not say so in his second-reading speech. The Premier spoke of public accounts, funds allocated by Parliament, public expenditures, Budget allocations to departments and the departments concerned. There was no mention whatsoever of 60 per cent of the economic activity that is in extra-Budgetary activities, yet clearly forms part of the Victorian public sector. I believe ultimately that should be the responsibility of Parliament.

The Government has failed to set a watchdog over the financial dealings of Victoria. At least it should indicate the changes either in this Bill or in the "sunset legislation" which will be debated by the House at a later date, or alternatively, retain the Public Accounts Committee that is capable of doing that and delivering the goods.

Part (*b*) of the amendment provides for the appointment of sufficient specialist and other staff to service the expenditure review committee. The Public Accounts Committee is without specialist staff. That is well known to any member of this Parliament, but the new committee will have the power to take on the functions of the Public Accounts Committee in an *ad hoc* way. The Premier made some reference in his second-reading speech to expert staff, but there is no mention in the Bill of expert staff to cover the duties of the Public Accounts and Expenditure Review Committee.

I am mindful of the fact that the new committee may form itself into sub-committees to carry out one or more investigations at the one time. That will require expert staff, and provision for that expert staff should be included in this measure.

In his second-reading speech, the Premier claimed that the British Parliament found it desirable to establish a committee with similar powers and functions to this committee. The fact of the matter is that the House of Commons report, from a Select Committee on Procedure, made a strong recommendation against the merger of the Public Accounts Committee and an Expenditure Committee. I do not know from where the Premier got the information that the functions of the new committee will be in line with the functions of the British committee, because clearly the report of the Select Committee on Procedure made it plain that there was a strong recommendation, and the report, in paragraph 528, stated that the Public Accounts Committee had an indispensible and specialized role, quite distinct from the more general scrutiny of administration and expenditure hitherto undertaken by the Expenditure Committee, and its sub-committees, and that the two kinds of work could not easily be combined without at the very least a grave risk of weakening one of the few reasonably effective procedures for exercising control, albeit of a *post hoc* nature, over the bureaucracy. I believe that those who wrote the excellent report of the House of Commons knew what it was recommending when it said that there was a need for the two committees.

In the national Parliament the Premier's brother, Senator Hamer—I do not want to quote him unnecessarily—made a somewhat similar observation on the need for separate expenditure review committees. There are such committees in the national Parliament. There are several expenditure review committees in the Senate, and one or more in the House of Representatives, and they each work in a specific area of investigation of expenditure. The review of expenditure in those areas is distinct from that of any other committee operating in the Commonwealth on an over-all basis.

The House of Representatives has two estimate committees, and the Senate has six. The Finance and Government Operations Committee, which I suppose could be defined as a similar committee to the Public Accounts Committee in Victoria, still operates as an over-all committee in that area, to continue the scrutiny of the finance and administration and accountability of the Commonwealth statutory authorities and bodies owned or controlled by the Commonwealth. I do not want to take up the time of the House by dealing with each State, but at least I have taken the time to research the position in each State. In the House of Commons, with their fourteen committees responsible for scrutiny of Government finance, there is still this over-all and overriding body.

The Victorian Government's proposal, instead of establishing at least an additional committee responsible for scrutinizing the State finances, is proposing an almost unprecedented amalgamation of the Public Accounts Committee and this newer committee. As I pointed out before, the New Zealand Parliament is the only other Parliament that was prepared to do that.

The Public Accounts and Expenditure Review Committee should have the power, in my view, to initiate investigations on any issue of public finance, of its own right. The committee should not be required to come to Parliament, or wait until either House of Parliament

makes a referral to it. The Government will be tying the hands of that committee if it does that. If the Government wants the new committee to overcome some of the problems that have bedevilled this State over the past five or six years in the expenditure roles of statutory authorities and the buying sprees of some statutory authorities, it must give this committee the power to be able to move in. When those danger signs appear, that is the time for the committee to move in; not after the damage is done.

If the Government is sincere in wanting to correct some of the wrongs that have already occurred in this area, there is no doubt, in my view, that the committee should be furnished with that power from the start, and it should not be hamstrung in any way. It should be able to inquire into and report to the Parliament on any question in connection with public expenditure. I am assuming that public expenditure means —there is no definition in the Bill— expenditure of the statutory authorities and semi-Government authorities. I hope the Premier will make it clear what public expenditure means in this case. It is important, because the functions of the committee shall be to examine the accounts and receipts and expenditures of the State. That concerns a department, and there is no doubt that is a desirable feature of the committee but it is none the less one of the responsibilities of the existing Public Accounts Committee.

The Opposition is concerned that the Public Accounts Committee has a right to function in the particular areas it is permitted to under Standing Order No. 220 but the proposed Public Accounts and Expenditure Review Committee is limited in the work it can perform. There is plenty of evidence even today of situations where an expenditure review committee could move in and carry out a complete examination of a particular department or authority and recommend to the Parliament what steps should be taken to correct what might be regarded as waste or a buying spree, such as honorable members know occurred in one authority. Had this committee been in operation and able to function as the Opposition suggests it should, perhaps some of those buying sprees may have been brought under control, but in any event they would have been under the close scrutiny of the committee which is to function as the Public Accounts and Expenditure Review Committee.

The Opposition sees the role of that committee differently from the Government, and that is why the committee should have power to carry out its investigations into whatever area it sees fit. It will be a mammoth task for one committee. The National Parliament has seen the need to have no fewer than six committees operating with an overriding committee. Those committees operate in particular areas of Government public expenditure because after all public expenditure is very important, even to the point where there should be an overriding scrutiny.

The Auditor-General carries out a mammoth task in the areas for which he is responsible in this State, and the Public Accounts Committee is responsible for examining the recommendations in the Auditor-General's report. However, clearly the proposed expenditure review committee ought to have this function as a separate committee so that it can investigate, for instance, the estimated expenditure of the Government. What about the Budget Estimates? There is no suggestion that the Budget Estimates should be scrutinized by this committee. I would have thought that that would have been the first power given to the proposed committee when the Budget is first presented—to have the Estimates presented to the committee and for it to scrutinize them.

At present that is not done. No committee does it. The Public Accounts Committee does not do it but that is clearly an important function and role of an expenditure review committee. It should be the on-going duty of a committee of this type, to review the Estimates and from time to time to examine the Estimates.

I do not want to go beyond foreshadowing an amendment to cover that contingency and to advise the House that when clause 2 is being considered in Committee, I propose to move two amendments which will give the Government time to rethink the functions of this committee.

Mr B. J. Evans—Don't you expect to win your reasoned amendment?

Mr WILKES—The House has had no indication from the Premier at this stage that he is prepared to accept the reasoned amendment.

Mr Hamer—You have been talking so long.

Mr WILKES—The Premier made no comment in his second-reading speech to clear the minds of honorable members on the real functions of the committee that he is proposing. The honorable gentleman did not choose to do that, but to make a second-reading speech that glossed over the functions of the committee. In doing so the Premier completely omitted to make any reference to estimated expenditure in the State, or say that the committee would, of its own volition, have the right to carry out an investigation into public accounts. Honorable members are not even certain that it is the right of either House of Parliament to direct the committee to carry out that function.

There is no doubt that there is a need for this type of committee in Victoria; the history of what has happened over the past five years is clear evidence of the need for such a committee.

Mr Kennett—Only with individual authorities.

Mr WILKES—The individual history of certain authorities suggests there is a need for this type of committee, but if this committee is hamstrung in any way, it is defeated in its purpose and the Government is not carrying out its election promise.

Therefore, I commend to the Premier the proposition that he look at the shortcomings of the committee, that he equate the functions of that committee with those of the existing Public Accounts Committee and seriously consider retaining the Public Accounts Committee which has served this State well over the years. The honorable gentleman should arrange the establishment of an expenditure review committee as a separate committee from the Public Accounts Committee to carry out the functions and duties which I have outlined on behalf of the Opposition.

I commend the reasoned amendment to the Premier for consideration because at least it will allow the honorable gentleman time to take the Bill away and to consider the weaknesses in the proposed measure, and that is what the Premier will do if he genuinely wants to calm misgivings such as have occurred in the State in the past.

Mr B. J. EVANS (Gippsland East)—I share with the Leader of the Opposition, to some extent, confusion over the relationship between this measure and the Standing Orders of this House in relation to the Public Accounts Committee. There is some need for clarification of what the situation will be in the event of this measure coming into effect. Does it mean that the Standing Order relevant to the Public Accounts Committee becomes inoperative? Does it mean this House has a power or some additional power over members of this House on the committee which it is not able to exert over members of another place who are members of the committee? This gives rise to a curious situation and it should be clarified before the debate is completed.

Apart from that point, I find myself completely unable to follow the argument of the Leader of the Opposition who made much play on the terms of reference of the proposed committee being so much different from those of the existing Public Accounts Committee.

It seems to me that they are very much the same as the existing terms of reference of the Public Accounts

Committee. Indeed, proposed new section 5(*a*) of the Parliamentary Committees Act is identical with the equivalent Standing Order, and I believe the provision is all embracing. It gives the committee authority:

> to examine the accounts of the receipts and expenditure of the State and to bring to the notice of the Parliament any items in those accounts, or any circumstances with them which it may consider appropriate.

Mr Wilkes—That applies to departments.

Mr B. J. EVANS—That term of reference has been broad enough in the past to bring before the Public Accounts Committee, for example, the accounts of the State Electricity Commission and under the Standing Order no other power is required to enable the accounts of statutory authorities and the like to be considered by the new committee.

The Leader of the Opposition dwelt on proposed new section 5(*b*) which provides that the proposed committee shall:

> inquire into and report to the Parliament on any question in connection with public expenditure which is referred to it by the Council or the Assembly.

The Leader of the Opposition read that provision as being a limiting factor and claimed that unless the Council or the Assembly referred a specific item to the committee, the committee could not examine it. I read it the other way and view it as an overriding provision, that if the expenditure review committee or either House of Parliament considers there is a specific area which the expenditure review committee ought to examine, and it does not, it may be directed to make inquiries into that area. I view it as giving additional power to either House of Parliament to direct the committee to examine a specific area which may be brought to the attention of either House by an individual member.

I regard the provision as giving more direct power to the House to bring matters to the attention of the expenditure review committee and not in any way limiting the broad powers of the committee to examine precisely whatever it wants to in this State.

Another aspect which the Leader of the Opposition completely ignored was the new power contained in the measure which, so far as I am aware, is not contained in any legislation relating to any other committee, that is, the power to set up sub-committees. I view this provision as giving scope which the Leader of the Opposition seems to agree is necessary, to have a sub-committee looking at a type of activity which the Public Accounts Committee has been engaged in before but also allows another sub-committee to look into separate expenditure review matters.

It could occur where two sub-committees could carry out an investigation and in light of the opinion and recommendations based on the evidence put before the two sub-committees, the main committee could produce a more cohesive report which would be in the interests of the House.

Whilst the Leader of the Opposition has referred to what has happened in the House of Commons and in Canberra, honorable members should remember that those Parliaments control a vastly larger sum of money than does this Parliament. Those Parliaments also cover a vastly wider range of activities and the fact that they have a larger number of committees does not justify this Parliament following suit.

I concede that I am unable to see in the measure any specific reference which extends the operations of the committee into an expenditure review committee and in fact I am at a loss to understand what is intended by the term, "an expenditure review committee". If it is as the Leader of the Opposition seemed to indicate, that it is necessary to have a committee to examine public expenditure as it occurs and indeed even prior to its occurring, such a proposition would make Government in this State virtually impossible. If everybody has to look over his shoulder when he is proposing to spend a cent because the amount proposed to be expended may be questioned by a committee comprising members of this House and

another place, Government would become so impossible there would simply be nothing done.

The first responsibilities of a Government is to govern for the benefit of the people. The Government has a responsibility for the management of its financial policies and has to ensure that they are implemented for the benefit of the State. That is what government is about.

The functions of the Public Accounts Committee and Expenditure Review Committee are to examine public expenditure to ensure that it has been spent properly and legally and in accordance with Government policy. It is not the role of that committee to dictate Government policy or to indicate that the Government is spending too much money in one direction and should spend more in another direction. That is a function of this House and it is not the role of any committee to take over that responsibility and try to force public servants to carry out such a function.

As I have stated, the committee is to examine public expenditure to ensure that it has been properly expended, is properly authorized and that there has been no fiddling of the books.

Because of the wide range of expenditure and departments and the complexities of Government expenditure, the system is fairly vulnerable to the fiddling of the books in some respects. The Public Accounts Committee has performed an effective role in that area in the past.

The role of the Public Accounts Committee has been intimately tied up with that of the Auditor-General. The Auditor-General and his staff are professionals who have the appropriate backgrounds and training to enable them to examine public accounts and to ensure that everything is in order. I do not suggest that members of the proposed committee will be suitably qualified to undertake that function, but they will have the authority to question top public servants about their administrations, to require them to justify the actions they or their officers have taken and to determine whether the actions so taken have been within the framework of the policies of the Government.

Mr Wilkes—Why not retain it, then?

Mr B. J. EVANS—I do not see much difference between the role of the proposed committee and that of the present Public Accounts Committee. It seems to me that the change is taking place largely to allow members of the Legislative Council to take an active part in these matters. That seems to me to be one of the profound changes that will take place.

I confess that I am unable to see in the Bill any specific provision to expand the present role of the Public Accounts Committee. The way in which that role may be expanded will be discovered through experience and I hope the new committee will do as good a job as that done by the Public Accounts Committee. If it does no worse, no great harm will have been done.

Mr Wilkes—Why didn't the Government simply change the name?

Mr B. J. EVANS—Very litle else has been done when one relates the function of the proposed committee to the provisions in the Standing Orders. The Bill simply makes provision for members of the Legislative Council to join in the work of the committee and to extend to a marginal degree the functions of the Public Accounts Committee.

I shall be interested to hear from the Premier or any other member of the Government an explanation of the way in which the functions of the Public Accounts Committee are to be extended by the Bill.

Mr JOLLY (Dandenong)—I support the amendment moved by the Leader of the Opposition, who has put forward a comprehensive and detailed case explaining the deficiencies in the Bill.

I thought there would have been almost complete agreement among honorable members about the need for an effective expenditure review committee,

but after listening to the honorable member for Gippsland East I no longer hold that view. The honorable member made it clear that the proposed Public Accounts and Expenditure Review Committee will have a new name but will really be just the Public Accounts Committee with added representation from the Legislative Council. If that is all that is involved and all the Government has in mind, the Bill is a monstrous public relations exercise.

I am concerned that the proposed committee could be turned into a tame-cat committee and I will evaluate some of the deficiencies in the Bill. With the growth in the volume of Government expenditure and the growth in the complexity of Government administration there is a desperate need for an effective expenditure review committee. This is vital if there is to be an improvement in the effectiveness of Government management, an improvement in the level of efficiency and a reduction in Government waste.

Such a committee is necessary to scrutinize closely all levels of Government activity, not merely departmental activity. The Bill seems to imply that that is all that will be examined because it makes a specific reference to the State. My understanding is that it relates solely to the public accounts of departments, and I shall be interested to hear from the Premier on that matter. Section 5(*a*) of proposed Part I. provides that the functions of the committee shall be:

> to examine the accounts of the receipts and expenditure of the State and to bring to the notice of the Parliament any items in those accounts, or any circumstances connected with them which it may consider appropriate.

That seems to deal specifically with Government departments and not statutory authorities, but statutory authorities are significant in the role they play in the public sector.

There are three major deficiencies inherent in the Bill. The first concerns the absence of any reference to evaluating the Estimates that come before the House in relation to the Budget and the Consolidated Fund. The Bill contains no provision to allow the committee to examine the Estimates. That is a gross deficiency.

The second is in connection with the examination of the expenditure, development and activities of statutory authorities. Section 5(*b*) of proposed Part I. provides that the committee shall:

> inquire into and report to the Parliament on any question in connexion with public expenditure which is referred to it by the Council or the Assembly.

The Bill makes it quite clear that the committee will investigate only those matters relating to statutory authorities that are referred to it by the Legislative Council or Legislative Assembly. It will have no power to undertake on its own intiative an examination of the expenditure and effectiveness of various statutory authorities. I should appreciate an explanation from the Premier on that point.

The third deficiency is related to the need to ensure that the Public Accounts and Expenditure Review Committee, if it is to be an effective body, has adequate backing and support staff. During his second-reading speech, the Premier indicated that appropriate support staff would be provided, but he gave no evidence of the size and qualifications of that staff. It is another matter that should be explained by the Premier.

Mr Wilkes—There is no indication in the Bill, either.

Mr JOLLY—That is right, and that means it is not obligatory for the Government to ensure that adequate support staff is made available.

Returning to the first major deficiency in the Bill, its failure to include provisions for the examination of the Estimates, I am sure every honorable member will recognize how sadly lacking the budgetary process is. The Budget Papers are brought to the House without adequate explanation or consideration by a committee of the House. Parliamentarians are left in the dark when it comes to the Budget Papers and the Estimates of Revenue and Expenditure. In a real sense, we are

completely uninformed about the Estimates. When members of the Opposition, the National Party and the Government party are required to assess the Estimates, they have to base their analyses on blind faith and hope that the Estimates are correct. They are given no explanation or elaboration on the assumptions underlying the Estimates. It now appears that the proposed committee will not have the function of examining the Estimates. That is completely unsatisfactory.

In order to highlight this point, I refer to the recently released report of the Auditor-General, which reveals gross deficiencies in the Estimates. A comparison of the Estimates for the 1978-79 Budget with the actual expenditure for that year reveals that there are serious differences in specific items.

Mr Birrell—You have to look at the over-all picture.

Mr JOLLY—It is no good looking at the over-all picture if one does not know whether the individual sectors are right or wrong, because the micro-economic aspects are just as important as the macro-economic aspects. It is a pity the honorable member for Geelong West does not understand that.

On pages 22 and 23 of the report of the Auditor-General for the year ended 30 June 1979, the relevant comparisons are made and the Auditor-General points out these major differences. There is a discrepancy of $3·5 million between the estimated revenue and the actual receipts for pay-roll tax. That is not substantial when compared with the total revenue collections, because it is the largest revenue item in the Budget.

In the area of probate duty, the discrepancy is $12·2 million. The actual receipts were $12·2 million greater than the receipts estimated by the Budget, which estimated $50 million. That is an error of 24 per cent, which is large by anybody's standards. Unfortunately, the report of the Auditor-General does not give an explanation why the error occurred and, of course, honorable members are not provided with an explanation of the assumptions underlying the Estimates, so it is not possible for us to assess how effective the Estimates are. However, looking at them *ex-post*, one becomes aware of some of the deficiencies.

The estimated revenue from land tax was $104 million, but actual collections were $69·6 million. That is a shortfall of $34·4 million. This is important because land tax is one of the few areas in which an explanation is given by the Auditor-General. At page 15 of his report, the Auditor-General stated:

> Revenue from land tax increased from $60 752 489 in 1977-78 to $69 591 876 in 1978-79, an increase of $8 839 387. However, the rate of collection of land tax revenue for 1978-79 was considerably lower than the budget estimate of $104 million.
>
> The main causes for the shortfall appear to be:
>
> (i) administrative difficulties in processing assessments arising from the retrospective legislation which was proclaimed on 5 December 1978 in respect of land tax for 1978, and
>
> (ii) numerous difficulties in the processing of information on the computer at the Government Computing Centre.
>
> A review of procedures within the Land Tax Office was conducted by representatives from the Land Tax Office, Public Service Board, Treasury and a firm of Chartered Accountants. This review resulted in the finalisation of the 1978 assessments in September, 1979.

An explanation is given why there was such a shortfall in the case of land tax. That is the only area in which a written explanation of the discrepancies is given. In other areas of stamp duty shortfalls of more than $7·2 million occurred, and that is a major discrepancy.

Interest on public account, under the heading of "Miscellaneous Receipts", shows a shortfall of $2·7 million and that is substantial when one considers that the total receipts amounted to $19·3 million. So there are a number of substantial discrepancies between the Budget estimates and receipts. Discrepancies occur all over the place in other items and I do not intend to go through all of them but only to highlight some of the major differences that exist.

It is important, firstly, for Parliament to be provided with the assumptions and analyses underlying the Estimates, and secondly, that the proposed Public Accounts and Expenditure Review Committee undertakes an appraisal of those Estimates. That function is vital, and should be one of the functions of the committee. If the Government is serious about the committee scrutinizing closely the activities of the Government sector, the committee should undertake that function. It is not a unique function because it exists in the case of the expenditure review committees in Canberra, New Zealand and the House of Commons, but this function will not be given to the expenditure review committee proposed to be established as a result of this Bill.

It has been said that the measure is a sham, and if the proposed committee is not given this power, one of the most important functions will be left out. Victoria is extremely deficient in the information provided to Parliamentarians about the Estimates. That indicates how urgent it is for the expenditure review committee to have this function, yet it is not included in the Bill. Even the honorable member for Gippsland East would agree with that proposition.

The second point I deal with is the power to investigate any matter relating to the public finances of Victoria. Proposed new section 5 (*b*) gives the expenditure review committee the power to undertake this type of investigation or evaluation only if it is referred to it by the Legislative Council or the Legislative Assembly. That means effectively that the Government of the day determines what areas of Government economic activity may be closely investigated by the expenditure review committee. In other words, the area which represents a large proportion of State Government economic activity in Victoria, the statutory authorities, is capable of being examined and analysed by the expenditure review committee only if the Council or the Assembly decides to refer the matter to the committee.

It is imperative that the expenditure review committee be given the power to undertake on its own initiative to investigate operations of the statutory authorities in Victoria to determine whether they are operating effectively and economically. Unless it is given that power, the objectives stated in the second-reading speech—to increase efficiency and effectiveness of the Government sector—cannot be realized. It is important that they should be realized.

I have already indicated, in supporting this proposition, that statutory authorities because of their economic activity in Victoria are extremely important. They have a large impact on the performance of the Victorian economy, and it is a gross deficiency in the Bill that this power is not included.

Finally I made reference to the need to provide the expenditure review committee with adequate support staff. In his second-reading speech, the Premier recognized the importance of the support staff being provided to the committee, but there is no reference to it in the Bill. When the Premier speaks on the Bill he should make it clear how many people will be provided to the committee and what their skills will be.

The Opposition believes it is imperative that an Expenditure Review Committee be set up with the power to enable the administration, the economies, effectiveness and efficiency of the Government to be improved. The Opposition's fear is that the Bill is really just a public relations exercise rather than a change in substance.

I am reinforced in those views by the statements that were made by the honorable member for Gippsland East. I should like to hear from the Premier what his views are on the functions of the expenditure review committee and whether he regards it as an improvement of Government activity, and, if so, to explain why that is so, given the functions in the Bill that have been outlined by the Leader of the Opposition and elaborated on by me.

The ACTING SPEAKER (Mr Richardson)—I ask the Premier whether, in seeking the call, he wishes to speak to the amendment or whether he desires to close the debate.

Mr HAMER (Premier)—I am seeking to speak to the proposed amendment, but I will outline the Government's attitude, which, as the Leader of the Opposition obviously expected, is that it will not accept the proposed amendment. I shall now give the reasons.

The first reason is that the whole form of the reasoned amendment, if accepted, would change the ambit of the Bill as envisaged by the Government. Naturally, the Government considered whether it needed a new and separate committee or whether it would be better to amend the functions, duties, size and capacity of the existing Public Accounts Committee to make it a true joint committee and one capable of carrying out the new functions which are envisaged for it. It became clear that a single enlarged committee, able to operate with an effective staff, with sub-committees and enlarged powers, would perform the functions which the Government envisaged. Therefore, to have the Bill withdrawn and redrafted in the form which the Government has already rejected is out of the question.

The second reason given in the reasoned amendment for the withdrawal of the Bill is that it should provide for sufficient specialist and other staff. In the second-reading speech, I made specific reference to the need for specialist staff. There is no question that the committee in its enlarged form and with its increased responsibilities will need support staff of high calibre, but I think the Leader of the Opposition will agree that it would be highly unusual to define in a Bill what the support staff for a Select Committee is to be. No other joint committee has its staff set out in an Act, nor does the Government propose that this should be done in this Bill. I understand that the honorable member for Dandenong says it ought to be so, but it would be the first time that has ever been done, and I do not believe it is necessary.

In fact, it would make rigid what ought to be reasonably flexible. It will be important for the committee to have high-grade support staff. The kind of support staff it will need will be composed of people with some knowledge and training in accountancy, some knowledge of public administration and some qualification in economics. All those things will be necessary in the support staff. Certainly, the Government does not intend in a Bill of this kind to specify precisely how many officers will be included or what qualifications they are to have. I assure the House that the support staff will be adequate. If the committee sees a need for some particular support, help and guidance, it need only ask. Most Parliamentary committees would say that their staff members are capable, hard-working and produce very good results. For that second reason also, the Government is not prepared to accept the reasoned amendment.

In dealing with the proposed amendment I shall also deal with some comments made about the scope of the proposed committee. Its powers are set out in proposed new section 5 and they incorporate the major powers now exercised under Standing Orders by the Public Accounts Committee, with two significant additions, and here I draw the attention of the honorable member for Gippsland East to these additions because they are important. They are to be found in paragraphs (*b*) and (*c*) and, as he correctly said, they very much enlarge the potential capacity of this committee to enable it to carry out an inquiry at the direction of either House of Parliament into any aspect of public expenditure. It is hard to imagine a wider expression than "public expenditure". It is the same sort of expression which already appears in the Standing Orders and which has enabled the existing Public Accounts Committee to enquire into just about anything it likes in which public money is involved. I do not believe one could find a wider expression than that, and it is an enlargement of the existing powers of the Public Accounts Committee, in one sense.

In addition, it is even now open to the Assembly to direct the Public Accounts Committee to investigate any question of finance on the motion of any member. Although I have not seen such a motion in all the time I have been in Parliament, a motion of that type may be enshrined somewhere in history.

The Government would see it being used to enable either House to ask the new committee to examine any aspect of public expenditure. The second and more important enlargement is provided in paragraph (c), which requires the committee to consider and report to the Parliament how, if at all, the administration of Government programmes and policies may be carried out more efficiently, effectively and economically.

Those three words appear in the charter of the equivalent Commonwealth committee, and certainly they enshrine what the Government has in mind when it talks about expenditure review. The Government wants to know that the moneys allocated by Parliament or which fall within the public ambit are being economically, effectively and efficiently used. This is an extremely wide expansion; in fact it is a new power altogether, and it represents the extension we want to see for the new committee to enable it to examine the whole range of public expenditure and public administration. The wording has deliberately been made as wide as possible. It encompasses this whole range and brings a new dimension into the control of Parliament over the departments, which is what it is intended to do.

I will stick to the amendment. The Government envisages that the role of the proposed new committee will be greater than that of the present Public Accounts Committee. The new committee will be made more effective by being a joint committee. The Government looks forward to the new committee carrying out inquiries into public administration which have never before been undertaken in this State. It was never intended, and I know this disappoints the honorable member for Dandenong, that this committee should examine the Estimates before they are presented to Parliament. I agree with what the honorable member for Gippsland East has said, that it would unduly impede the work of Parliament. There may be other ways around the matter and I would be happy to consider them. This committee is to consider how the moneys allocated by Parliament are spent.

Mr Roper—Have been spent.

Mr HAMER—Are spent and have been spent, with a view to bringing about increased efficiency and more effective use of public funds. If it is desired that a different function be performed—the examination of Estimates before Parliament considers the Budget—that is entirely a different matter. It is not the intention that the Government had in mind for this committee or the goal set as being desirable to add to the armoury of the Parliament in giving it additional power over the Executive. For those reasons the Government rejects the amendment.

Mr CAIN (Bundoora)—I find some difficulty in knowing what the Bill really seeks to do and in relating it to what was stated in the Governor's Speech at the opening of this Parliament. I understood that the Governor's Speech indicated the establishment of an all-party expenditure review committee:

> which will examine Budget allocations to departments and ensure the strictest economy and the most effective administration of the financial resources of the State.

Honorable members have now been told that it was never contemplated that this committee would have anything other than an *ex post facto* role. How can it be suggested that there would be a proper examination of Budget allocations to departments and strict economy if the committee does not examine how the money will be spent? If the Premier suggests that that will be the case, he should not have allowed that material to appear in the Governor's Speech, because that is the clear import of the words. The Governor's

Speech was prepared when the Premier and the Government were trite about what had happened in relation to the wastage of public money. At that time it was intended that there should be a review prior to spending and that there ought to be an Estimates-type committee. The Government has been snowed by the Public Service.

I add weight to that proposition by referring to another aspect of the matter—the Premier's second-reading speech. In the second last paragraph the honorable gentleman said:

> There will most often be room for improvement, but it will be best effected by making recommendations based on consultation rather than confrontation. The committee should not be regarded as the adversary of the departments.

Members of the Opposition believe that is what it is all about. If the Government wants the committee to be a tame cat on Government expenditure, it should continue in its present course, but if it wants the committee to play a meaningful role, it should allow it to examine expenditure before it is made. All the Government is doing is creating a mutual admiration society with Government departments. If ever a committee should be concerned to adopt an adversary role, it is this one, because it is the agency of this Parliament to be a check and to provide a scrutiny of Government expenditure. That is what the Premier says he is concerned about.

If the honorable gentleman is sincere in that concern, he would not have said that the committee should not be regarded as an adversary of the departments. If that attitude is adopted, one might as well throw the Bill out the door because it does nothing about providing a check. If the committee is not seen to be the watchdog and guardian of the Parliament on expenditure, it will be of no use. The committee must adopt an adversary role. It must bring public servants, Ministers and persons who are concerned and responsible for spending before it as the Senate's Estimates Committee does, and examine them and bring them to account about spending. If that is not an adversary role, what is?

The public servants know the Government is tame and will act in the same way year after year. The Government intends making this a tame committee which will allow the Government to continue as it has in the past. This Bill does not provide the people with what they were promised before the election and with what was indicated in the Governor's Speech. The public servants have been running this State for too long. They make the decisions. They run the Government as they see fit. There is not one vestige of stomach or guts in the Government. It does what it is told month after month.

If one member of the Government party has been concerned about these matters, it is Dr Foley. This Bill gives the lie to all the matters about which he has been concerned for three and a half years. The Bill is another window dressing exercise. When one considers clause 5, one realizes that the committee will not be given any muscle, teeth or capacity to be a check on the Government.

The honorable member for Dandenong and the Leader of the Opposition made it perfectly clear what the nature of the Bill is. What the Premier said before the election and what he said in the second-reading speech are entirely different. The two are mutually exclusive; one is not part of the other. The Government has been snowed by the public servants who are again telling it what to do. They do not want the Bill to provide a check on their actions.

Mr MACKINNON (Box Hill)—This Bill presents an important evolutionary change to a long-standing committee of the Parliament—the Public Accounts Committee. Members of the Opposition talk of revolution most of the time but all honorable members realize that progress is best made by proper and concerned evolution. The committee has evolved in this way. Firstly, its membership is being expanded to take in members of the other House.

Mr Roper—How will that improve it?

Mr MACKINNON—By bringing in a greater range of members. Secondly, it recognizes the role of efficiency and

effectiveness as an important aspect of financial scrutiny.

All honorable members share the common cause that Parliament should exercise a watchdog role and should exercise strict financial scrutiny over public expenditure. There are a number of aspects of financial scrutiny. I refer in particular to the report on the first year's experience by the House of Representatives Standing Committee on Expenditure, which brings out a number of the points raised today.

Let us consider the first category—the scrutiny of compliance with financial procedures relating to public accountability of funds used. That is the traditional role of the Public Accounts Committee as we know it today. It is a role that is closely associated with the role of the Auditor-General. The Auditor-General is an independent authority who reports to Parliament. The Public Accounts Committee has taken upon itself the role of examining the Auditor-General's report, of inquiring on matters that arise from the report and bringing before the committee permanent heads and other advisers of the various departments and statutory authorities to ensure that the points raised by the Auditor-General are covered in depth. That is the function of the Public Accounts Committee today.

In today's climate this role is somewhat limited in one important aspect, that is, that although it is important and nobody will deny the importance of financial compliance and compliance with regulations and statutes, waste can occur while the rules are observed. Those who have worked on the Public Accounts Committee have been frustrated in the circumscribed role they have played. They have not perhaps exerted themselves enough into the area where the most wasteful, extravagant, foolish and ill-planned activities are frequently regular in a technical sense. Thus matters can be brought before the committee which are irregular but need not necessarily be wasteful and are often not; but matters which are wasteful may not be brought before the committee. This was of concern to the committee in recent years. Its members recognize that there is a similarity in the functions of the Public Accounts Committee and those of the proposed Public Accounts and Expenditure Review Committee.

There are similarities between the functions of the two committees. The Public Accounts Committee could have expanded its role. However, the Bill states what the committee shall do and it is the wish of Parliament that its committee should give added and special attention to the area referred to in proposed new section 5 (c), which states, *inter alia*:

> To consider and report to the Parliament how, if at all, the administration of Government programmes and policies may be carried out more efficiently, effectively and economically.

That implies a number of significant changes because, under the current role of the Public Accounts Committee, that function would not necessarily be carried out satisfactorily.

Further evolutionary changes would be required because one of the matters Parliament should consider is an efficiency audit. The Public Accounts Committee depends upon the financial audit of the Auditor-General but, in its role as the expenditure review committee, it will not have some of the authority the Auditor-General has, such as producing efficiency audits. It is to be hoped that that role will be examined; the value of developing some body within the Public Service to produce the efficiency audit which would highlight the areas where inquiries would be most profitable. However, that would be a difficult area to evolve.

In that sense, honorable members can foresee that that is one of a number of steps of evolutionary change encompassing the role of the Auditor-General and perhaps the roles of the audit account and the Public Service Board because the committee is not an executive committee and it depends upon goodwill. In that sense the committee cannot act in an adversary role

in the sense of confrontation. The work of the committee is carried out in an adversary role in the sense of making true probing and searching inquiries. However, to conduct searching and probing inquiries, it is not necessary that the committee adopt a confrontationist attitude.

The experience of many other honorable members and myself who have served on the Public Accounts Committee is that, on many occasions, those who appear before the committee are not necessarily aware of some of the areas of waste that their departments have moved into—areas they have not considered could require change. When discussing matters before the committee, those persons have realized that there are other ways of going about the task of eliminating waste and, in many cases, changes are already in effect by the time the committee's inquiries are concluded. It is equally true to say that departments do not remain idle as a result of receiving the Auditor-General's report. Departments take action on the report. The committee's role has been to follow up on action that has been taken as a result of that report to ascertain whether the action taken has been effective.

Parliament will need to closely consider the need for the Auditor-General's role to be expanded to cover some measure of efficiency audit or ask the Public Service Board to produce efficiency audits for Parliament because the Auditor-General's report is not produced for departments as such. It is not produced for the Government; it is produced for Parliament. It will be necessary to have some mechanism whereby efficiency audits are produced for Parliament. That, in some way, may cover the point about the scope of staff required by such a committee. The committee would not carry out the study of efficiency in such a way that it would duplicate the work of the Public Service Board and the Auditor-General.

On the role of the expenditure review committee, I refer to the functions of the Commonwealth committee as defined in the Commonwealth Act. The functions of that committee are, firstly, to consider any papers on public expenditure presented to the House and such estimates that it sees fit to examine. Secondly, how, if at all, policies implied in the figures of expenditure in the Estimates may be carried out more economically. Thirdly, to examine the relationship between the costs and benefits of implementing each Government programme, and, fourthly, to inquire into and report upon any question in connection with public expenditure referred to it by the House. The scope of the Public Accounts and Expenditure Review Committee in Victoria will encompass the scope of the Commonwealth committee.

The question has been raised why Parliament has a single committee as opposed to two committees. My reply is along the lines of the honorable member for Gippsland East, which is, does Parliament need a sledge hammer to crack a nut? Two committees would be overdoing it, especially when Parliament is considering an additional committee to examine the activities of statutory bodies.

There is no reason why, in the future, in the course of an evolutionary process, it may not be demonstrated that two committees are required. In that case the necessary legislation would be introduced. However, that could be some time off because of the need to develop the expenditure review part of the committee's work and the difficulties involved in deciding upon inquiries and developing ways in which matters should be approached.

The Bill heralds an important new role for the committees of Parliament. The Bill makes abundantly clear the importance that is placed upon the role of Parliament as the watchdog of public expenditure and the need to exercise the strictest control.

Mr ROPER (Brunswick)—The Bill represents a fraud when one compares it with the promises that were made prior to the last election, and in the

Governor's Speech to Parliament in May of this year. Anyone who examined either the promises made by the Premier or the promises the Premier forced the Governor to make in his Speech on 29 May would believe that there will be an entirely new concept of expenditure review and control. However, the Bill achieves far less than that.

To an extent, the Government was following the lead set by the Labor Party in its promises. Last year, the economic policy initiatives released by the Leader of the Opposition and the honorable member for Knox contained a specific section on expenditure control. That section stated:

> Under a Labor Government the departments will be required to start their spending estimates from scratch. This zero budgeting approach will require every proposed item of expenditure to be justified before it can be adopted. There will be a new all-party Parliamentary Estimates Committee to critically examine departmental estimates.

It was not the Opposition's intention to abolish the Public Accounts Committee, which the Labor Party views as having a clearly different and separate function.

It was the Opposition's intention that those two committees, together with the reforms proposed, would improve efficiency in public expenditure. However, the Government, as it so often has done in the past, copied the words of the Labor Party policy without copying the purpose behind those words. The purpose was to improve public administration. The Government's policy has become a public relations exercise rather than a significant attempt to improve public efficiency and financial accountability. The Bill is only one such example.

The Premier, in his second-reading speech, spoke about the steps the Government has already taken and the improved presentation of Budget documents. Anyone could say that the Budget documents were presented in an improved fashion compared with six years ago. It is an improvement on a low base. One could have a 100 per cent improvement but little intelligibility either to honorable members or to the public, who should be able to understand the Budget.

The Budget has huge gaps and weaknesses in most areas of public administration. It is still not possible to obtain information from the Budget Papers or to obtain information from the departments and the Treasurer. For much of the public expenditure, all that Parliament ever has is an historical record. For instance, the second largest item of public expenditure is the expenditure on the State's hospitals. Parliament does not have an account of how that money was spent in 1977–78, except for the final report of the Hospitals and Charities Commission.

Honorable members have no idea how money spent last financial year was spent; they do not know which hospitals received the money.

The sitting was suspended at 6.16 *p.m. until* 8.3 *p.m.*

Mr ROPER—Before the suspension of the sitting, I was pointing out to the House that the Bill was largely a fraud, that it was an adoption of the words of a Labor Party statement about what the Labor Party would do in Government, and that when the Bill was introduced into the Parliament it had none of the reality about it at all. As other parts of the package have failed, so has this part.

I was making the point that there has not been adequate examination of major areas of Government expenditure for as long as anyone can remember. There has not been, for instance, adequate examination of the Hospitals and Charities Fund and the way in which those moneys have been spent for many years; and there is an urgent need for questions of the efficiency of expenditure in that area to be examined by Parliament. Parliament tends to examine areas of minor importance where approval of minor expenditure is involved, and the large areas like the Hospitals and Charities Fund and the Education Department escape quite easily, never being placed under any threat whatsoever.

Mr Weideman—It is public accounts that you are talking about.

Mr ROPER—As the honorable member for Frankston may or may not be aware, the difficulty is that this new committee will not be able to handle many of the problems it should be able to handle. As the honorable member would be aware, the committee is concerned mainly with past expenditure. Hospital expenditure is quite ancient before details of it are reported to Parliament. Parliament hears nothing of the way in which the $700 million is spent on hospitals until some eighteen months after the start of the financial year in which the money is spent. Given the fact that there has not been a report of the Hospitals and Charities Commission, because it has been abolished, nor a report from the Health Commission because the report is just plain late, for some considerable time no one will know how the 1978–79 financial year money, more than $600 million, was expended. The committee, as do many committees in other Parliaments, needs to be able to examine the current year's expenditure if it is to serve its purpose properly. The Leader of the Opposition made the point that the committee needs to examine the Estimates.

Mr Mackinnon—That is different.

Mr ROPER—If you like, there are three levels of expenditure which need to be examined: There is past expenditure, which the Public Accounts Committee has traditionally examined; there is present expenditure, which this committee may now be able to examine; and there is the expenditure for the remainder of the financial year, the future expenditure which most other Parliaments now have special committees to examine. The Federal Parliament has clearly seen the need for estimates committees—not only in the Senate where they were pioneered, but now in the House of Representatives as well. Any member who gets the daily Federal *Hansard*—I do not know how many do —will see the excellent work done by the Estimates Committee of the House of Representatives now that it is able to examine the proposed expenditure of the various public service organizations.

Despite what the Premier and the honorable member for Box Hill said, to an extent, the public servants and the Ministers need to be stood up by Parliament. Public servants believe that they run the State and there just happen to be some Ministers who sit here for long hours listening to debates but who have no right to any real say in how the State is run and that the party and other members of Parliament have even less right. Parliament should not allow that situation to continue. Parliament needs to be able to summon public servants and ask about their expenditure proposals for the current financial year and to have them justify those proposals.

Mr Mackinnon—The policy remains with the Government.

Mr ROPER—The policy remains with the Government, certainly; but as the honorable member for Box Hill would be aware, most of the expenditure items go on, no matter what the policy of the Government is. I was once very briefly the permanent head of a Commonwealth department. Almost all of its expenditure and the other expenditures that it examined had nothing to do with members of Parliament whatsoever. Nonetheless, my department and the Department of Social Security had the discipline, a most important discipline, of having to appear before the Estimates Committee of the Senate after the Budget had been brought down in the House of Representatives. That is a most important discipline which this Bill does not provide for the Victorian Public Service.

Members of the Labor Party are not prepared to take the evolutionary view that the member for Box Hill is prepared to take. It is now possible for this Parliament to bring in a Bill that would implement what is carried out in Canberra and, indeed, to go a step further if that were thought desirable and necessary. The reasoned amendment moved by the Leader of the Opposition provides that that can be done.

Mr Collins—There was not much reason behind it, though, was there?

Mr ROPER—Certainly the honorable member for Noble Park has very little idea of the importance of back-bench

members of Parliament having a say in the way in which the financial affairs of the State are ordered. If the honorable member for Noble Park had any feeling for the importance of Parliament, he would be supporting the reasoned amendment moved by the Leader of the Opposition, as I am sure Dr Foley from another place would do if he were free of the restraints that will be placed on him in that place.

Unfortunately, it is not possible to have a situation where Parliamentary committees and public servants have a nice, easy relationship all the time. That is not the role of Parliamentary committees. Their role is to examine expenditures in the State administration and, if they find matters requiring examination, to stand up the Ministers and the public servants involved.

Mr Collins—It did not work between 1972 and 1975 in Canberra, did it?

Mr ROPER—The honorable member for Noble Park knows very little about what happened in Canberra between 1972 and 1975. If he did, he would be aware that the estimates committees of the Senate carried out their functions competently and well, as they had done under Liberal Governments and as they have since done under a Liberal Government. The role of those Senate committees was as important then as it is now; and the fact that there is a different Government in power does not alter the role of those committees. It may make their work less important because under a Labor Government there will be more efficiency, at least so far as Victoria is concerned.

The fact is that Victoria needs a public accounts committee, as it has traditionally had, to carry out the functions it has traditionally carried out and carried out well. In addition, Victoria needs a committee which can examine the estimates and have an ongoing role in the running of this State and which can, for the first time, examine major areas of public expenditure in a way in which Parliament and the Government have been loath to do in the areas of education and health. Those areas have not been properly examined with a view to efficiency for as many years as anyone can remember.

In the election campaign the Government made statements of good intent. This Bill presents a much watered down statement about what the Government intends to do. The Opposition believes that what was put to the people before the last election should be put into effect and that Parliament should not be snowed as the Government has been snowed by its advisers.

The House divided on the question that the words proposed by Mr Wilkes to be omitted stand part of the motion (Mr A. T. Evans in the chair).

Ayes	43
Noes	30
Majority against the amendment	13

AYES

Mr Austin	Mr McGrath
Mr Balfour	Mr McKellar
Mr Birrell	Mr Mackinnon
Mr Brown	Mr Maclellan
Mr Burgin	Mrs Patrick
Mrs Chambers	Mr Reynolds
Mr Coleman	Mr Richardson
Mr Crellin	Mr Ross-Edwards
Mr Dixon	Mr Skeggs
Mr Dunstan	Mr Smith
Mr Ebery	(*South Barwon*)
Mr Evans	Mr Smith
(*Gippsland East*)	(*Warrnambool*)
Mr Hamer	Mr Tanner
Mr Hann	Mr Templeton
Mr Hayes	Mr Thompson
Mr Jasper	Mr Trewin
Mr Jona	Mr Weideman
Mr Kennett	Mr Williams
Mr Lacy	Mr Wood
Mr Lieberman	
Mr McArthur	*Tellers:*
Mr McCance	Mr Collins
Mr McClure	Mr Cox

NOES

Mr Cain	Mr Rowe
Mr Cathie	Mr Sidiropoulos
Mr Crabb	Mr Simmonds
Mr Edmunds	Mr Simpson
Mr Ernst	Mr Spyker
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Gavin	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Walsh
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	
Mr Mathews	*Tellers:*
Mr Miller	Dr Coghill
Mr Roper	Mr Remington

PAIR

Mr Borthwick	Mr Amos

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Public Accounts and Expenditure Review Committee)

Mr WILKES (Leader of the Opposition)—I move:

Clause 2, line 33, omit "and" (where second occurring);

If the amendment is agreed to, I will then move a further amendment as follows:

Clause 2, line 38, after "public money." insert—

"(*e*) to consider and report upon the annual estimates of Revenue and Expenditure and any supplementary estimates transmitted to the Legislative Assembly; and

(*f*) to investigate and report to the Parliament on any matter relating to the public finances of Victoria which it sees fit to examine."

The essence of these amendments is to give the committee power, within its terms of reference, to examine the estimates at any time, particularly in respect of Budget estimates when they are produced and to report to the Legislative Assembly or the Legislative Council in respect of same.

The Opposition does not view the functions of an expenditure review committee as covered by proposed new section 5, namely, to examine the accounts of the receipts and expenditure of the State, and to inquire into and report to Parliament on public expenditure which the Premier has described, as being all embracing.

The amendments propose to correct what has been omitted from clause 5, to give the committee the power to call for and examine the estimated revenue of the State or indeed of any department.

One would have thought that the former Premier and Treasurer would have considered zero budgeting and its value with respect to departments that complete applications for their vote each year without due consideration to precisely what amounts they need. By interjection, the Premier says the departments do not do that. Can the Premier truthfully say that, towards the end of the financial year, departments do not endeavour to spend the remainder of their allocations? The Premier says that is a different thing. Why is it a different thing?

If the departments had to give an account of every dollar involved in zero budgeting it would serve a useful purpose in preparing the estimates of departments and statutory authorities. Statutory authorities are not specifically concerned with that aspect whereas departments are. Therefore, the proposed Public Accounts and Expenditure Review Committee should be given the power to examine the estimates.

If the committee does not have that power, as was suggested by the honorable member for Bundoora, it will be a lame duck committee. No one wants to see it as a lame duck committee. The Opposition recognizes the urgent need for such a committee. Although the Opposition does not agree with the Premier and the Government, it asks whether the committee is all that far removed from the existing Public Accounts Committee?

After what honorable members have heard in the second-reading debate, the Opposition is convinced that there is not much difference between the proposed committee and the existing Public Accounts Committee. That is regrettable. If the Premier wants to put this committee out in front, as I presume he does, by being able to examine public expenditure, public moneys, departmental expenditure and all other aspects outlined in proposed new section 5 (*a*), (*b*), (*c*) and (*d*), he should seriously consider empowering the committee to report upon the annual estimates of revenue and expenditure and any supplementary estimates that are introduced from time to time in the Legislative Assembly.

On examination of the estimates, the Opposition believes the committee would come to the conclusion that there is a need for zero budgeting in some areas. However, if the amendment is accepted, the committee may

ensure that statutory authorities or departments act prudently in estimating expenditure. That cannot be proved until the committee has power to observe what is happening.

That power will give the committee wider scope. It will give the committee teeth and allow it to investigate an area the Premier does not appear to want it to investigate. That surprises me. The amendment gives the Premier and the Government the opportunity to allow the committee to investigate an area that, above all others, should be the subject of periodic examination, unlike the Public Accounts Committee.

An opportunity is provided to carefully define and distinguish the functions of the Public Accounts Committee and the proposed Public Accounts and Expenditure Review Committee by charging the new committee with the responsibility of making an examination of annual estimates, revenue and expenditure of the State. I commend the amendment to the House.

Mr HAMER (Premier)—The amendments are not acceptable to the Government. They have largely been canvassed in the second-reading debate and I simply point out two features. One is that to first impose additional power would require the committee to do something that is certainly not envisaged as a bounden duty of the committee. It would tie the committee hand and foot for a good part of the year because it would oblige the committee to examine every detail.

Mr Wilkes—It would not oblige the committee any more than clause 5.

Mr HAMER—According to the amendments, the requirement will be to consider and report on the annual estimates of revenue and expenditure, which means the committee will have to examine the lot and report to Parliament, presumably before the Budget has even been passed. That is not an acceptable function of the committee. If it desires to examine the expenditure of any department and of any moneys allocated by Parliament to ensure they are being spent properly, it has ample power in the provisions of the Bill as it presently exists. The Government does not propose to give the committee an obligation to examine every estimate and every annual estimate of revenue and expenditure proposed in the Budget and to report thereon presumably before that item can even be dealt with by Parliament.

The second aspect is to allow the committee to examine any matter relative to the public funds of Victoria. If honorable members examine proposed new section 5 it will be obvious to them that the committee has been given wide powers of examination. This amendment is based on a misconception, as pointed out by the honorable member for Gippsland East, of the real meaning of paragraph (*b*). The Leader of the Opposition has treated it as a limitation in its true form of meaning, whereas it is an extension of the power of the committee to examine anything which either House of Parliament desires it to examine.

Mr Wilkes—It could have been drafted to make it clearer.

Mr HAMER—It has been drafted clearly and it is understood by other honorable members. For these reasons, the Government rejects the amendment.

Mr JOLLY (Dandenong)—I regard what the Premier has said as indicating his high degree of confusion over the issues, particularly on the proposed new section 2 (*e*), which deals specifically with the Estimates. I make it clear, in talking of the totality of the Bill, that the Estimates that come before the House are a disgrace. They certainly need to be examined. The Premier has created the impression, particularly in his second-reading speech, that the expenditure review committee will be able to examine estimates on an *ad hoc* basis. He said that money being spent can be considered by the expenditure review committee. I cannot see any provision for that in the Bill. If the expenditure review committee is to be effective, and if it is to improve the efficiency and accountability of the Government, it should have power to consider and report upon the Estimates. This could occur during a number of stages. The first stage is before the Budget is presented to Parliament, so the reports

could be tendered on the Estimates. The second stage is when the Budget and the Estimates are brought before Parliament so that every honorable member has the opportunity of knowing what the detailed statistics are that are provided to the House. The expenditure review committee could consider those Estimates then.

Mr Wilkes—At present, they are shrouded in mystery.

Mr JOLLY—They are shrouded in mystery and the Government has no idea of what is happening. I demonstrated that clearly when I referred to the report of the Auditor-General. There were substantial differences between the estimate of receipts and the actual revenue of the financial year 1978–79.

I highlight another case that refers to expenses. The Government made great play that it was to provide $2 million in 1979–80 for the provision of half-transport fares to unemployed workers looking for jobs outside the auspices of the Commonwealth Employment Service. The $2 million was to be spent over 1979–80 and the programme was to commence in 1979. It was not until a detailed examination followed that it became clear that the Government had not even finalized an arrangement on the scheme. That makes it a cruel farce and indicates why it is necessary for a close examination of the Estimates that come before the House. It leads to the third stage in which the Estimates can be considered and that is during the course of the financial year; it may be necessary for effective Government and for effective scrutiny for the expenditure revenue committee to consider the particular aspects of the Estimates at, for instance, every quarter in the year.

The committee does not have to focus on every detail of the Estimates; it can choose to do so, but it is not obliged to examine in detail every line of the Estimates as the Premier implied. If the expenditure review committee is to become more effective and to be a body more concerned with improving the efficiency of the performance of Government administration, then it must have the power to examine and report back on the Estimates. For that reason, I commend the amendment.

The insertion of proposed new section 5 (*f*) has also caused confusion to the Premier. He indicated that the proposed sub-section would be unnecessary because of the provision in the clause of paragraph (*b*). Paragraph (*b*) makes it clear, in black and white, that matters of public expenditure will be investigated by the expenditure review committee only on referral from either the Legislative Assembly or the Legislative Council; in other words, the committee will not have the power to undertake the investigation on its own initiative. The committee should have that power. Every honorable member has spoken in favour of an expenditure review committee. The committee should support the amendments proposed by the Leader of the Opposition if Government expenditure is to become more efficient and if headway is to be made in the effective administration of Victoria, more so than it has been in the past.

Mr WILKES (Leader of the Opposition)—I was fascinated with the reply of the Premier to the last part of the amendment I am proposing, paragraph (*f*), to investigate and report to the Parliament on any matter relating to the public finances of Victoria which it sees fit to examine. One would have thought from the reply of the Premier that the committee which the Bill proposes to establish can go into any area without any further term of reference and carry out an investigation. I ask the Premier whether the new committee will have power to investigate section 34 of the Audit Act which requires the Auditor-General to formally acquit the Treasurer, that is, to certify the amount of public money which has been duly and properly expended by the Treasurer, because each year the report of the Auditor-General reveals a particular amount of money for which the Treasurer has not been acquitted. Various sums are involved which are the subject of query, observation, show cause action, disallowance, or surcharge.

Usually, most of the money for which the Treasurer has not been acquitted consists of advances to departments that have not been adjusted prior to 30 June, which presumably arises from a technical accounting reason. They are free of any impropriety, and no one is suggesting that. However, an unusual situation occurred in the financial year 1978–1979. I point this out to the Premier because it is a classic example of why he should support the amendment to allow the committee to investigate the particular situation that I am now relating to him.

The year 1978–79 was unusual. I took out a table today from the Treasurer's statement and report of the Auditor-General giving a five-year history of the acquittance by the Treasurer. In the years from 1974–75 to 1977–78, the amount of difference varied from $575 000 to $791 000, but this year, the difference was $7 693 964, an amount which should be investigated by any committee set up by Parliament. I shall refer further to that amount when speaking on another Bill. For the moment, I point out that it is a classic example where, if the committee had the power that I envisage in the proposed paragraph (*f*), it could straight away investigate it because prior to the 1978–79 financial year the technical accounting items advances not yet adjusted covered almost all the Treasury acquitted figures. However, on those occasions, it left only some hundreds of thousands of dollars. On this occasion it has left an extra $7 million unexplained.

I point that out to the Premier, because as a former Treasurer he ought to know there is something unusual about those figures. I am not saying that there is anything untoward, and I make that point clear; there was no hint of impropriety. I am merely saying that it is a question of management and that it is an issue that should be clearly explained. The only way of doing so under the present conditions is for an expenditure review committee to have the necessary power. At present, the existing Public Accounts Committee, which members of the Opposition want left in existence, would have the power of doing so and giving the reasons for that extraordinary hike from $791 000 to $7 million. Members of the Opposition are saying that the new expenditure review committee may not have that power. It appears to be failing in its proposed efforts to act as a watchdog committee without the particular power to examine just that one isolated circumstance to which I have referred. I further commend the Premier to re-examine the amendment.

Mr HAMER (Premier)—The Leader of the Opposition has confounded his own argument completely. He just agreed that the existing Public Accounts Committee could examine the very item to which he drew attention. I point out to him, and I think he really realizes it, that the new committee has all of the powers of the existing Public Accounts Committee, and more. There is nothing to prevent the new committee from making the examination the Leader of the Opposition has in mind and, therefore, he has demonstrated that he is not cognizant of the provisions in the Bill.

The Committee divided on the question that the words proposed by Mr Wilkes to be omitted stand part of the clause (Mr Skeggs in the chair).

Ayes	44
Noes	30
Majority against the amendment	14

AYES

Mr Austin	Mr McGrath
Mr Balfour	Mr McInnes
Mr Birrell	Mr McKellar
Mr Brown	Mr Mackinnon
Mr Burgin	Mr Maclellan
Mrs Chambers	Mrs Patrick
Mr Coleman	Mr Ramsay
Mr Crellin	Mr Reynolds
Mr Dixon	Mr Richardson
Mr Dunstan	Mr Ross-Edwards
Mr Ebery	Mr Smith
Mr Evans (*Gippsland East*)	Mr Smith (*South Barwon*)
Mr Hamer	Mr Smith (*Warrnambool*)
Mr Hann	Mr Tanner
Mr Hayes	Mr Templeton
Mr Jasper	Mr Thompson
Mr Jona	Mr Trewin
Mr Kennett	Mr Weideman
Mr Lacy	Mr Williams
Mr Lieberman	Mr Wood
Mr McArthur	*Tellers:*
Mr McCance	Mr Collins
Mr McClure	Mr Cox

NOES

Mr Cain	Mr Rowe
Mr Cathie	Mr Sidiropoulos
Mr Crabb	Mr Simmonds
Mr Edmunds	Mr Simpson
Mr Ernst	Mr Spyker
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Gavin	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Walsh
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	
Mr Mathews	*Tellers:*
Mr Miller	Dr Coghill
Mr Roper	Mr Remington

Mr WILKES (Leader of the Opposition)—I move:

Clause 2, line 38, after "public money", insert—

"(*e*) to consider and report upon the annual estimates of Revenue and Expenditure and any supplementary estimates transmitted to the Legislative Assembly; and

(*f*) to investigate and report to the Parliament on any matter relating to the public finances of Victoria which it sees fit to examine."

The Committee divided on Mr Wilkes's amendment (Mr Skeggs in the chair).

Ayes	30
Noes	44
Majority against the amendment	14

AYES

Mr Cain	Mr Rowe
Mr Cathie	Mr Sidiropoulos
Mr Crabb	Mr Simmonds
Mr Edmunds	Mr Simpson
Mr Ernst	Mr Spyker
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Gavin	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Walsh
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	
Mr Mathews	*Tellers:*
Mr Miller	Dr Coghill
Mr Roper	Mr Remington

NOES

Mr Austin	Mr McGrath
Mr Balfour	Mr McInnes
Mr Birrell	Mr McKellar
Mr Brown	Mr Mackinnon
Mr Burgin	Mr Maclellan
Mrs Chambers	Mrs Patrick
Mr Coleman	Mr Ramsay
Mr Crellin	Mr Reynolds
Mr Dixon	Mr Richardson
Mr Dunstan	Mr Ross-Edwards
Mr Ebery	Mr Smith
Mr Evans (*Gippsland East*)	(*South Barwon*)
Mr Hamer	Mr Smith (*Warrnambool*)
Mr Hann	Mr Tanner
Mr Hayes	Mr Templeton
Mr Jasper	Mr Thompson
Mr Jona	Mr Trewin
Mr Kennett	Mr Weideman
Mr Lacy	Mr Williams
Mr Lieberman	Mr Wood
Mr McArthur	*Tellers:*
Mr McCance	Mr Collins
Mr McClure	Mr Cox

PAIR

Mr Amos	Mr Borthwick

Mr B. J. EVANS (Gippsland East)—I would like the Premier to explain what is meant by the proposed new section 6A (4) which states:

A quorum of the sub-committee shall be the number which constitutes a majority of the full sub-committee of members of the sub-committee.

Can the Premier explain what is meant by that?

Mr HAMER (Premier)—As I explained earlier during the debate, it is intended that the committee shall be able to operate in sub-committees of not fewer than four members on each sub-committee which means there can be three sub-committees of four members each and the quorum of each sub-committee is a majority of the full sub-committee. I would have thought the wording was fairly clear. In that case, if it is a sub-committee of four members, a quorum would be three members. If the sub-committee consists of five members, a quorum would still be three members. I hope I have made myself clear.

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

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

MINISTERIAL STATEMENT

Aims and objectives of education in Victoria

Mr LACY (Assistant Minister of Education)—I wish to make a Ministerial statement with respect to the aims and objectives of education.

A clear statement of the aims and objectives of education in Victoria has never to this date been published. Soon after my Ministerial colleague and I took over the education portfolios, we announced that there would be a major review of education policies in Victoria, with emphasis first upon aims and objectives.

The reasons for a review are clear and its advantages are obvious. They are:

Any educational body, and particularly a public education system, must work to achieve agreement about its purposes and priorities.

Any large organization needs constantly to review its aims, objectives, and policies.

Publication of these aims is essential to provide a clear sense of direction for students, parents, teachers, administrators, and others who share responsibility for the effectiveness of the education provided.

A clear and common sense of purpose is the foundation upon which good morale can be built.

Clear objectives bring greater consistency in decision-making and provide a framework for greater delegation of authority. More decisions can be made where appropriate at regional and school level and programmes more responsive to community needs and aspirations can be developed and implemented.

The setting of clear aims and objectives provides a basis for allocating human, physical and financial resources and for judging the effectiveness and efficiency with which they are used.

It also provides a basis for monitoring achievements and deficiencies, for evaluating performance, for increasing accountability and for assessing the value received for money spent on education.

We set out to define not just the major aims, but also the secondary objectives, and the policy, administrative, and structural changes needed to achieve them. We wanted the review to be completed promptly; but after the processes began it became obvious that our first proposal for the production of one comprehensive document in a matter of months was too ambitious, and provided inadequate opportunity for effective public participation. We, therefore, altered the programme to provide for two stages, and later again three stages over almost eighteen months, to ensure that there would be no undue haste and proper opportunity for contribution to the process by those interested, at every stage.

Consultative Committee

To provide a perspective on the review from outside the Education Department and the Teaching Service, a consultative committee was established under the Assistant Minister. The members of that committee are:

Mr Lyn Brown, Secretary of the Public Service Board;

Sir John Buchan, Chairman of Buchan, Laird and Buchan Pty Ltd;

Professor Emeritus William Connell, until recently Professor of Education at the University of Sydney;

Dr Michael Deeley, Managing Director of Dulux Australia;

Dr Ron Fitzgerald, Dean of Planning and Development at State College of Victoria, Burwood;

Professor Kwong Lee Dow, Dean of the Faculty of Education, University of Melbourne; and

Ms Judith O'Neill, Research Officer for the Australian Council of Trade Unions.

Members of the public are invited to make submissions to the consultative committee. A total of 477 submissions have been received.

Mr Roper—Have you read them?

Mr LACY—Yes. Of these, 138 came from school councils, 85 came from private individuals, and 51 came from educational groups of various kinds. The rest came from schools, colleges, teachers, principals, Parliamentarians, employers, and a wide range of community groups.

The consultative committee has considered all of these submissions in preparing its response to the review. The submissions reflect the diversity of views held in the community. While some concerns are held in common, the suggested solutions are sometimes conflicting. Items condemned by some submissions are praised by others.

Education Department Contribution

The Education Department's submission to the review was co-ordinated by Dr Tom Moore, Deputy Director-General of Education. Input for this submission to date has been derived from consultations and discussions of varying kinds.

The Director-General's seminar held at Mannix College from 15 to 18 August, 1979 devoted considerable attention to the provision of material that was designed to influence the the content of the submission. The seminar debated some fourteen controversial issues, in each case summarizing the arguments for and against. A controversial issues statement was prepared.

Each division of the department prepared a position paper on its aims, objectives, strategies, and structures. These position papers were revised in discussion and in the light of the outcome of the controversial issues statement. These revised papers were carefully considered before the departmental submission on aims and objectives was prepared. Thus the 200 most senior officers in the Education Department have had an opportunity to influence the departmental submission.

In addition, discussions were undertaken with Education Department officers at various levels within the current structure to ascertain their views on the various issues raised in the whole review.

In his preamble to the Education Department submission, Dr Moore pointed out that it is unreasonable to assume or even to aim at consensus in the views expressed. In the final analysis it will always be the case that some individuals or groups will disagree with decisions that are made. But in a democratic society we must aim to operate for the good of the society as a whole while taking account as far as possible of different attitudes and views.

The Present Stage

Today's Ministerial statement represents completion of the first stage of the three-stage programme.

It draws upon the work and advice of the consultative committee, of the Education Department and of those who have made submissions. To all of these we express our thanks. Whilst we recognize the impossibility of attaining complete consensus at every point, even on aims and objectives, we believe that the process which has been adopted has produced the consensus view which is on the one hand most acceptable to the widest possible spectrum of people in our pluralist society, whilst on the other hand providing a basis for planning for the future.

From the aims and objectives contained in this statement we will, in the next stage of the review, examine the policies, the strategies, and the structures necessary to achieve these aims and objectives.

THE AIMS AND OBJECTIVES OF EDUCATION IN VICTORIA

Introduction

Like all people living in advanced industrial societies, the people in Victoria live in a society that is changing now more rapidly and profoundly than at any other period of our history. Technological change is altering both the material conditions of our life and its social context, while travel, migration, and the mass media are changing the perspectives of our culture. Common values held by earlier generations are rapidly losing their traditional roots and are being reformulated both by the young and by

the adult community. Social relationships are being transformed by a consciousness of the interdependence of all people within a world of finite resources.

In preparing people to cope with this changing society, education has a vital role to play. In a democratic society education must ensure that the members o four society learn to understand and to respond to our common responsibilities and aspirations. We need to relate the aims and objectives of our educational bodies to the wider society, both to present realities and to future hopes.

For the individual in a democratic society the essence of democracy is that each person has the opportunity to make informed choices and to accept responsibilities. For the society, democracy implies concern for the welfare and optimum development of all its members.

Educational bodies in our democratic society are asked to promote social co-operation while not avoiding the conflicts and contradictions which exist within that society.

Society is competitive, yet we value co-operation.

Society is characterized by educational, social and economic inequalities, yet we value equality or rights, duties, and opportunities.

An established and traditional value system exists in our society but we are increasingly recognizing the valuable contribution of diverse groups to our way of living.

It is an imperfect society but it has many elements that we value greatly.

Educational bodies can help the achievement of a fuller sense of commitment to the mutual obligations and possibilities that are part of a thoroughly democratic community. Educational bodies can reinforce and encourage the development of democratic processes throughout the community.

Individual schools must be supported by an administrative framework and by many kinds of services. All of these components must share the over-all aims and objectives of education in any society.

Definition of Terms

Any school system must have a general statement of aims and objectives so that component parts within the system can follow specific directions encompassed by those aims to achieve desired outcomes within the resources available to it.

In this statement "aims" are general, philosophic statements applying to school systems as a whole; "objectives" are more refined and specific statements designed to guide the activities of the component parts of the whole—sections of the Education Department administration and individual schools, colleges, and other bodies responsible to the Minister of Education. The achievement of objectives by these component parts contributes to the achievement of the general aims of the school system.

In formulating the aims of education in Victoria we have closely borne in mind the Universial Declaration of Human Rights and the United Nations Declaration of the Rights of the Child. Article 26 of the earlier declaration is in the following terms:

ARTICLE 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

The Declaration of the Rights of the Child enlarges upon those philosophies and principle 7 of that declaration is quoted in part as follows:

The child is entitled to receive education which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture, and enable him, on a basis of equal

opportunity, to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and to become a useful member of society.

The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

The Victorian Government fully endorses the principles contained in those extracts.

The Aim of Education in Victoria

The central aim of education in Victoria is to provide educational experiences of the best possible quality, for children, youth, and adults. Through these experiences they will have the fullest opportunity to:

reach an understanding of themselves and society (educational opportunity);

develop to their highest level of intellectual, emotional, and social competence (educational achievement);

achieve socially responsible self-direction (education and values); and

build an abiding sense of community throughout our society (education and community).

The Objectives of Education in Victoria

From the central aim of education spelt out above, it is possible to set both broad and specific objectives. The broad objectives are:

to recognize and accept both the diversity of our community and the widely agreed values and structures within it;

to develop in each individual the intellectual, practical, social, and emotional skills required to understand our society and to live, work and function effectively within it;

to develop a more co-operative, caring, and democratic community concerned with the welfare and optimum growth of all its members; and

to encourage increased community participation in consideration of educational issues, educational decision-making, and the life of schools.

The attainment of these broad objectives within the framework of available funds will call for sensitivity and flexibility in educational administration, for high quality in teaching, and for understanding and support from the community as a whole.

Flowing from these broad objectives and from the central aim, the specific objectives of education in Victoria can be grouped into the four areas identified in the central aim.

1. *Educational opportunity*

The objectives are:

To provide equality of opportunity for all students by catering as far as possible for individual differences;

to develop learning environments that enable schools to pursue programmes of quality in education;

to provide adequate support services for curriculum in all schools and in all subject areas;

to help improve the quality of life of students and their appreciation of the role of the family; and

to prepare them properly for life after leaving school.

2. *Educational achievement*

The objectives are:

To provide opportunity for students to develop as far as possible their academic, social, and physical potential;

to foster in each student a broad range of physical, intellectual, practical, artistic, emotional, and social skills and to extend students talented in these areas to their highest possible levels; and

to determine desired levels of literacy, numeracy, and oracy—or in plainer language, reading, writing, mathematics and speech—and to develop every student to these levels at the very least.

3. *Education and values*

The objectives are:

To ensure that educational bodies play their part in transmitting the shared ethical, moral, and social values and standards of society

while at the same time acknowledging that values are changing, that tolerance of other views is expected, and that the values of minority groups should receive appropriate attention; and

to provide freedom of choice of schools to all parents wherever practicable by encouraging diversity in school programmes and by encouraging review of present curricular offerings to ensure that there is real choice and not just confusion brought about by too many alternatives being available.

4. *Education and community*

The objectives are:

To provide the opportunity for students to learn to exercise autonomy and responsibility through their school experience;

to provide educational experiences that will contribute to the preparation of students for life within a wider community, including family life and working life;

to ensure that the aims of education are pursued in all schools through the development of a core curriculum for students generally, with provision for individual schools to pursue locally based components to balance the school programme;

to foster co-operation between schools and the community in the matter of school governance; and

to decentralize the administration of education wherever appropriate to allow local communities as far as is possible to share the responsibility and accountability for local educational policy and for decision-making in local schools.

In order that these objectives may be achieved or at least consistently pursued it is essential that education in Victoria is provided with professional leadership of the highest order, that an appropriate career structure is provided within the system for teachers and other officers, and that measures to ensure accountability for performance operate effectively.

There are many other important matters still to be dealt with—for example, the role of principals, the problems of regionalization, the question of the Teachers Tribunal. They have however no part in this present statement because we believe they relate to the changes to policies, strategies and structures that it will be necessary to implement in order to achieve the aims and objectives outlined today. Although these and many other issues are vital to education in Victoria it is obvious that we need further discussion and consultation with interested groups before decisions are made upon them.

FUTURE PROGRAMME

Stage 2 of the programme will be the preparation of a Green Paper dealing with strategies and administrative or structural changes to implement the aims and objectives outlined above in the most effective, efficient, and economical manner.

To assist in preparation of the Green Paper we now invite further submissions and public comment by the end of March 1980. Further submissions will be presented by the consultative committee and the Education Department. The Green Paper will be presented to Parliament in May 1980, and will be a discussion document rather than representing concluded Government views.

After the publication of the Green Paper, the third stage of the review will commence. Further comment will be invited from the community by the end of September 1980. Again there will be input from the consultative committee and the Education Department. As well, an Organizations Reference Group will be established to react to and analyse the Green Paper. The Organizations Reference Group will comprise representatives of all major educational organizations outside the Education Department. Bodies representing teachers and principals will naturally be invited to nominate representatives, as will the organizations representing school councils, parents' clubs and other interested groups.

Preparation will then begin for the final White Paper embodying the policies adopted by Government to be delivered before Parliament rises in December 1980.

CONCLUSION

Society at large is far from static, and the demands it makes on educational bodies—and consequently on their administrative and service support structures—are therefore likely to change or to undergo shifts in emphasis from time to time. Aims and objectives must be constantly reviewed so that they will reflect the changing needs of society. If educational bodies fail to adjust to community trends and pressures they will quickly become out of step with the society they were established to serve. Educational bodies must build into their stated objectives some provision for flexibility and adaptability.

The aims and objectives we have delineated represent the considered view of the Victorian Government. We believe they are also in tune with the general thinking of parents and public in Victoria as the present decade nears its close. But they are not immutable. The process of review will be an ongoing one. Adaptations will inevitably be required in the light of experience and changing views and circumstances. We stand ready to make them but trust meanwhile that we have provided a solid base on which to build.

By leave, I move:

That the Ministerial Statement be now taken into consideration.

Mr FORDHAM (Footscray)—To paraphrase a previous public speaker somewhere in the world, never has so much been said about so little. That is the only comment one could make about this Ministerial statement. Never, in my nine years or so as a member of this Parliament, have I seen a statement so shallow, so full of jargon and so full of rhetoric. It is not as if the statement excites the pulse. It will do nothing more than bore most people, wherever they happen to be.

Mrs Toner—It embarrasses them.

Mr FORDHAM—It must embarrass the Minister, on reflection. The statement is thirteen pages long but is devoid of any real content. Members of the Labor Party were interested to discover who was responsible for the writing of the statement. Reference is made to what is now called the consultative panel and reference is also made to the Education Department submission on the statement, but there is no doubt in my mind, given the jargon and the sociological framework of the statement, that it bears the unmistakable stamp of the Assistant Minister of Education.

Mr Whiting—It is not even gramatically correct.

Mr FORDHAM—That is nothing new. I commend the Assistant Minister of Education, who, within such a short time, is dominating the scene in the Ministry. He is the person who is writing and making Ministerial statements that ought to have significance —at least, given the title of this statement, one should have thought so.

Mr Whiting—You mean it is not a statement by the Minister of Education after all?

Mr FORDHAM—It is a joint statement, but things are a bit strange in the Education Department at present. A number of matters ought to be commented upon. The first of those is the process that has been so painstakingly outlined by the Minister. Some honorable members may recall that following the State elections and the appointment of the new duo to the portfolio of education, the House was told that there was to be an immediate review of the aims and objectives of the Education Department. It was to take only a few weeks, but it now seems that that process has been somewhat lengthened. It will now take approximately eighteen months, according to the new time-table.

This paper—it cannot be called a White Paper because a Green Paper and White Paper are coming next year —says nothing. I make it clear that the notion of Green Papers and White Papers is a good one. I only wish that we were now at the Green Paper stage.

Had some initiative been displayed it would not have been unreasonable for the Minister to marshal the resources of his department and what is now called the consultative panel for a study to provide the teachers, the pupils, the entire school community and the people of Victoria with a satisfactory statement, but that was not to be. There will be a Green Paper next autumn and a White Paper next spring, and in 1981 some proposed legislation is to be introduced on the subject.

There is to be an intimate process of consultation. That is a bit of a breakthrough for the new Minister of Education. People have had the opportunity of presenting prepared submissions and there will be further opportunities at both the Green Paper and the White Paper stages. That is proper. I only hope that in addition to the written submissions there will be suitable discussion with interested bodies. I notice that some time is being made available for that.

In terms of the subject-matter of that statement, the so-called aims and objectives, there are a number of textbooks from which these could have been taken that have been written in recent years by sociologists and educationists, but on first reading—and this is the first opportunity I have had of examining the document—although there is nothing to quibble about, the aims and objectives are not those about which most people are likely to become excited. They are pretty bland and fairly general. They do no more than create a parameter in which the real meat of the issue, the programmes and policies, will be developed in 1980 and 1981 and, I suspect, into 1982, which happens to be an election year.

Another aspect that is worthy of comment is the role of what is now called the consultative panel. It started off as a review team and the impression I received was that it was the review body that would be making a report, which would either be rejected or accepted by the Government. Somehow or other the review body has been submerged in a much wider operation, and that body, together with the Education Department and anyone in the community who wants to put forward a view, is submitting its proposals to the Minister-*cum*-Ministers, and it will be preparing the publications.

In those circumstances I should like an indication from the Minister—if not now, at an appropriate time—on whether the representations of the consultative panel will be made available to interested members of Parliament so that we can see in full perspective the views of the people who were selected because it was believed their views would be important. If that is the case, we should have access to their views as distinct from those of the Minister. There is little doubt that the Minister has left a major imprint on this document.

The next matter with which I shall deal is the question of whether the submission of the Education Department that is referred to as a separate submission, co-ordinated by the Deputy Director-General, Dr Tom Moore, will also be made available to interested members of Parliament. That will give an indication of the thinking of the senior officers of this important department.

I do not suggest that the Opposition does not support a review of what are called the aims and objectives of education in Victoria. It ought to be taken into account that we are not dealing just with the Government sector but also with the non-Government sector, and the principles, ideals and statements start to flow right across the educational framework.

All legislation, including the measure that will be introduced and debated later this day dealing with aid to non-Government schools, will be dealt with in the light of those principles. Education should be defined to meet the needs rather than a bland approach being adopted, as has been the case for so long in the past. I hope this process of review of these policies and programmes, however they are to be described, will be hastened so that we may look forward in 1980 to Parliament receiving from the Minister

further announcements of what the Opposition hopes will be considerable changes of approach in dealing with the great educational issues that face our society today and will continue to face us as we go through this significant process of social change.

Mr WHITING (Mildura)—Like the Deputy Leader of the Opposition, I am intrigued by the method that has been employed by the Minister of Education and the Assistant Minister to present parallel Ministerial statements to both Houses of Parliament. I am not sure whether the reason for doing so is to gain additional publicity or whether it is a competition to see whether the Minister or Assistant Minister can attract more attention.

Mr Lacy—It is to allow the Assembly to consider the matter.

Mr WHITING—I am pleased to hear the interjection of the Assistant Minister, but because the education portfolio uses almost half of the total Budget allocation of the State, surely it is reasonable and correct that the Minister of Education should come from this House of Parliament. The present Deputy Premier, Minister for Police and Emergency Services and Treasurer—he has a few jobs—was Minister of Education in this House for a long time, and it caused no problems. In fact even the Minister of Special Education was in the same House. Now the Minister of Education is in another place, and to overcome the problem one sees the Assistant Minister of Education trying to compete and at the same time to give this House of Parliament a chance to debate the same issues that are being debated in another place. It is not good enough, if education is to receive the remarkably large portion of the whole Budget of the State that it receives, for members of the Assembly to obtain information virtually second-hand, because that is what is happening at present.

I am not sure whether the Deputy Leader of the Opposition is correct in saying that the Assistant Minister of Education wrote this Ministerial statement, although it sounds as though he did so. I understand the Minister of Education in another place presented his statement at about 2 p.m. today; it is now 9.34 p.m. The reports will already be in the morning newspapers, and I should be surprised if the Assistant Minister of Health, if he is the author of the document, receives any recognition.

I am sure the document was written by the Assistant Minister of Health because on the first page it states:

> The reasons for a review are clear and its advantages are obvious.

I do not disagree that there should be a review of the aims and objectives of education. The second reason for the review given is that:

> Any large organization needs constantly to review its aims, objectives, and policies.

If I had written the document, I would have said that any large organization needs to review its aims, objectives and policies constantly! Perhaps it is just a difference between the Assistant Minister and me.

A situation is developing where dual announcements are being made of policies, aims and objectives and so on, with White Papers, Green Papers and 1, 2 and 3 stages, although honorable members are not certain about that at present because on page 2 the document states:

> We therefore—

I presume that refers to both Ministers:

> altered the programme to provide for two stages, and later again three stages over almost eighteen months, to ensure that there would be no undue haste and proper opportunity—

Again I am in trouble because I do not know whether that means "no undue haste and no proper opportunity"! It states that:

> there would be no undue haste and proper opportunity for contribution to the process by those interested, at every stage.

That is fair enough, but we started off having two stages; now there are three stages and, presumably, as the Deputy Leader of the Opposition pointed out, in about March next year a Green Paper will be presented and that will not be a Government policy

statement; it will just be a collection of the views that have already been received from the 477 submissions that were made to the inquiry. That is good because a wide range of contributions has been made to a document setting out the reasons why education in Victoria is not as good as it should be.

When the Green Paper has been delivered, all these organizations will be asked to come back and make another contribution, so the ridiculous situation will apply in the middle of next year that the whole process will have to be undergone again. Presumably another dual Ministerial statement will be made on what the organizations interested in education in Victoria will have to say in the Green Paper.

Then, as a result of all those answers and the information fed in, one hopes that a White Paper will be issued. I do not doubt that a big argument will follow about what is contained in the White Paper as well, because that will eventually become the Government's policy on education, and that policy will be thrashed out in every detail and used for the run up to the election in 1982.

The present situation is causing considerable confusion in the minds of all those people who are interested in education in Victoria. There are many examples of that, including the recent announcement by the Minister of Education about limited tenure teachers. The Minister made a statement saying, among other things, that all vacancies next year would be filled by limited tenure teachers. He went on in the same statement to say that the vacancies of those people who were employed on a permanent basis and who retire or die while in office will be filled by people employed on a permanent basis. The three teacher organizations are completely at a loss to know how to interpret that kind of statement, and I have difficulty in deciphering exactly what the Minister of Education means in that context. He has given us plenty of options, and this is where the whole thing will fall into a heap.

Some of the comments in the statement are so simplistic that it is hard to believe. For example, on page 3 the statement is made that:

> The submissions reflect the diversity of views held in the community.

A total of 477 submissions were received, and they reflect the diversity of views held in the community. Why would they not do so? That is what it is all about. I am amazed at the statement. It is a good phrase, but totally superfluous.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! The deputy Leader of the National Party appears to be carrying on a conversation with members on both sides of the House. I am sure the majority of honorable members will appreciate that according to the customs of the House, an honorable member speaking should address the Chair.

Mr WHITING—Thank you, Mr Deputy Speaker. Because of the generosity of the Assistant Minister of Education, I and, I understand, the Deputy Leader of the Opposition, had the opportunity of studying this document a little before it was introduced in the Parliament, and I understand that most honorable members have not yet had time to study the comments that have been made, so for that reason I am endeavouring to help them by quoting the pages on which these comments are made.

The DEPUTY SPEAKER—I recommend that the honorable member leave the guidance to the Presiding Officer of the House.

Mr WHITING—On page 6 of the document the comment is made that:

> Individual schools must be supported by an administrative framework and by many kinds of services.

I should have thought that was already happening, but I may be wrong. It goes on to state:

> All of these components must share the over-all aims and objectives of education in any society.

I heartily agree with that comment, but I am intrigued to learn why all this kind of information has to be spelled out as it has been under these circumstances. The paragraph entitled

"Definition of Terms" is very good, because one must have a statement of what the aims and objectives are, and the Minister's definition is quite clear. He states that:

> In this statement "aims" are general, philosophic statements applying to school systems as a whole; "objectives" are more refined and specific statements designed to guide the activity of the component parts of the whole—sections of the Education Department administration and individual schools, colleges, and other bodies responsible to the Minister of Education. The achievement of objectives by these component parts contributes to the achievement of the general aims of the school system.

That is patently obvious to anybody. The Minister went on to spell out a declaration of human rights under the United Nations charter, and that is factual.

Later the document deals with "The Aim of Education in Victoria", and any person of average intelligence would have realized that this was the aim of education in Victoria. The statement continues:

> The central aim of education in Victoria is to provide educational experiences of the best possible quality for children, youth and adults.

I am not sure for whom else education could be provided! The Minister went on to explain the objectives of education in Victoria, and I will take issue with him again on page 9 on whether the word in the first paragraph should be rendered as "spelt" or "spelled", but that is only a minor detail.

This is a document with much unnecessary verbiage. If the Minister had not been fooled by the academic jargon used by some of the officers of his department or by himself—I am not certain about it at this stage—honorable members would have been better informed. I am staggered by the conclusion which reads:

> Society at large is far from static.

If my knowledge of history is any good, it never has been. I do not know how that was included. The theory of the statement is good and the desire to present a statement of aims and objectives is good, but I do not think there is any value in a Ministerial statement made by the Minister or the Assistant Minister of Education until the Green Paper has been presented to the Parliament, there has been some input into the discussion, and the White Paper is debated. Until that time the Assistant Minister and his colleague in another place are endeavouring to gain kudos from what appears to be a completely academic argument that has no bearing on the real needs of education in this State. It has been said widely throughout Victoria, with all respect to the Minister, that the Assistant Minister and the Minister of Education are digging a big hole for themselves into which they will fall, with dire consequences for education in this State.

Mr TEMPLETON (Mentone)—I move:

> That the debate be now adjourned.

Mr ROPER (Brunswick)—I find it incredible that at the death-knock of the Parliament the Minister should bring in a pseudo-academic exercise.

The DEPUTY SPEAKER (Mr A. T. Evans)—If the honorable member proposes to debate the statement, he is out of order. Is he debating the motion for the adjournment of the debate?

Mr ROPER—I suggest that it is unreasonable that this debate be adjourned, because with full knowledge that he was making a Ministerial statement, the honorable gentleman has brought forward a document which seems to claim that the use of large words automatically makes something wise. Having gabbled through a statement and allowed a couple of honorable members to speak on it, the Minister believes that is the end of the matter and that it should be placed at the bottom of the Notice Paper.

This year in excess of $1000 million will be spent on education and the presentation of this Ministerial statement provides honorable members with an opportunity of debating how that money will be spent over the next twelve months. One wonders how many forests must be demolished during the White Paper, Blue Paper, Green Paper, Red Paper, Brown Paper exercise. The Parliament should have an opportunity of dispensing with this item rather than leaving it languishing on the Notice Paper. If a reasonable debate were to take place on the Ministerial statement

now, honorable members could dispense with it and the Minister would not be embarrassed about the statement coming up at some future time. It is not good enough for the Government at the death-knock of the Parliament to make Ministerial statements and expect the Parliament not to debate them, especially when they are pseudo-academic bull shit.

The DEPUTY SPEAKER (Mr A. T. Evans)—The honorable member has been in this House long enough to know that such language is unparliamentary. It is degrading to the House and to the Parliament and I ask the honorable member to withrdraw it and in future to consider such remarks before making them.

Mr ROPER—I have considered the remark, but nevertheless, in deference to you, Sir, I will withdraw it. The document is pseudo-academic rubbish and it has not done education in Victoria any value. Honorable members are not permitted to debate the contents of the statement. The carriage of the motion by the honorable member for Mentone will prevent that. I hope the House will have the good sense to dispense with the Ministerial statement once and for all.

Mrs TONER (Greensborough)—I am upset that the debate is being closed because many new educational terms have been thrown into the debate and should be explored. In view of my career as an educationalist, I should have liked to have thrown some of these issues up and put to my students such expressions as "society is characterized by educational, social and economic inequalities" and "it is an imperfect society" and "the society is far from static". These are new statements which have not been discussed by society at large and they should be explored, particularly as education is generally in a watershed situation. Something new is put before the House, and honorable members would like to spend a few hours exploring it. It is tragic to close the debate. I am sure the former Minister of Education would be rather embarrassed tonight because even though members of the Opposition might not have agreed with his practice, his theory in general was something that could be presented and argued.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I have allowed the honorable member a good deal of latitude. On a number of occasions she has been debating the statement and not the motion.

Mrs TONER—I was attempting to do that but to express my regrets about the closure of discussion at this stage when so many new aspects of education have been put before the House. I regret that the debate is to be closed. In the next few months all I can do is spell out to the community at large what the Minister of Education and the Assistant Minister of Education are all about.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until next day.

SUPERANNUATION (AMENDMENT) BILL

The debate (adjourned from December 6) on the motion of Mr Thompson (Treasurer) for the second reading of this Bill was resumed.

Mr REMINGTON (Melbourne)—It is a refreshing experience to be able to debate a Bill the main thrust of which the Opposition thoroughly agrees with. I have been in this House for only two years and this is a rare pleasure. The object of the measure is to advantage a section of the working community in Victoria. This is a great contrast to the wretched Bill relating to workers compensation.

Mr Ramsay—Only 44 per cent increase in benefits!

Mr WEIDEMAN (Frankston)—I raise a point of order. The honorable member for Melbourne is referring to another debate which took place in this House and I believe he should direct his remarks to the Bill.

The DEPUTY SPEAKER (Mr A. T. Evans)—I cannot uphold the point of order because I was discussing the

measure with the Clerk. The honorable member for Melbourne knows the rules of the House.

Mr REMINGTON (Melbourne)—I was making a passing reference to an interjection by the Minister of Labour and Industry, who is agitated and frustrated. He ought to be at the St Kilda Football Club night but he could not get a pair.

This Bill affects in the long-term 85 000 people employed in the Victorian Public Service. Before going deeply into the second-reading debate I think some mention should be made of the fact that superannuation has a long tradition in Victoria. The first Bill relating to superannuation was Act No. 160 which was introduced in 1862. As early as 1856 the Government recognized that the whole question of superannuation and other working conditions of civil servants needed to be examined, and set up a board of inquiry. In 1859 a Royal Commission was established to examine the working conditions of civil servants. Out of that Royal Commission came the first superannuation Bill of 1862. Since then the benefits of superannuation have improved considerably. The Minister might be interested to know that the first Bill, which was a good measure, had a short life.

Under legislation introduced by Mr Ramsay in 1881, the Government ceased making available superannuation for officers of the Public Service and the railways. In 1883, the Act was reintroduced and improved. The Bill deals with an extremely important aspect of working conditions for the Public Service. There has been a tendency in recent times to centre worker satisfaction purely on salary. Certainly no one will deny that the purchasing power of workers is a personally important aspect.

However, it is important that workers not only have security of tenure, but confidence in their chosen profession so that when they retire they will be covered by a superannuation fund which will allow them to enjoy a degree of dignity in their retirement.

A community is judged by many things. Perhaps the Deputy Premier would agree that education is an important responsibility. The provision of job opportunities and health and welfare are also important matters. A nation is also judged on the way it accepts its responsibilities and cares for the elderly.

The Bill assists in improving a scheme which is generally recognized as an excellent one. That did not occur by accident. It occurred because of the interest taken in the superannuation scheme by the various unions and associations that have devoted a lot of their time to research on superannuation. One must pay tribute to the Victorian Public Service Association and those organizations for their contributions.

The Treasurer has assured me that the Government will move certain amendments at the appropriate stage. The Opposition's debate would be much more aggressive if the proposed amendments were not to be tabled. However, the Treasurer has shown the Opposition the courtesy and co-operation of indicating how the Government proposes to amend the Bill. Those amendments are totally satisfactory.

However, I cannot understand what inspired a Government to introduce a Bill with good intent and spoil it by certain clauses. There were some bad aspects in the Bill as it was originally introduced. Those aspects involved the areas of hiring and firing of Superannuation Board employees and denied to those people the right of appeal on promotion, demotion or dismissal.

Appeal boards were first established in the Public Service by the initial Act of 1862. The retention of those boards is a credit to the various Governments and unionists involved. Unions in the banking industry unsuccessfully endeavoured for many years to establish appeal boards. The bureaucracy that did and still controls the banking industry was always horrified about giving this concession to the banking industry employees. It is gratifying to note that the Public Service has had that benefit for so long.

I return to the specific aspects of the hire and fire clauses which are so offensive. The Treasurer has given me an assurance that those clauses will be satisfactorily and appropriately amended. The second-reading speech highlights some strange objectives. The Government is attempting to correct inefficiencies in an administration within the Public Service by an amendment.

The speech also highlights a problem which can arise where a married woman can join the Public Service and have six months in which to make certain decisions about joining the superannuation scheme. The current situation is that neither the board nor the contributor is made aware of the appointment until the statutory period of six months has elapsed. A person transferring from private enterprise would be shocked to discover that a person can be appointed temporarily to the Public Service permanent staff and not know for six months whether he or she is eligible for superannuation. The only way the employee finds out is if something happens to her pay packet and that person dashes to the paymaster to inquire what has happened and discovers that she is a member of an appropriate fund.

The Bill aggravates that situation by encouraging incompetence. A married woman has six months to wait before she is made aware of the appointment. That is a staggering situation and an outrageous disgrace, especially when one of the major Bills debated this afternoon dealt with the restructuring of the Public Accounts Committee. All honorable members expect the new legislation to overcome inefficiencies and to ensure that proper business practices are followed in the Public Service.

However, the Government has had a gross inefficiency brought to its attention. The Government does not examine the system and tackle it in a proper and business-like way. The Government's Parliamentary Counsel brings forward amendments to the Superannuation Act to make it easier for that incompetence to continue. That is outrageous and absolutely disgraceful.

Mr Weideman—What do you like about it?

Mr REMINGTON—The Opposition welcomes the fact that the Bill contains half-yearly cost-of-living adjustments. To obtain a full pension from the Public Service, one has to reach the age of 65 before retiring. That might have been a reasonable age in 1862, but in the era of technological change and ever-increasing unemployment, one would have thought that the Government would cope with the situation in a meaningful way by restructuring the retirement age so that officers can receive a full pension at 60. To perpetuate an age of 65 for retirement is an outdated aspect. One cannot even obtain a discounted pension at 55. That is a bad feature. It is to be hoped that the Minister takes note of the Opposition's remarks and corrects the situation.

Many people become discouraged and dissatisfied with their working environments; they find that they are square pegs in round holes. Yet a provident fund is like a golden chain around the worker's ankle. Although the fund sets out to protect the worker at retirement, it often imprisons a person in employment whereas that person would make a better contribution if he or she were free to quit that job and work elsewhere. The Government should examine that aspect and make proper provision for people to retire at 55 if they want to so that they can become involved in some other job.

A person does not even receive interest on his contributions. That person is receiving devalued money which has been invested and capitalized by the Government, but all the employee receives on leaving the service is the contributions made since either he or she was twenty.

Bismarck promised a pension to former soldiers who managed to live beyond the age of 65. Needless to say, the mortality rate was high. Bismarck's intention has been embraced by the Superannuation Board.

The Government has undertaken to retain parity between the railway employees who have elected to restrict their unit entitlement to the State superannuation scheme so as to achieve service grants. Those who are eligible to receive retirement grants are able to do so as a result of the amendment in the Bill. If an employee does not want to obtain that additional benefit, he is not obliged to do so. Honorable members should pay attention to a comment made in the report of the State Superannuation Board for the year ended 30 June 1977, which states *inter alia:*

> it is felt that there is scope for the fund to share some of the administration costs as is done elsewhere in some other State Public Service Funds, especially in the area of investments.

In a way it complains about increasing demands being made for more information, advisory services and general improvements in all-round efficiency of the board's administration.

My experience on the Public Accounts Committee is that the State Superannuation Board suffers from a too hard-line adherence to staff ceilings. It rather staggered me that the Government was amending the Act to overcome inefficiencies in advising people as to how long they have been appointed. In the same way, the Bill contains other amendments which will allow the board to hire and employ additional employees to provide a service for housing loans. One would have thought that, with efficient management procedures, it would not have been necessary to go to the lengths of amending Bills to allow that to take place.

If the administration in the State Superannuation Board is such that the board feels constrained in its powers because of staff ceilings, surely it is the place of the responsible authority to provide additional staff. The Bill is a left-handed endeavour to achieve that.

The principal Act contains anomalies which allow members to exploit the rules so as to obtain benefits which the fund was not designed to give them. It is proper that those escape holes should be closed down and the Bill sets out to achieve that. It also provides for the retention of supplementary rights of an officer who has been retired and recalled to duty and who has again been retired on the ground of ill-health. Public servants sometimes retire on a sickness pension and return to health, and there is a sensible provision which creates the means by which those people can return to the Public Service.

The Bill has the support of the Opposition and I thank the Minister for his advice on the amendments he has indicated he will move.

Mr HANN (Rodney)—The National Party supports the Bill, which has been dealt with in detail by the Minister and by the honorable member for Melbourne, so I shall not go into similar detail.

The National Party supports the principles of six-monthly indexation of pensions and the aspects of the Bill relating to the rights of women and those of railway employees. I shall be interested to hear the Minister's explanation of the proposed amendments.

The National Party recognizes the strong support that the public servants of the State give, especially in country communities. Recently I shared an annual dinner with the local branch of the Victorian Public Service Association. They are dedicated people working in close co-operation with members of Parliament and providing valuable service to local communities. That same situation applies in the metropolitan area. The National Party is pleased to give strong support to the measure.

Mrs TONER (Greensborough)—In supporting the Bill, I note that the Government is introducing half-yearly adjustment of pensions and adjusting the unit entitlement of railway contributors. Nevertheless, I am disappointed at the limitations in the proposed changes. I would have hoped that a Bill relating to superannuation would have come to grips with legitimization of discrimination which is enshrined in the Superannuation Act and the Equal Opportunity Act. Honorable members will be aware of the Equal Opportunity Act passed a couple of years ago which

excluded from its operations discriminatory provisions in superannuation and pension schemes. One of the principal reasons for that was the complex structures of superannuation schemes within the State.

The Bill before the House offered the Goverment the opportunity to redress that situation. Clause 4 amends the statutory period during which a married woman may elect not to contribute to the Superannuation Fund. It redresses an anomaly which the Minister has recognized, but it really does not come to grips with the situation that married women feel impelled to opt out of the scheme. An examination of that matter should be undertaken so that legislation can be brought before the House to enable honorable members to address themselves to that situation.

The reason why women opt out of the scheme is that they are dissatisfied with the dependency guidelines established by the Act. For a widower to be deemed to be dependent, the guidelines are, firstly, the widowed husband's income must be no greater than 30 per cent of the total of the joint incomes in existence immediately prior to the death of the female married contributor; and, secondly, his earnings must be less than average weekly earnings.

The Victorian Teachers Union is currently sponsoring a legal challenge to these guidelines in terms of a decision which relates back to a case in 1976, but no progress has been made. It is a slow process. It is a shame the matter has not moved more quickly. Honorable members may be aware that the widower of a deceased former female contributor is entitled to a pension equal to two-thirds of the woman's pension entitlement, subject to his having been, in the opinion of the board, wholly or substantially dependent on her immediately prior to her death.

This notion of substantial dependence is worrying as it relates to a number of aspects of workers compensation. It does not come to grips with modern society. The present definition of "substantial dependency" gives no attention to the modern two-income family where interdependency exists and the family's lifestyle and financial commitments are geared to two incomes. In that respect each spouse is essentially dependent on his or her partner to maintain the patterns of family living and the commitments and obligations to children.

I refer particularly to a case that has been brought to my attention. Two teachers were married and their incomes were similar, the woman's salary being a little higher than that of her husband. The total family income was involved in providing in what they considered was the appropriate fashion for their family. Unfortunately, the wife died in 1976. It was very sad and the husband was left with three school-aged children. The two boys attended Essendon Grammar School and the girl was a student at Penleigh. Instead of being in comfortable circumstances, the family was forced to depend on one income because it was not possible for the husband to claim on the superannuation paid by his wife. The case is still being studied and the Government has not come to grips with it.

It is perfectly clear that if two people live together and their total income is spent on the family, they are substantially dependent on each other. Somehow, that simple fact has not been recognized and that has led to deprivation in the case of the family to which I referred. The educational aspirations they had for their children have suffered and the family is no longer comfortably off. They have not been able to have the holidays that were planned or to extend their home in the way they wished. They had intended to provide a study for the older children, and the oldest child is now at university. They are no longer able to afford the housekeeper who used to come in when both parents were working. Their lifestyle has been changed. That is inappropriate. Had the husband died first, the family situation would not be so grim because a pension would have been available to the wife from the superannuation

scheme to which the husband contributes. However, that is not so, simply because the way in which the Superannuation Act is presently framed.

The Government is playing around with the situation, perhaps in an effort to gain an advantage because several families may be in this category. The Government is not coming to grips with discrimination and I hope the Minister will give the problem serious consideration. The honorable gentleman would then understand that, in families where both parents earn equal incomes, if the female dies first the family is disadvantaged. That is not the case if the husband dies first.

I hope that on the next occasion when Parliament is considering the Superannuation Act, it will be giving its attention to this matter. I am aware that the unions and the Government are anxious for the Bill to be passed. It is a good Bill and I commend it, but I reiterate my hopes that on the next occasion on which honorable members are addressing themselves to the Superannuation Act they will be dealing with the discrimination problem and will provide for families on equal terms. I understand that before Christmas the Equal Opportunity Board is to present to the Premier—it may have been done so already—some suggestions about equality in Superannuation. It should be remembered that when people opt for superannuation they are not considering themselves, they are concerned about the security of their families, and wives are just as concerned about that as husbands.

The SPEAKER (the Hon. S. J. Plowman)—Order! The time appointed by Sessional Orders for me to interrupt business has now arrived.

Mr MACLELLAN (Minister of Transport)—I move:

That the sitting be continued.

The motion was agreed to.

Mrs TONER (Greensborough)—I was about to conclude my remarks. I know the Treasurer has taken note of my comments and I hope that next year they will be considered when a Superannuation Bill again comes before the House.

Mr THOMPSON (Treasurer)—I will be happy to bear in mind the problem raised by the honorable member for Greensborough when the next Bill amending the Superannuation Act is before the House.

I do not always agree with the criticisms made by the honorable member for Melbourne, but on this occasion I do agree. It is extraordinary to hear that some people have been members of the Public Service for six months before finding out that that was so. I have already instructed that an investigation be made to find out who the people were and how it occurred. I contemplated the course of action the honorable member hinted at, but perhaps the clause should have been rectified in the first place. As a double check, I have left it in the Bill, but I will follow up the cases to ensure that this does not occur again.

The motion was agreed to.

The Bill was read a second time, and ordered to be committed.

The SPEAKER (the Hon. S. J. Plowman) 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 Superannuation (Amendment) Bill.

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

Clauses 1 to 5 were agreed to.

Clause 6 (Amendment of No. 6386)

Mr THOMPSON (Treasurer)—I invite the Committee to negative clause 6.

The clause was negatived.

Clauses 7 to 16 were agreed to.

New clause AA

Mr THOMPSON (Treasurer)—I move:

Insert the following new clause after clause 5—

'AA. After section 6C of the Principal Act there shall be inserted the following sections:

"6D. (1) Subject to the Public Service Act 1974 there shall be appointed such officers and employees as are necessary for the management of the investments referred to in section 6 (1) (*b*).

(2) The Treasurer may direct that the Board reimburse the Consolidated Fund from any moneys standing to the credit of the Fund for any salaries or expenses paid out of the Con-

solidated Fund to any person employed for the management of the investments referred to in section 6 (1) (*b*).

6E. Notwithstanding section 6 (1) and in addition to the powers conferred by section 6D (2) any outgoings incurred in connexion with the management of the investments referred to in section 6 (1) (*b*) may with the approval of the Treasurer be paid by the Board out of moneys standing to the credit of the Fund."'

The purpose of the new clause is to ensure that people who are appointed to assist the State Superannuation Board to manage its investments are appointed under the provisions of the Public Service Act. In its original form, the Bill would have allowed the board to appoint those people. Mr Parker, the secretary of the Victorian Public Service Association, presented a convincing case to the Premier and myself and, I think, to the honorable member for Melbourne, on the basis that the people who should be employed are people who would normally be appointed by the Public Service Board.

There is also a provision in the proposed new clause allowing the board to pay the people out of its own funds. The Government agreed to the proposal. The basic change is that the Bill will provide that those people will be appointed under the provisions of the Public Service Act and not independently by the board. All parties are reasonably happy with this measure, particularly the Victorian Public Service Association.

Mr REMINGTON (Melbourne)—I referred to this amendment earlier in the second-reading debate. In its original form it would have been offensive, but I am pleased to acknowledge that the Government has listened to the Victorian Public Service Association, which rightly defends the interests of its members. The other unions would also do so. The amendment is sensible and logical.

The new clause was agreed to.

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

PUBLIC SERVICE (AMENDMENT) BILL

This Bill was returned from the Council with a message relating to amendments.

It was ordered that the message be taken into consideration next day.

MASTER BUILDERS' ASSOCIATION OF VICTORIA (GUARANTEE) BILL

The debate (adjourned from November 28) on the motion of Mr Thompson (Treasurer) for the second reading of this Bill was resumed.

Mr SIMMONDS (Reservoir)—This is a significant Bill to the extent that it produces the first attempt at a concept which has been advocated by the Australian Labor Party, namely, apprenticeship to an industry rather than to an employer. The Opposition acknowledges that this is the first hesitant step towards that objective. This scheme will provide by guarantee, through the Master Builders Association, resources to initially train 30 apprentices, which indicates the scale of the scheme which has been supported by the industry and meets with the approval of employers and employees in the industry. The Opposition is pleased to support this measure.

I indicate to the Deputy Premier who is handling this Bill for the Government that the need to rapidly expand this scheme will become obvious when he looks at the annual report for 1979 of the Industrial Training Commission of Victoria. In the building industry, the indentured intake figure was 1873 and the total number approved by the commission for apprenticeship training was 7889, a percentage decrease of 4·3 per cent. This shows that not only a re-arrangement of the method of apprenticeship in the building industry will be needed but other budgetary proposals will be necessary to support the industry, otherwise the scheme will not be as successful as one would wish.

When one compares the relevant figures of other industries, in the metal industry, one finds that the indentured

intake figure was 3746 and the total number approved by the commission for apprenticeship training was 13 629, a 6·9 per cent increase on the previous year. The biggest increase occurred in the printing trade. Those figures show that the building industry needs support. This measure will provide that support and the Opposition endorses the Bill.

Mr JASPER (Murray Valley)—The National Party also supports the passage of this measure. The Master Builders' Association of Victoria (Guarantee) Bill is a co-operative arrangement between the Government and the Master Builders Association of Victoria for the establishment of a group apprenticeship scheme. I have investigated this Bill with the Master Builders Association and it has indicated total support for the development of this scheme. In anticipation of that, I am informed that the Master Builders Association has approximately sixteen apprentices ready to begin training immediately under this scheme.

The Bill is small but it does ratify the guarantee funds for that association. I applaud the Government for its support of apprenticeship training in Victoria. On another occasion the Minister of Labour and Industry indicated that there are approximately 36 000 apprentices in Victoria.

There is certainly a need for technically trained people in Victoria if secondary industry is to develop as it should. In the past, there was concentration on academic development to the detriment of technical development throughout the State. I applaud the attitude of the Government in assisting apprenticeship training by paying the first year of the workers compensation impost for all apprentices taken on in Victoria. The impost of workers compensation is, to most employers, of major consequence in deciding whether to take on more employees, particularly in small businesses with one or two or a small number of employees.

Workers compensation is more an impost on the small businessman than on the large business, which is often able to absorb workers compensation payments easier. It is interesting to note the move made by the Federal Government, which is prepared to support apprenticeship training.

The SPEAKER (the Hon. S. J. Plowman)—The honorable member appears to be straying a long way from the Bill.

Mr JASPER—The point is taken. I reiterate that assistance is given by the State and Federal Government for apprenticeship training. This Bill takes another step in that direction. The Federal Government pays $1000 to employers who take on apprentices. The Bill indicates that the State Government will support this measure with an initial grant of $40 000 towards the administration of the group apprenticeship scheme. This measure will assist the scheme to get off the ground. The building industry is a volatile industry and is usually a good indicator of how the economy is running.

Master builders and many other builders feel committed to the apprenticeship scheme but, when they need to put on an apprentice for four years without in many cases being able to shift that apprentice from that employment to another employer because of a lull in building contracts, they become reluctant to take on the apprentice. Therefore, one can see the obvious gains and advantages that will result from the development of this group apprenticeship scheme.

One building firm in Wangaratta in the electorate I represent, L. H. Brown Constructions Pty Ltd, formerly employed 48 workers and apprentices. At present, because there is not much contract work available in north-eastern Victoria, the firm is employing only eighteen people and two apprentices. The type of group apprenticeship scheme proposed in the Bill would be of considerable assistance to a firm like that.

The Master Builders Association will also strongly support this proposal. In his second-reading speech the Minister stated that an apprentice must work a minimum of three months with one employer before being hired out to another employer. This will be a significant advantage to smaller businesses

and probably to the single operator who may be able to gain a contract and contact the Master Builders Association to take on an apprentice for three months to assist him with the contract.

The group apprenticeship scheme is an excellent development, taking into account the risks and difficulties experienced by employers in the building industry, particularly contractors and builders. The National Party supports the measure and I know the Master Builders Association believes the number of apprentices to be taken on initially will soon increase from the 30 as mentioned in the second-reading speech to 100. The National Party applauds the introduction of the proposed legislation and hopes it will have a speedy passage through the Parliament.

Mr SPYKER (Heatherton)—I support the Bill and welcome it because it is the first attempt that has been made to increase the number of apprentices in the building industry. I also welcome the support for the Bill provided by the Master Builders Association because I have been concerned about the declining number of apprentices in the building industry.

For a number of years attempts have been made to increase the intake of apprentices, and a Federal Government subsidy is now available to employers to enable them to take on additional employees. The trend has been to import tradesmen from overseas rather than to employ young, unemployed Australians. There has also been a tendency to mass-produce goods and to concentrate on quantity rather than quality.

I also emphasize the importance for employers who take on apprentices to be responsible for ensuring that the apprentices qualify fully in the trades being undertaken, because criticism has been levelled in the past that we have tried to produce large numbers of apprentices rather than concentrating on quality. It is a disadvantage to a person for the rest of his life if he completes an apprenticeship without becoming fully qualified. Therefore it is important to make sure that the training is adequate.

The Department of Labour and Industry has a responsibility to ensure that training facilities are available, particularly with small contractors who have a narrow range of work that does not always give a young person sufficient scope to be fully qualified after completing his apprenticeship. That aspect needs to be considered because it will allow people to transfer from one employer to the other if half-way through the apprenticeship it becomes apparent that the training facilities are not adequate.

It is most important that when a young apprentice completes a course, he should be fully qualified to do the job for which he has been trained so that there will be far fewer complaints from the general public about shoddy work.

Mr THOMPSON (Treasurer)—I thank honorable members for their comments. The Government is keen for this new form of apprenticeship training to get away to a successful start. In my second-reading speech I mentioned that help would be provided in two ways: Firstly, through a Government guarantee for the overdraft that the Master Builders Association would be required to obtain to launch the scheme and pay apprentices during the first thirteen-week training period, and, secondly, through a grant of up to $40 000 or $50 000 which would be provided to cover the administrative costs of the scheme.

As a result of a conference with the Master Builders Association and officials of the Department of Labour and Industry it has been decided to help them in two further ways: Firstly, by providing an additional $15 000 to cover interest on the overdraft, and, secondly, by allowing a recoup of pay-roll tax up to $40 000 to $50 000 a year in the belief that these people would probably not be otherwise subject to the tax and it seemed not unreasonable to make that concession. This would help to build the scheme up to a higher level, employing more young apprentices at an earlier stage.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Power of Treasurer to execute guarantees)

Mr THOMPSON (Treasurer)—I move:

Clause 2, line 37, after "borrowed" insert "to the satisfaction of the Treasurer".

This is a small amendment which will ensure that the borrowing is carried out to the satisfaction of the Treasurer. It is a standard form of drafting and it is believed wise to keep the Bill in line with other similar measures.

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

The preamble was verbally amended, and, as amended, was adopted.

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

MOTOR CAR (INSURANCE BY PENSIONERS) BILL

The debate (adjourned from December 5) on the motion of Mr Thompson (Treasurer) for the second reading of this Bill was resumed.

Mr CRABB (Knox)—As stated by the Treasurer in his second-reading speech, the Bill will allow the Government, beyond doubt, to give pensioners who satisfy the means test requirements a 50 per cent reduction in third-party insurance premiums from 1 January of next year. This measure will match the Government's election promise and its exciting commitment to reduce motor registration premiums to that extent.

However, several aspects of the Bill are of concern, although in no way do I suggest opposition to the Bill or to the degree of compassion the Government offers for pensioners in difficult circumstances in these difficult times. My first concern is that, when the Government promised a 50 per cent reduction in third-party insurance premiums for pensioners, it was not announced that it would be funded by premiums everyone else must pay. The Bill implies that the aggregate premiums collected from approximately 2 million registered vehicles will still produce the aggregate amounts of premiums required, which means, by definition, that some sections of the community will be paying half the cost and everyone else will be paying more. That was certainly not made clear by the Government at any stage, and I hope the Treasurer is able to clarify the point of just how much it will cost all the other motorists of Victoria who are not holders of social security cards.

From answers to questions without notice in the House, it is obvious that the Government intends to increase third-party insurance premiums from 1 January next year. That was the recommendation of the premiums committee and it was also recently recommended in the annual report of the State Insurance Commissioner. As I recall, the sum involved was approximately $30 so that the fees would increase from approximately $118 to $150 a year. The proposition is that everyone else will be paying $150 while pensioners who are eligible for concessions will be paying $75. It is only honest and honorable for the Government to announce that that is its intention now.

It is not reasonable for the Government to expect the House to pass enabling legislation so that the Government can fiddle with third-party insurance premiums without informing honorable members and the public of its real intentions. Changes in the third-party insurance premiums are made by regulation and not by legislation, but this enabling legislative measure has to be passed by Parliament. But I reiterate that it is incumbent on the Treasurer, if he is to be honest about his responsibilities, to inform the House of his intentions before the measure is passed. Apparently there will be a reconstruction of the third-party insurance premium structure, and so there should be.

The present system is archaic. I direct attention to the one aspect of it, the 20-mile limit, which is now 32

kilometres, from the General Post Office. One could not imagine a more ridiculous system for establishing who is a country motorist and who is a city motorist. As it happens, that boundary actually goes through part of the electorate I represent, and people living in a certain house in a certain street pay $20 a year less for third-party insurance than the person next door.

Mr Jasper—Where is your house?

Mr CRABB—Unfortunately, my house is inside the boundary and I assure the honorable member that I tried hard to purchase a house outside that boundary, but it was not possible. The boundary also passes through the electorate of Frankston and Werribee in the same way.

The Motor Registration Branch has a list of all the streets traversed by the boundary and of the numbers of the houses in the streets inside and outside the boundary. That is a ridiculous system for taxing people to cover payments through the Motor Accidents Board and through the State Insurance Office.

Mr Jasper—It really does not have that much to do with this Bill.

Mr CRABB—Indeed it has, because the Bill enables the Government to reduce third-party insurance premiums in respect of certain people—those people being certain pensioners. The general intention of the Government is to restructure third-party insurance premiums and, as it happens, this is the only part of the restructuring that needs to be approved by Parliament. The honorable member for Murray Valley ought to be more interested in the Bill because his constituents might well be disadvantaged if, for example, the Government were to announce the removal of distinctions between country and city motorists.

The point of view put forward by the Opposition on many occasions is that the proper way to fund benefits paid to the victims of road accidents is through a petrol levy. That is pay-as-you-go taxation. It is singularly inappropriate to tax every owner of a motor vehicle, who is not a pensioner, $150 a year. They all pay the same, irrespective of how far they travel in the cars and how often they use them and how much use the cars are exposed to. It is only reasonable that the person who drives his car seldom should pay much less than the person who drives his car far and often. I commend to the Government yet again that it ought to be looking towards a pay-as-you-go petrol levy and the reduction of fixed charges for motoring.

The Bill should not be passed until the Government has come clean about its intentions on third-party insurance. It is almost the end of December and the Government has expressed its intention of changing the structure of third-party premiums and increasing those premiums from 1 January. That is barely three weeks away. It is not good enough for the Government to ask for Parliament to pass enabling legislation without informing the House of its intentions regarding third-party insurance premiums to take effect from 1 January.

Mr JASPER (Murray Valley)—The National Party supports the Bill which will reduce the third-party insurance premiums paid by aged, invalid and widowed pensioners by 50 per cent. This follows the 50 per cent reduction in motor registration fees paid by pensioners provided in the Motor Car (Fees) Bill which was debated in this House last week. The National Party supported strongly the 50 per cent reduction in motor registration fees for pensioners. This was stated well before the election and I mentioned it many times throughout the electorate that I represent, as did many other members of the National Party. It is imperative that pensioners receive registration concessions because many pensioners in country areas need motor vehicles to be able to do their shopping and so forth.

Mr Crabb—What about in the suburbs?

Mr JASPER—This applies also to pensioners in the metropolitan area but they have access to public transport.

Country people do not have the availability of public transport. This Bill will be of great benefit to pensioners living outside the metropolitan area of Melbourne.

Many people do not realize that motor registration is in two parts, that it consists of a registration fee and a third-party insurance premium.

Mr Crabb—And a surcharge.

Mr JASPER—The surcharge has been increased, but it is included in the third-party premium. The Government found itself in a bind. When it stated that it intended to reduce motor registration fees for pensioners by 50 per cent, I believe it was referring only to the actual registration of the motor vehicle and not to the third-party insurance premium. However, before the election—the Labor Party has made a great play of this point in recent weeks in the Parliament—the Premier said that the Government would reduce registration fees and third-party insurance premiums by 50 per cent. The Government found that it would have to honour this promise and reduce both registration and third-party insurance by 50 per cent.

The National Party supports the Bill and any assistance to pensioners because many pensioners are in difficulty in making ends meet. This will enable many people to continue running motor vehicles.

The honorable member for Knox raised a valid point. The Government stated that it will reduce the third-party insurance by 50 per cent but it has not stated where the money would come from to do this. I should like to hear the comments of the Minister in this regard. It is incumbent on the Government to recognize that it will have to make up the 50 per cent difference in the third-party insurance premiums to the State Insurance office so that other people paying third-party insurance will not be loaded with an additional premium because of the reduction provided to pensioners. I hope the Minister will clarify that point before the Bill is passed by the Parliament.

The honorable member for Knox also mentioned the restructuring of third-party insurance premiums. At present there is a variant whereby country people pay a lower third-party insurance premium. When the Government is restructuring third-party insurance, it is hoped that country people will receive the same consideration as in the past with a reduced amount of third-party insurance.

The National Party supports the Bill. It should like to hear the comments of the Treasurer on the points I have raised and it hopes the Bill will have a speedy passage through both Houses.

Mr THOMPSON (Treasurer)—This proposal has been welcomed by all members of the community, particularly pensioners. It is estimated that approximately 360 000 to 370 000 card carrying pensioners would qualify. Approximately one-quarter of them would own motor cars, which would suggest that about 90 000 people would qualify for this concession. The total cost has been estimated at between $4 million and $4·5 million. These are estimates because the records in this field are not exact. It is difficult to obtain the exact number of pensioners who own motor cars. It is proposed to absorb the cost from the general third-party premium area.

The total premiums coming into the State Insurance Office are of the order of $240 million to $250 million a year, about $190 million of which comes from the third-party insurance area. The argument that has been indirectly inferred is that perhaps the general run of taxpayers should pay for these concessions. Indirectly I believe that will be the case because part of the profits from the State Insurance Office go to the Consolidated Fund. The distribution of the amount declared as profit is determined under the Act by the Auditor-General, the Director of Finance and the Insurance Commissioner. Last year an overall profit of $33 million was made. Of that $16 million went to the Treasury and $17 million went into investment reserves. In the previous year a profit of $61 million was made. If there is an additional cost of $4 million or so

to provide these concessions for pensioners, the profit is likely to be reduced and in that way the Consolidated Fund will contribute to the cost.

Mr Jasper—If it is a loss, the motoring public will pick up the difference?

Mr THOMPSON—The Government will be reluctant to see any over-all loss because of the effect it would have on the Budget. In the past couple of years, as I mentioned, there was a profit of $61 million —before any money was diverted to the Consolidated Fund, and last year, a profit of $33 million. The final analysis really would be a loss to the Consolidated Fund for taxpayers. Immediately, the concession cost would be borne by the third-party insurance structure. In the long run it is the Budget that would feel the impact. That is a very important point.

The honorable member for Knox referred to recommendations from the Premiums Committee for an increase in third-party premiums. It is quite true that the Government is considering that matter at present, and some sort of review at this stage is necessary. It would be an upward, rather than a downward movement, in view of the fact that the last increase was in August 1976; almost three and a half years have elapsed. We are looking at the Minogue report at the same time. The honorable member referred to a 30 per cent increase. The Government would be most reluctant to see a 30 per cent increase imposed at this stage. Therefore, the Government will take considerable care to develop ways and means of keeping that increase as low as possible for the motorist. There has been no firm date fixed for any review, or any increase, nor any specific percentage increase. The Government's aim will be to keep it as low as possible, bearing in mind the premium income, not only of third party, but across-the-board for comprehensive insurance, and also for workers compensation.

It must be borne in mind also that investment income reached the sum of $64 million last year. It is not possible just to isolate the premium income and say, because of the loss in operations for the year based on the premium income, the premium must go up by a fixed percentage, although it is the duty of the Premiums Committee to recommend that course. The Government is looking at it across the board, with a view to keeping any increase in third-party premiums as low as possible.

The motion was agreed to.

The Bill was read a second time and, by leave, the House proceeded to the third reading.

Mr THOMPSON (Treasurer)—I move:

That this Bill be now read a third time.

Mr CRABB (Knox)—During the second-reading debate I posed some questions to the Treasurer, to which he responded, and I must say that the Opposition endorses the idea of using the profits of the State Insurance Office for the benefit of the community. It strengthens our view that the franchise of the State Insurance Office ought to be expanded to increase that capacity.

However, I take it from what the Treasurer said, that it is not the Government's intention to increase third-party insurance premiums from January next, or that is not immediately contemplated. However, if that happens, I can assure the Treasurer that, on the first week that Parliament sits in March, the Opposition will move a substantive motion, but it seems that the profits of the State Insurance Office——

The SPEAKER (the Hon. S. J. Plowman)—I ask the honorable member, in debating the third reading, to confine himself strictly to what is in the Bill. What may or may not happen, is not in the Bill.

Mr CRABB—The Opposition certainly supports the Bill on the basis that the cost of the measure of $4·5 million will be funded out of the profits of the State Insurance Office, but it is sceptical about the capacity of the Government to meet that cost without increasing the insurance premiums on everyone else. However, I accept the undertaking given by the Treasurer, but I give him a warning that if that undertaking is not met, there will be hell to play in March.

The motion was agreed to, and the Bill was read a third time.

TOWN AND COUNTRY PLANNING (AMENDMENT OF SCHEMES) BILL

The debate (adjourned from October 18) on the motion of Mr Leiberman (Minister for Planning) for the second reading of this Bill was resumed.

Mr CAIN (Bundoora)—This Bill does two things. Firstly, it seeks to amend the provisions of section 32 (6) of the Town and Country Planning Act and, secondly, it seeks to validate any Orders in Council made pursuant to that provision. They may have been made in the wrong terms, consequent upon what appears to be some misunderstanding of what the section means.

The Opposition does not oppose the measure, although I shall mention two or three matters during this debate. The first is, that this is yet another validating provision in regard to matters under the Town and Country Planning Act. It is probably the third in this sessional period, and it again emphasizes the difficulties that are being experienced by officers responsible for interpreting the provisions of the Act. Section 32 (6) allows an amendment of a planning scheme, without requiring the usual formalities of preparation of a scheme, and exhibition, and the whole range of formalities that are generally associated with an amendment to a scheme. It provides that that amendment can take place by Order of the Governor in Council upon the application of the responsible authority, the Town and Country Planning Board, or any other person, after the Minister has considered a report by the Town and Country Planning Board, and has consulted the responsible authority on the proposed amendment. That is paraphrasing the provision.

The difficulties occurred with the use of the word "he", in the fifth line of the section. It was not clear whether the word "he" refers to the Governor in Council or the Minister. It is intended to make it clear that when the word "he" is used, that it is the discretion of the Minister that is being referred to and not the discretion of the Governor in Council.

It appears that orders have been made, drawn in terms of the section, perhaps meaning that it is the discretion of the Governor in Council. This is one of those Draconian measures that enables planners to wield great authority, with swiftness and certainty. It is a short-cut section that provides that formalities can be ignored. Because of its power, and the way it circumvents the normal planning requirements, it was not intended that it should be used other than very sparingly. Any provision that dispensed with the safeguard built into the Act must be treated in that way.

It has been put to me that there have been several occasions when the section has been used in a way that was not intended. I submit to the Minister that it has been suggested that a fairly recent amendment—it was No. 132 I think—which re-enacted an earlier amendment, No. 127, was deleted. Amendments 133 or 132 were introduced by the use of section 32 (6) with a let-out clause, that had previously been in amendment 127. It has been suggested that the use of that section on this occasion did lead to a position where rights that were established under the previous amendment were taken away.

I want to put to the Minister that in exercising these powers he should be aware of the very powerful effect they can have, and he ought to ensure that the section is not used except in exceptional circumstances where its use is thoroughly justified, and in no circumstances where it can be suggested that previously existing and established rights of persons or companies, under existing planning requirements, are affected by its use. With those qualifications, the Opposition does not oppose this Bill.

The motion was agreed to.

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

EDUCATIONAL GRANTS (CONTINUATION) BILL

The debate (adjourned from November 15) on the motion of Mr Lacy (Assistant Minister of Education) for the second reading of this Bill was resumed.

Mr FORDHAM (Footscray)—This is a Bill to amend the Education Grants Act of 1973, an Act placed on the statute-book at that time to honour a Government commitment to subsidize non-Government schools to the extent of 20 per cent of the estimated cost of educating a child in primary education, and secondary education respectively, within the Government school system.

At the time of the original Act in 1973, the levels of subsidies were $62 in respect of each primary school student and $104 in respect of each secondary school student. They took effect for the 1974 school year. Since the introduction of the original Act, a Bill has been introduced each year to maintain a subsidy at the 20 per cent level, partly to take into account the effect of inflation on education and the growth of expenditure within primary and secondary education.

By 1979 the levels of expenditure reached $197 for each primary school child and $326 for each secondary school child. In 1980 a change will be made to the arrangement that has prevailed for the past half a dozen years, and the subsidy calculation is to be based upon 21 per cent of the estimated cost of educating a child at a State school and the new figure provided by the Minister of Education of $233 for a primary school pupil is an increase of 18·3 per cent, and the $387 for a secondary school pupil is an increase of 18·8 per cent.

The increases over a period have been considerable, in fact quite mammoth. I have not finished calculating the percentages over that period of time, but by any criteria it is a massive increase over a seven-year period. During the year 1980, $69 million will be provided for these subsidies. That does not take into account the full cost of the 1980 expenditure requirements because only 25 per cent of the 1980 expenditure requirements is contained in that Budget figure. The component that will be brought into account next March will mean that a considerable portion of education funds is being expended in that area of activity.

To overcome some of the unusual banter on this Bill each year by the Government, I indicate that the Opposition accepts the need for assistance to non-Government schools. It was a Labor Government in Canberra that initiated significant increases in the assistance level following the acceptance by the Whitlam Government of the Karmel report, which examined the needs of all schools, both Government and non-Government sectors.

From the time of that report, especially during the years of the Whitlam Government, there has been a significant flow of funds to the non-Government schools sector, but there has been evidence of different basic philosophy and approach by the Opposition in comparison with the Government's handling of assistance to non-Government schools.

Such funds should be allocated on the basis of need, not on a simple *per capita* basis enshrined in the original Act of 1973 and pursued in this Bill. For far too long the education system has failed to take account of what should be seen as a basic fact of life. Not all students are the same. Students have a variety of aptitudes and needs. The monumental Ministerial statement dealing with future aims and objectives contained a number of statements which recognized that students do have different aptitudes and needs and that the education system, through funding, must take that into account. Rather than talking about it, the whole basis of approach should be to take that into account. The allocation of resources must take into account that fact of life if the Government is serious about providing a real measure of equal educational opportunity.

The statement is made so often by the Government that it does believe in equal education opportunities for

every child. However, in practice the Government does not believe in it and fails in its policies and programmes to follow through on that statement. Does Parliament believe every child should have the opportunity to develop to the utmost his or her talents and capacities? Should Parliament reject the notion of an élitist society fed simply by élitist schools? One cannot have it both ways.

If Parliament believes every child should be given the same opportunity in the interests of both the child concerned and society at large, Parliament cannot proceed with the notion of maintaining through the *per capita* system an élitist set of schools. That is exactly what is happening, whether honorable members like it or not.

If a *per capita* funding is maintained, there is no doubt that continuing difficulties will occur. The Labor Party is bound to reject the notion of *per capita* funding in either the Government or the non-Government sector. There has been some recognition over recent years of the differences. Legislation has been enacted which recognizes that a number of students are handicapped. Parliament has a responsibility to provide additional educational resources to help overcome that handicap.

However, there are other measures of disadvantage. There has been some belated recognition of the specific problems facing migrant students and adults and the need for development of special migrant education programmes. There has been increasing recognition by the Government of the need for remedial programmes to be employed in primary and secondary schools to try to overcome the problems and the gaps which are obviously there. The Government has at least been paying lip service to this need. The problems and gaps flow from a simple *per capita* approach whether in the Government or non-Government sector. It means that a certain number of teachers, class-rooms and books are provided for a certain number of children, but that does not work and the needs of the children concerned have to be taken into account.

Mr Fordham

The needs factor has to be paramount in our approach to education. I reiterate that once the review is completed and the aims and objectives of education are determined, society must surely respond to those facts of life with which I have dealt.

The Government has used rhetoric to promote equal opportunity of education, but in the State sector there is still an enormous leeway to be made up, as I have attempted to outline, but I do not wish to go into detail tonight.

In the non-Government sector, the Government of Victoria has diligently rejected any notion of needs funding by being insistent on a simple *per capita* allocation of funds. The analogy has been made so many times before but it still is obviously correct: We cannot say that a child in a poor Catholic parish school has the same resources available to him or her as a child at one of the so-called greater public schools. The Catholic parish school has a fees level of $50, $60 or even $100 a child compared with $1000 a term at some of the larger schools. In these circumstances and given those facts of life, how can we as a Parliament and as members of a Government or an Opposition possibly accept that we are giving the same resources to the Government, non-Government and the Catholic parish schools? The argument cannot be justified on any ground of equity and if we are really seriously concerned with equal education opportunity, how in the world can we justify a simple *per capita* funding? I do not believe the Government can, with any sense of integrity, maintain it.

The Schools Commission reports from Professor Karmel onwards have shown that there are different resource levels available, for instance, at one end in the non-Government sector and at the other end in the Catholic system. The resources are lower in the Government sector than in much of the non-Government sector but in many cases they are considerably higher than those applicable in the Catholic parish school system.

The honorable member for Polwarth interjects and speaks of results. I presume the honorable member is talking of the higher school certificate results, which is really a simplistic approach to a matter such as this, and I hope the Minister would recognize it as such. It should be remembered that the vast majority of children do not go on to the higher school certificate level and it is those children who are today facing problems in society with so many on our streets unemployed.

I refer to a discussion paper entitled, "Distribution of School Finances in Australia" which was published in October 1978. A study was undertaken on 1976 statistics and it showed that the Catholic primary schools had been operating, on average, on approximately 70 per cent of the resources level of Government schools, but that the other non-Government primary schools were operating at a level of 104 per cent of the Government resources level. Despite that enormous disparity of resources allocation, the Victorian Government is further enshrining that disadvantage towards the Catholic primary schools.

In the circumstances I have outlined, the Opposition cannot agree or acquiesce with the measure before the House, and hence I shall be moving a reasoned amendment to provide for a better distribution of funds on a needs basis.

I move:

That all the words after "That" be omitted with the view of inserting in place thereof the words—"this Bill be withdrawn and redrafted to provide for the establishment of a Needs Commission to examine and determine the needs of schools and students in Government and non-Government education and to recommend to the Government of Victoria on a continuous public basis the level of expenditure necessary to meet the requirements of Victoria's school children on the basis of needs and priorities, educational experimentation and regionalization".

This is a matter which the House should face and although it is a different approach in philosophy, the Opposition believes it is right and it is only proper that the basis of allocation of funds should be on needs. Honorable members will have the opportunity to vote on that in a moment.

The SPEAKER (the Hon. S. J. Plowman)—Order! Is the amendment seconded?

Mr JOLLY (Dandenong)—Mr Speaker, I second the amendment.

Mr FORDHAM (Footscray)—There is one final comment I would like to make and bring to the attention of the Assistant Minister, and that is the obvious control of the Treasury and its involvement in expenditure rather than seeing this matter as an educational item of expenditure.

Over recent years honorable members have recognized that the Minister of Education is not just a Minister of Education for State schools but is very much a Minister of Education in the broader sense, from primary schools through to tertiary education, at Government and non-Government schools.

There have been continuing attempts by the Treasury to obtain control and retain the major influence over this item of expenditure, which ought to be resisted. For the first few years when this annual Bill was debated, it was introduced by the Treasurer, but following some comments other honorable members and I made, the responsibility for the introduction of the Bill was transferred to the Minister of Education.

It is interesting to note that when introducing the Bill the Assistant Minister deliberately spoke of Treasury directions—not consultation with the Treasury or a Government decision, but a Treasury direction.

I find it extraordinary that on pages 2 and 3 of the second-reading notes the Minister refers to a Treasury direction when dealing with two matters: Firstly, the method of calculation of the subsidy level, which appears on page 2 of the Minister's second-reading notes and secondly, on page 3 the Minister referred to the method of payment in that on this occasion the Government is introducing a new system of three payments over the school year, namely, 25 per cent in March, 50 per cent in July and 25 per cent in

October. That was also at the direction of the Treasury but why in the world should it be at the direction of the Treasury?

These matters should be very much the prerogative of the Minister of Education, whomever he or she may happen to be, or the Government of the day. The Treasury should not be involved in the method of calculation; the Minister of Education should take responsibility for the calculation of the 21 per cent, although as honorable members have been informed, the figure will be increased to 25 per cent over the next few years.

I hope the Minister of Education will accept that responsibility and will comment on this matter. It is an important matter of principle and I would not like to see Treasury making these decisions. I should like to think the whole matter will be studied over the next few years and that its impact on staffing and other resources available in the Government school sector be considered. There is a need for the Government, if it is to continue with its 20 to 25 per cent notion, to look at what expenditure is applicable in determining this ratio, and that task should be performed by Education Department officers rather than Treasury officers.

From past experience when seeking discussions with Government representatives, I have always been referred to Treasury, which to me seems somewhat incongruous, but I hope the Minister of Education will undertake his responsibility in this area of administration of the Education Grants Act.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party supports the amendment to the Education Grants Act 1973 which will increase the allowance for primary school pupils from $197 in 1979 to $233 in 1980 and for secondary school students from $326 in 1979 to $387 in 1980. The amount payable by the Government will rise from $55 million in 1979 to $69 million in 1980. The Bill also provides that from 1980 onwards the present grant, which represents 20 per cent of the cost of educating a child in the State school system, will increase by 1 per cent per annum to 25 per cent over the next five years. The principle of the matter has been debated time and again and I do not propose to go over the debate which has occurred so often before.

One point which is overlooked—and members of the Opposition do not seem to understand it—is that many parents of children attending private schools which are looked upon as privileged schools make tremendous sacrifices to send their children there.

Mr Fordham—Do it on a means test then.

Mr ROSS-EDWARDS—From a practical point of view, it cannot be done on a means test, although in theory there is logic in the argument. Hundreds of children attending so-called élite private schools have parents who have made enormous sacrifices and have gone without all sorts of things to ensure that their children attend those schools.

Mr Cathie—Most parents make sacrifices for their children.

Mr ROSS-EDWARDS—Of course they do, and they are to be commended for doing so, but some make greater sacrifices than others.

Mr Cathie—If you the talking about financial sacrifices, that is true.

Mr ROSS-EDWARDS—Parents have a decision to make and they make that decision. Many people who are quite wealthy choose to send their children to State schools, as is their prerogative, and they can spend elsewhere the money they save on education. Other parents who are not so well off financially choose to send their children to private schools and that is their prerogative. To try to introduce means tested grants is just not practical.

Mr Cathie—Do it on a needs basis as the Labor Party suggests.

Mr ROSS-EDWARDS—It cannot be done on the needs basis. On the needs basis, the higher the parents' contribution and the harder they and the old boys and old girls of these schools work, the more the Government will cut back the amount allowed to them. That would be a ridiculous state of affairs. I have

explained that to the Opposition year after year but they do not learn, so perhaps there is no point repeating it.

The interesting feature is that more than one-quarter of the students of this State attend private schools and the percentage is increasing. That situation gives cause for concern in some ways because a conscious choice has been made by parents to move away from the State system. There is no doubt that parents are worried about the quality of eduation in the State system, and they are worried from time to time about the lack of discipline in the State system. These are matters which concern the Minister. When people send their children to private schools, they accept the discipline that school hands out or they take their children elsewhere. That stand gives those schools strong independence. In my view, this country lacks discipline today and that lack of discipline often begins at school. The National Party supports the Bill and rejects the amendment moved by the Opposition.

Mr COLLINS (Noble Park)—The State Government and the Federal Government will continue to support those parents who choose to send their children to non-Government schools. It is not a question of saving the Government money but of helping the parents.

There are many ways to interpret the word "needs". The parents of all those children attending the five independent primary schools in my electorate—four Catholic and one Seventh Day Adventist primary school—are equally deserving of support. They are not asking for any more. In fact, in the four years I have represented the seat I have never had a request from them for any help. The teachers have never had a problem. We communicate when I go along to see them. We sit down and talk together, the teachers, the principals, the school councils and the students in both the high schools and the primary schools, and there is a sense of independence about all people playing a part there. These teachers have chosen the environment in which they wish to work and I have never had a query from them. They invariably work longer hours than teachers in the State school system, and it would not do a lot of other teachers any harm to do likewise. The Government is committed to maintaining and, wherever possible, increasing the level of support.

The 1300 boys attending Haileybury College in Keysborough come from a wide spectrum of the community and from many different suburbs of Melbourne. At the last discussion I had with the principal he advised me that more than 50 per cent of the mothers were working to send their boys to that school. The principal and the staff have an interest in the boys and their parents and they have looked at the circumstances of those parents. More than 50 per cent of the mothers work to send their son or sons to that school. They pay $2000 a year in fees at that school in addition to the $713 support they receive from the State and Federal Governments. They have chosen to spend $2000 in that way and that is their prerogative. According to the Opposition many of these mothers and fathers are average working people in the community which the honorable member for Dandenong and I represent. A recent count showed that 45 Greek families are sending their sons to Haileybury College. The fathers are mostly men running local fish shops, small businesses or working in factories, and in every single case the wife is working as well.

According to the case it has presented this evening, the Opposition would deny those families that opportunity saying that the parents of students at Haileybury College are a privileged group of people. I reject that. Any time the Deputy Leader of the Opposition wishes to come to my electorate and discuss the merits of withdrawing that support from students attending that school, I will be happy to accommodate him. Parents whose sons attend Haileybury College pay taxes. What do they receive from the State Government? After this Bill is passed, they will receive $387 a year towards the costs of educating their sons.

I send my daughters to the local State school and I get $1630. It could

be said that I can afford to send my daughters to an independent college, if I chose to do so. However, I prefer the State school system. People should be able to make that choice, and members of Parliament should defend their right to do so.

People should be able to choose to send their children to independent schools and it might even be that in the future the Government will give school councils the total funding and say, "Run your school as you wish to run it". They would then be independent schools within the State system. Nonetheless, these schools are independent and self-reliant. They perform many of the tasks the Government tries to encourage other people to carry out at great expense.

There is no doubt that Catholic parish primary schools are disadvantaged in terms of resources, but the people involved have chosen to run these schools and to develop them in the way they believe is best. Somehow their schools always seem to be built at a lower cost per square metre than Government schools, and they are better designed in many cases. They form part of a total school community and there are four of them in the electorate I represent.

One of those schools is the Keysborough parish school and children who have nothing to do with that parish ask their parents if they can attend the school, and they are being admitted. The parents have plenty of choice. The Keysborough Park Primary School is just around the corner and there are two or three other State schools nearby, but they choose to send their children to the parish school. If that is the environment that suits them, they should be able to do so. I do not know what attracts them. It may be that there is total stability of education. Most of the parents appear to be satisfied with the education their children are receiving and those who now wish to enrol at the school are able to do so.

The parents must have sound reasons, and I suppose one of them could be, as I said earlier, stability of education, because the teachers display enormous commitment. There has been no day when education stopped in any of the independent schools in the Noble Park electorate since I was elected. I do not believe there will be a strike within the next ten years. All of those teachers are employed on contracts and operate on limited tenure. That is not the case in the Government school system. The teachers at the independent schools do not have permanency and are not asking for it. They make that choice.

I commend the Minister and the Government for the increase. Over the next five years the State will lift its level of commitment from 20 per cent to 25 per cent of the average cost of educating a child at a State primary or secondary school. With the Federal subsidy, that will amount to 41 per cent of the cost of educating a child at a State school and that subsidy will be provided to the parents by way of a direct subsidy to the schools.

By 1984 it will amount to 45 per cent of the average cost of educating a student in the State school system and I hope our Federal colleagues will see the wisdom of matching the increase so that by 1984 50 per cent of the cost of educating a child at a State school will be paid through subsidies to these schools, to the parents who send their children to independent schools.

The Bill is worthy of support and the National Party understands its value. The day Parliament takes away the right or parents to choose the type of education they want for their children will be a sad day. If members of the Opposition honestly believe they support the independent school system, it is time they said so in public and got behind the, in most cases, average people in the community who send their children to those schools.

If it is good enough for Mr Hawke to send his son to Melbourne Grammar School to receive whatever benefits accrue from that it is good enough for the Greek people of Noble Park to receive a subsidy of 45 per cent from the State and Federal Governments. I do not believe that is enough. I should like

to see an increase in the subsidy, particularly in the Catholic primary school sector. Those schools have not asked for it, but I should like to see it.

As a result of proposed legislation which will be introduced later, it will be easier for the State Government to enter into conjoint developments with independent schools, and I shall be encouraging the independent schools and councils in the electorate I represent to seek joint development with the Government for capital works that will benefit the whole community, not just the schools. Those schools are the Keysborough Parish School, St Mark's, St Joseph's and St Anthony's, and I am not forgetting Haileybury College and Killester College.

At present 28 per cent of the children in the Noble Park electorate attend independent schools. That is slightly higher than the State average. By 1984 I believe the percentage will have increased to 34 per cent, which will be one in every three students.

Mr CATHIE (Carrum)—After listening to the honorable member for Noble Park, I should have imagined that he would be prepared to support the reasoned amendment moved by the Deputy Leader of the Opposition, which I support.

The honorable member for Noble Park wants to increase funds to Catholic parish schools, but at the same time he wants to divert funds away from the Catholic school system towards the more privileged and wealthy schools in the private sector. That is what he will be voting for but it is not what he is prepared to tell the electors of Noble Park.

It is a complete distortion to suggest, as the honorable member for Noble Park has tried to suggest, that supporting the amendment will take away the rights of parents and families to choose the schools they wish their children to attend. The honorable member knows that is not true and everybody in the community knows it is not true. What both the Liberal Party and the National Party fail to understand is that when one talks about high, abstract principles such as freedom of choice, it is like motherhood, everybody supports it, but it is meaningless unless it is put into a particular background. What freedom of choice exists for the vast majority of people in Victoria or Australia?

When members of the Government party talk about freedom of choice, what they are referring to is the fact that freedom of choice in determining whether one's children will attend Xavier College or Melbourne Grammar School or Scotch College or, in my case, Wesley College, exists only if one can afford to send them to those schools. There is no other basis for freedom of choice than that.

It is not a choice that exists for the vast majority of people. At $600 a term for each child, what choice exists for the average wage and salary earner? How can he say, "I want to send my children to Haileybury College?" What choice exists for the average factory process worker and his family if he has to face a fee of $600 per child per term? There is no choice, so let us not talk about these fine concepts such as freedom of choice because they exist only for the privileged and wealthy who support a privileged and wealthy school system.

Mr Collins—You benefitted from it.

Mr CATHIE—I do not deny that. That helps to substantiate the view I am putting. Who could deny that in terms of status and income members of Parliament are privileged?

The Opposition has moved the amendment because it does not believe in meaningless concepts; it believes in giving concrete reality to the concept of equality of educational opportunity.

The honorable member for Noble Park continually interjects, but he has not been able to explain to the Opposition what is wrong with the amendment and the principles enunciated by members of the Opposition.

The Opposition would like all schools in Australia to achieve those standards of excellence and independence achieved by the best schools in the country. That standard will vary. Some schools will be in the

Catholic sector, some in the Government sector and others in the non-Government sector, but it will not be until we are able to raise the level of educational standards within a vast majority of our schools in all of those sectors that we can say to the people of Australia that they have a complete and meaningful freedom of choice. The freedom of choice is a limited freedom. That is what Government supporters cannot understand. It is limited purely by the level of income and anyone who cannot achieve that level of income has no choice.

I am surprised that many members on the Government side of the House do not appear to have read the numerous documents that exist on the sociological, financial and economic background of families who send their children to the wealthy and privileged schools of Victoria. Apparently those honorable members have not even read Katherine West, a scholar who has written at some length about the Liberal Party. She has shown a close connection with the leaders in business, in commerce, in industry and in politics—certainly at the top of the Liberal Party and the élite private system. I will not go through the available documentation, but one would have thought that Katherine West would have been one expert who would have been acceptable to the Liberal Party, but apparently its members have never heard of the research she has done.

The amendment suggests that money should be allocated to meet the requirements of Victoria's school children, particularly in a time of economic stringency when we are cutting back on funds for education in all sectors. Surely honorable members should be concerned to ensure that Victoria gets the best value for every dollar that it spends. The simple fact is that the wealthy and privileged schools do not need assistance but the poor parish and Government schools do.

The Opposition suggests that if honorable members support the Government Bill but oppose the amendment they are diverting funds away from those schools which critically need help and support and are giving it to the schools that do not need as much help.

The supporters of the Government, as members of Parliament—the élite—are often the product of the élite school system. They represent the people who get the top jobs, and the top status in the community—privilege and power. All the nice talk about freedom of choice is nothing but nice talk. The privileged and powerful who are in the top 10 per cent income bracket will continue to control that position of privilege. I urge the House to support the amendment.

Mr McGRATH (Lowan)—I support my Leader in support of this Bill to increase the *per capita* grants to $233 for primary school children and $387 for secondary school children. In the electorate I represent there are a number of non-Government schools including Catholic schools at Edenhope, Horsham, Warracknabeal and Murtoa, and Lutheran schools at Horsham, Murtoa, Nhill and Dimboola. I have statistics on enrolments in non-Government schools compared with Government schools. In 1978 there were 1390 enrolments at State schools compared with 1342 in 1979. In 1978 enrolments at non-Government schools were 519 compared with 579 this year, so honorable members can see that the parents in the area I represent are choosing to send their children to non-Government schools in preference to State schools.

It may be of interest to know that recently Senator Carrick, the former Federal Minister for Education, was adamant that people in today's society have a consumer choice in education. These *per capita* grants will help to ensure that the parents who are prepared to make a sacrifice and send their children to non-Government schools are given some assistance.

Many parents make sacrifices. One wonders why. I believe, as the Leader of the National Party said, that they are looking for more discipline than that obtained at Government schools. They also wish to have their children taught Christian principles. The House

should support the increase in *per capita* grants so that the benefits of private schools are available to all children.

Mr JOLLY (Dandenong)—I am concerned that $80 million will be allocated in the 1980 calendar year as a result of this Bill. Reference has been made tonight to the Labor Party opposing freedom of choice. Members of the Liberal and National parties claim they support equity of educational opportunity. That was a part of the Ministerial Statement tonight. That is not so, because members of the Opposition understand that freedom of choice in education or in any other service depends on the restraints of the income level of the person concerned. Economic considerations are paramount. Freedom of choice will not be denied by the Labor Party and that should be understood by all honorable members who oppose the amendment. Freedom of choice will prevail.

The Opposition suggests that no subsidy should be given to those parents who freely decide to send their children to schools which are extremely well endowed. This is the implication contained in the Bill that was introduced tonight by the Assistant Minister of Education, because it makes no provision for distribution of funds on the basis of needs. That concept is totally rejected by the Government and the members of the National Party. In my view that indicates the nature of the values that those people hold, because the Labor Party advocates that a policy of distribution of *per capita* grants can be justified only in cases in the State school sector where it can be demonstrated that the needs standard has been reached and the facilities are such that people in the State sector are not being deprived because of adequate facilities.

One has only to examine the differences between schools to realize the inequalities of educational opportunity that exist. For example, the students attending Geelong Grammar School have the privilege of a golf course. If one compares that with a school in the electorate I represent, Cleeland High School, one sees that the students have to put up with archaic facilities in the library, because the Microfiche reader is set up in the corridor and the lockers are used to block off the corridor from being used by the students. That is an example of inequality.

Honorable members opposite like to talk about the quality of educational opportunity, although they do not believe in it as an objective. They try to score political points by producing Ministerial statements using the rhetoric and cliches associated with the scheme, but they do not introduce legislation to reduce the inequalities of educational opportunity.

The Deputy Leader of the Opposition has moved the amendment to ensure that these scarce resources are used properly, and everyone understands that cutbacks have been made in all areas of expenditure. However, the Government allocates funds not on the basis of need, but basically on the number of students who attend each school.

There is no way in which a position can be justified where funds are allocated to the wealthy élitist schools in the State, and yet that is the proposal that has been put by the Minister. It will certainly mean that fewer resources will be provided to improve parochial and State schools in the electorate of Dandenong. By any standard there is a definite need to improve those facilities, but funds will be diverted away from that activity. I condemn the Bill and support the proposed amendment.

Mr RICHARDSON (Forest Hill)—Once again the Labor Party is going through its annual Pavlovian exercise.

Mr Cathie—This will be good!

Mr RICHARDSON—One sees almost a Pavlovian reaction from the honorable member for Carrum. As soon as something is said, it is like the bells ringing and Pavlov's dog starts slavering. That is what he is doing at the moment—dribbling away.

The Labor Party makes an annual attack on all the private schools in Victoria, including the Catholic schools, which members of the Opposition lump in with the schools to which they refer as élitist. They pretend that St. Philip's parish school, which is very close to where I live, is an élitist school. The parents of the children at that school work hard to raise funds, and they dedicate much of their daily activity to building up the school and the facilities for the community which supports the faith they follow. Each year the Labor Party mounts a full frontal attack on all the Catholic schools in this State.

Mr Fordham—That is a lie, and you know it. It pours out of your mouth with a smile. You are a liar.

The SPEAKER (the Hon. S. J. Plowman)—Order! I ask the honorable member to withdraw the remark.

Mr FORDHAM (Footscray)—The honorable member for Forest Hill is not telling the truth, and he knows it.

The SPEAKER—I ask the honorable member to withdraw the remark.

Mr FORDHAM—I withdraw the statement that he is lying and say that he is repeatedly not telling the truth. At no stage did the Opposition attack the Catholic primary schools, and I believe the honorable member is deliberately not telling the truth.

The SPEAKER—Order! The honorable member is being deliberately provocative.

Mr RICHARDSON (Forest Hill)—It is curious that members of the Labor Party react as they do; they are terribly sensitive when one strikes home at the soft spot, and I have obviously found the soft spot because they mount an annual attack on the private schools of this State, the majority of which are Catholic parish schools.

The honorable member for Dandenong referred to élitist schools, and made a particular reference to Geelong Grammar School, where he said a golf course was part of the school. I do not know or particularly care whether Geelong Grammar School has a golf course, but the implication in the remarks of the honorable member for Dandenong was that the children who attend that school and their parents and other non-Government schools are getting something for nothing.

Each year the Labor Party says that these schools are getting more and more from the Government, but I am sure the Deputy Leader of the Opposition will not accuse me of not telling the truth when I say that the parents of children who attend non-Government schools pay hefty fees for their children to attend those schools, so they are not getting something for nothing. The parents who choose to send their children to a non-Government school pay a heavy financial cost to allow that child to have the education which the parents have decided they want for their children.

The fact that parents have decided that they want their children to attend a certain school for religious or educationally philosophical reasons is a matter of choice. Victoria is a State which is governed by a Government which believes in freedom of choice and does not believe in coercion based on big Government, which is part of the Socialist philosophy. If free choice is to be exercised, the Government cannot run away from responsibility in that area. The Government does not reject its responsibility to the children of the State whose parents have chosen that they should not attend a Government school.

However, the Government does not pay all the bills, and it has been made clear that in recent years the Victorian Government has subsidized registered schools in the State to the extent of 20 per cent of the cost of educating a child at the same level in the State school system, so they are not receiving everything for nothing. If there is a golf course at a private school somewhere, it was not paid for by Government funds at the expense of a Government school somewhere else. I might say that I view with a degree of amusement the annual charade that is played out by members of the Labor

Party who display opposition to non-Government schools when they know that so many members of their own party in this House and in the other place have chosen to send their children to private schools. They know that many of their own members in this place have themselves attended private schools.

Mr Kirkwood—Name them!

Mr RICHARDSON—I will not name them but I can look directly ahead of me across the Chamber and see one member of the Opposition who falls precisely into that category. I will not name the honorable member, not because it would be unfair to the honorable member, but because it would be unfair to his children. I would not put either the school or the child in an embarrassing position. Nevertheless, the honorable member to whom I refer knows that the reference is directed at him, as other members of the Opposition know that what I am saying is true. The Deputy Leader of the Opposition is strangely silent because he knows the truth of my remarks.

The Parliament, and indeed the public, will not take seriously this year, just as it has not taken seriously in previous years, the crocodile tears shed by members of the Socialist party. The public knows that what is being said in debate by members of the Labor Party is merely a mouthing of words that need to be spoken to satisfy their political masters out in the boondocks, particularly the members of the Socialist left who really control the operations of the Labor Party.

The House views with a certain degree of cynicism, as does the public, this year's display of egalitarianism by members of the Labor Party just as that display of egalitarianism has been viewed with cynicism in previous years. It is a fraud and a sham. They do not themselves uphold the principles they espouse. Their public utterances about the dreaded private schools are said with tongues so far in cheek that they are poking out of the other side, because many of the members of the Labor Party send their own children to private schools. Neither the House nor the public will take the protestations of the Labor Party at all seriously and I commend the Government for its even-handedness and for putting into practice its belief of a fair go for all children of Victoria. I commend the Bill to the House and at 12.30 a.m. wish it a speedy passage.

Mr ROPER (Brunswick)—Unlike the honorable member for Forest Hill, I do not view questions of egalitarianism as a matter of cynicism. I regard them, as do members of the Labor Party, as matters of considerable importance. We also regard as matters of considerable importance the dreadful decision taken by the Government and opposed by the Opposition over the years to ensure that funds are spent in a way which further widely distributes scarcer educational resources. The Bill, like previous Bills of this kind, is a measure of redistribution of funds in favour of the well-off in the community under the guise of assisting everyone equally.

The honorable member for Burwood well knows that the Bill provides resources for schools that already have plenty of resources and that by the standards of Roman Catholic parochial schools, some of the less well-off non-Government schools, and of State schools, many of the schools that will benefit from the provisions of the Bill have more than their share of the educational resources of the State.

Mr Kennett—Where does the funding come from?

Mr ROPER—The funding comes from a variety of sources.

Mr Kennett—From parents.

Mr ROPER—All honorable members know that the honorable member for Burwood believes one should be able to purchase anything in the community providing one has the money and that it does not matter how one gets the money. The policy of the Opposition on education is that every child in the community has a right to a proper education. The Government does not guarantee that and the Bill wastes money that could be directed to assisting some of the less well-off schools in the State.

The amendment clearly suggests that the Needs Commission will determine the level of facilities available in the school and make the determination accordingly.

Mr Lacy—What about the Declaration of Human Rights?

Mr ROPER—The Assistant Minister of Education consistently prattles about the Declaration of Human Rights. The Government of which he is a member will not provide education for many handicapped children in the State. He is selective in his application of rights. The point the Minister needs to understand is that the Bill provides a flat subsidy for every primary school child of $233 and for every secondary school child of $387. In that manner, the Government is continually adding to the difference between schools, not reducing the difference.

If a school charges $1500 a year in fees, and that is by no means now an unusual charge for a secondary school, the total fee income per child plus the amount from the Government is $1887, whereas the Roman Catholic parochial school—and many honorable members have those schools in their electorates —which charges at best $500 a year has only $887 with which to purchase education for its pupils; consequently the gap continues to increase. The difference over the past five years, not only in assistance from State sources but also in assistance from parental sources, has in fact widened as the fees of the more expensive schools have grown at a rate greater than the fees at the lower end of the scale. The amount of education that is being purchased for one group of pupils is increasing at a much greater rate than that purchased for another group of pupils. I could take the honorable member for Burwood to Roman Catholic schools in the electorate I represent, which have poor resources with which to carry out their functions.

Mr Kennett—Those schools are in the electorate I represent, too.

Mr ROPER—If the honorable member is aware of the difference, one would expect him to be concerned to ensure that the scarce resources the Government makes available are directed to those schools with the greatest need. The Government simply refuses to do that.

The test of what a Labor Government would do—the Catholic schools will understand this—was what the Whitlam Government did between 1973 and 1975 when substantial and significant funds were made available for the first time to the Catholic parochial schools, with an emphasis on a needs basis so that schools which had few resources received resources. Schools in the electorate that I represent which had no library books received library books and those which had appalling facilities and huge class sizes received for the first time some of these facilities. It was done on a needs basis, not on the basis of, "We do not care what your resources are; you will receive the same as any other school".

In this society the differences between various groups are not reducing. Class bias at matriculation, at university entrance and at university graduation levels remain, and in some cases like medicine, have increased over the past twenty years. The efforts of the State should be towards reducing those disadvantages, not leaving them alone or increasing them. The Labor Party has taken this view on previous occasions and it will continue to take this view because it believes the children in disadvantaged schools who are having less spent on their education because their parents cannot afford the cost, should receive assistance.

The lie has been given by the Deputy Leader of the Opposition to charges that the Labor Party was discriminating against Catholic schools. The Labor Party believes the State should support schools which need support and have facilities which are inadequate to educate the children who attend them. The children are important, not the parents. Subsidies should assist the children, not the parents. We look forward to the opportunity of implementing a policy

whereby money is paid on a needs basis to schools throughout Victoria, not only in the metropolitan area but also in country areas. When that begins to happen, the lie will have been given to what has been said by members of the Government party again and again about the Labor Party simply opposing the private schools system.

The Deputy Leader of the Opposition has put forward in the clearest possible way the reasons why this amendment should be accepted by the House. It is a principal and correct position. The Opposition looks forward to the time when it can reduce inequalities in education and not contribute, as the Government does, to their continuation.

The House divided on the question that the words proposed by Mr Fordham to be omitted stand part of the motion (the Hon. S. J. Plowman in the chair).

Ayes	45
Noes	29
Majority against the amendment	16

AYES

Mr Austin	Mr McKellar
Mr Balfour	Mr Mackinnon
Mr Birrell	Mr Maclellan
Mr Burgin	Mrs Patrick
Mrs Chambers	Mr Ramsay
Mr Coleman	Mr Reynolds
Mr Collins	Mr Richardson
Mr Crellin	Mr Ross-Edwards
Mr Dixon	Mr Skeggs
Mr Ebery	Mr Smith (*South Barwon*)
Mr Evans (*Ballarat North*)	Mr Smith (*Warrnambool*)
Mr Hamer	Mr Tanner
Mr Hann	Mr Templeton
Mr Hayes	Mr Thompson
Mr Jasper	Mr Trewin
Mr Jona	Mr Weideman
Mr Kennett	Mr Whiting
Mr Lacy	Mr Williams
Mr Lieberman	Mr Wood
Mr McArthur	
Mr McCance	
Mr McClure	*Tellers:*
Mr McGrath	Mr Brown
Mr McInnes	Mr Cox

NOES

Mr Cain	Mr Remington
Mr Cathie	Mr Roper
Dr Coghill	Mr Rowe
Mr Crabb	Mr Sidiropoulos
Mr Edmunds	Mr Simmonds
Mr Fogarty	Mr Simpson
Mr Fordham	Mr Stirling
Mr Gavin	Mrs Toner
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Walsh
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	*Tellers:*
Mr Mathews	Mr Ernst
Mr Miller	Mr Spyker

PAIRS

Mr Borthwick	Mr Amos
Mr Dunstan	Mr Culpin

The motion was agreed to.

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

EDUCATION (AMENDMENT) BILL

The debate (adjourned from November 29) on the motion of Mr Lacy (Assistant Minister of Education) for the second reading of this Bill was resumed.

Mr FORDHAM (Footscray)—This Bill is a series of largely unrelated amendments to the Education Act. There are, however, two principal matters encompassed in the proposed legislation. The first is the abolition of reference in the Education Act to the title and person of Minister of Special Education, and the inclusion of a new title, Assistant Minister of Education. The second major endeavour of the Bill is to provide a further extension of the power and contractual capacity of school councils. I will deal with those two matters to some extent.

In his second-reading speech the Assistant Minister gave three grounds for the Government's decision to abolish the special Ministry of Education; it was deemed to be administratively awkward; it was inhibiting on the role of the incumbent Minister, and it was philosophically opposed to the notion on the ground that, rather than assisting, it inhibited the integration of the handicapped into the rest of the education system.

The Opposition is delighted at this change of heart by the Government, but I am in no way surprised that it has given recognition to what should have been evident a long time ago. In this House on 1 June 1976, during the debate on the Education (Minister of Special Education) Bill, as reported at page 1529 of *Hansard*, I made exactly the same points when the Opposition opposed the introduction of this new office and new title, Minister of Special Education.

Mr Whiting—The save Alan Scanlan Bill.

Mr FORDHAM—I was not going to be that unkind, but the interjection of the Deputy Leader of the National Party described it as the "Save Alan Scanlan Bill". It is not in my nature to refer to such matters, and I had not intended to do so. In that debate, the Opposition, and myself included, emphasized how it was philosophically undesirable for the Govemnent to be separating in any way the education of the handicapped from the main stream of education, how it would create difficulties for administration, and how the divisions of responsibility between the Ministers would create difficulties. The Opposition has been proved correct within a short space of time, and is glad that the Government has had a change of heart.

The result of the changes are not to suggest that one person can cope with the enormous responsibility given to the Minister of Education under the powers of the Education Act, and the many other Acts of Parliament to be administered by the Minister.

The Opposition supports the notion of an Assistant Minister of Education, although it is wary of the division of responsibilities the Government has determined between the Minister of Education and the Assistant Minister of Education. It is to be hoped that the division will prove to be satisfactory rather than divisive. Time will tell within the next year or so, given the review of programmes and policies that are currently being undertaken within certain aspects of education.

The device used by the Government to incorporate the Assistant Minister of Education into the Act was somewhat quaint. It must be correct, given the sound advice tendered by the Parliamentary Counsel. To simply define the Minister of Education as someone who also incorporates the Assistant Minister of Education was a quaint method of incorporating the Assistant Minister in the Education Act. I assume the Minister knows that it is only this specific Act that has been affected.

It is to be hoped that the Minister has given consideration to whether the definition needs to be changed in other Acts to ensure that he has the capacity to act because the division of powers gives him the capacity to act in most areas of education that are the responsibility of the Government.

In recent years, there has been an increasing recognition of the desirability to confer further powers and responsibilities on school councils. The Labor Party has long argued for the decentralization of decision-making away from the central authorities of the Education Department to the school level to ensure that school councils play a central role in the decision-making.

It is pleasing to note that the Government has adopted the policy espoused by the Labor Party. Significant progress has undoubtedly been made, especially in the area of school facilities where school councils have been provided with the opportunity to undertake certain forms of contracts and become involved in building programmes.

I commend the Assistant Director-General of Education (Buildings), Mr Neville Barwick, who has been in charge of the school building programme under the general auspices of the Minister and the Director of Education over recent years. Mr Barwick has given tremendous service to the school system. The Minister suggests that I am giving Mr Barwick the kiss of death. I hope that is not proven to be the case, especially at this time of an outbreak of meningitis.

Mr Barwick has done a remarkable job for the schools over many years, although his work has not been recognized in many quarters. I do not always agree with those policies, especially the core-plus system which will prove to be, in many ways, a mistake.

The enthusiasm generated within both the office of the Director-General of Education and school councils, and supported by the Minister has been translated into practice in a wide range of fields, but that did not have legislative authority. The advice received from the Solicitor-General and the Auditor-General is that over recent years the Education Department, through the officers I have mentioned and the school councils, has not been operating strictly within the law as determined by various Acts.

To ensure that the situation is put beyond doubt, a series of amendments is proposed to the Education Act. Those amendments will allow school councils to enter into contracts with other school councils; to facilitate the payment to school councils for works undertaken on their behalf or on behalf of other school councils, and to provide for the joint development of facilities. That is set out in clause 4 of the Bill.

The Opposition believes it is a progressive measure and supports these two major thrusts. The Ministry of Special Education should never have been established and the notion of further authority and responsibility being provided at a school level is in line with the Labor Party thinking. The Labor party does not oppose the Bill.

Mr WHITING (Mildura)—The Bill is interesting in that it provides what can be termed a full turn of the wheel in the Education Act. In section 4 the words, "a Minister of Education, who shall be a responsible Minister of the Crown" in my copy have been crossed out in ink as is the wont before an Act has been reprinted. The Bill puts those words back into the Act. If somehow or another the ink can be removed from that section, there will be no need to reprint the Act.

It has been proven beyond all doubt that the Ministry of Special Education was not warranted by the workload of the Minister of Special Education because of the limitations in the assistance provided to the Minister of Education or the segregation of the special education services within the Education Department framework. For that reason the National Party is pleased to note the provisions for a Minister of Education and an Assistant Minister of Education.

Whilst the comparatively new Assistant Minister of Education is listening to the debate, I suggest that it is time the Education Act was reprinted, if not updated, because it has become rather difficult to follow with the number of amendments that have been made. One has to follow those amendments through at least three volumes of the statute-book to obtain the correct meaning of those amendments.

Mr Fordham—It was reprinted yesterday.

Mr WHITING—I am pleased about that. It is to be hoped, that over the summer recess, the statute-book on the table of the House might be updated so that the reprinted version of the Act will be included. I congratulate the Minister in advance on the work he has already done in that regard.

The provision for school councils legally to be paid moneys for work undertaken either with other schools or organizations out of the public account is in line with current thinking that more autonomy should be given to school councils. The Bill will clear the way for any doubt that existed in the mind of the Auditor-General. The National Party supports that move.

The motion was agreed to.

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

VICTORIAN ARTS CENTRE BILL

The debate (adjourned from November 21) on the motion of Mr Lacy (Minister for the Arts) for the second reading of this Bill was resumed.

Mr CATHIE (Carrum)—The Bill to constitute the Victorian Arts Centre trust is an important measure. The Victorian Arts Centre is a magnificent project which will be a worthy landmark. The centre has four main sections: the National Gallery of Victoria, the theatres, spire and the Melbourne concert hall. Those sections will be linked by gardens, plazas and walkways, some above and some below ground level. The seating capacities of the theatres will be for the State theatre, 2000; the Playhouse, 850; the experimental studio, 450; and for the Melbourne concert hall, 2500. The theatres are sited further north of the existing art gallery and adjacent to the river. They will be connected to the other sections by a covered walkway.

I have never understood why the Premier and the Government seem so concerned to run a landmark competition. The centre is a concept which is magnificent in its scope and ultimately its execution which, once the spire is completed, will be established and accepted as the landmark. Many people will come to recognize Melbourne by that landmark.

When explaining the Bill, the Minister for the Arts spoke in glowing terms about the project. However, the honorable gentleman did not deal with any of the major problems which will confront the new trust as well as the outgoing building committee. One of the problems that will have to be faced is that, when transferring so many of the performing arts to the theatre complex, those groups will encounter considerable additional costs for the larger theatres by way of additional staff and bigger promotions. If I could cite an example, I refer to the Victorian State Opera. At present 37 per cent of its revenue is derived from box office and sundry sources, the amount being $241 000. The Government subsidy is $397 000 which represents 59 per cent of its income and private sector contributors represent 4 per cent or $26 000.

Correctly, the Victorian State Opera is looking at a completely different concept. It is hoping to become Victoria's first full-time opera and music theatre company, based, managed and controlled in Melbourne at the new Arts Centre. Clearly if that is what the opera wants, and I consider this is very good thinking on its part, we will have a company which will need to increase its annual income to something like $4·7 million, which is an enormous increase over its present total income of $664 000 to which I just referred, but I remind honorable members that these are 1978 figures.

Of that $4·7 million, it is hoped that 42 per cent of its income will come from the box office. Although that is a large increase, I believe it is a correct one because with a move into a better theatre with an enlarged backstage area and with better promotion, it is hoped the company will obtain a large following. The company hopes to receive $2 million from the box office and from the public sector, which includes Government funding, and a contribution from the Australian Council of the Arts. It is also hoped that there will be a contribution from the Melbourne City Council. Those amounts will total $2·55 million or 54 per cent of its budgetted income, and the remaining 4 per cent is expected to come from private sector funding of $200 000.

One of the problems which will have to be faced in order for the Victoria State Opera to establish itself in this new concept is the need for a higher level of Government funding in the way of increased subsidies and general financial support.

There is little indication in the Budget from where this money is to come or how these ideas are to be funded.

The completion of the construction of the performing arts section of the Arts Centre will be achieved without disruption because of this Bill. In setting up the proposed trust, there is implied in the Bill and commented on by the Minister, a relationship between the various sections of the Victorian Arts Centre and the Victorian College of the Arts. The implied relationship with the Victorian College of the Arts is perhaps not so much with the land, although that is part of it. I shall develop that point in a moment, but the

whole prospect certainly is linked to the National Gallery, the college, the theatres and the concert hall, which are all part of the over-all development which I hope will ultimately include the Myer Music Bowl as well.

We are considering a trust that should become a managing body with complete interrelationship between the existing structures in that part of the city, just south of the Yarra River.

There is an interrelationship between the arts, not only the important interaction between art forms, but also various segments of that art form. For instance, if one happens to be watching opera, one will find that ballet is also involved. There is a learning process which arises because of interaction between the different arts which will be on display in the new Arts Centre. The importance of education in this type of development is also to be considered.

That is why the Victorian College of the Arts is indeed an important part of the whole project. Certainly, at some time in the future the proposed trust should be the co-ordinating body with that necessary over-all control over the whole complex.

Clause 6 (2) (*m*) provides the power for the trust to:

> Take on lease any land which in the opinion of the trust is required to facilitate the carrying out of its functions under this Act.

The only difficulty I can foresee with that provision is that it is limited by the definition of "centre" which is included in clause 33, the interpretation clause. "Centre" is defined as being:

> The land vested in the Victorian Arts Centre Building Committee immediately before the commencement of this Act and the buildings and improvements erected or in the course of erection thereon.

The definition seems to imply that land already vested in the present Victorian Arts Centre Building Committee will be the land over which the trust will have authority. What I am suggesting is that it should encompass not only the present lands under the control and management of the existing building committee but also other lands which could be acquired by the trust under clause 6 (2) (*m*), where the trust is acting as a committee of management over any land proposed to be committed by any other means to the trust. To achieve that result there is a need to have a wider definition or interpretation of "Centre" than the one which exists in the Bill.

Questions may arise over the confusion in the thinking of the Government over the development of the Victorian College of the Arts. I do not wish to go into this at any length, but there is the question of the police stables which the college always believed had been promised to it. There is a very important historic building on the land and one which the college hoped it could use to establish its own art centre. At present it has to rely on the good wishes of the National Gallery, but it would appear now that it will have to make other arrangements and consider acquiring the Telecom building at the rear of the property.

A move by the trust to other premises, either by purchasing or by leasing other property is certainly being considered. It should be remembered that the Victorian College of the Arts leases premises in Fitzroy and has other buildings, but ultimately it should be the new trust which should have that responsibility.

There is another building which apparently does not come under the definition. I refer to the YMCA building which is currently owned by the Public Works Department. Presumably the building committee will continue occupancy of that building until the concert hall and the theatres are completed, but the top two floors of the building are already occupied and in use by the community arts organizations.

The youth music council, regional arts associations, the Council of the Arts music department and so on are already established there. What I am suggesting is that the building has a long-term use to house the many and diverse community art interests which exist in Victoria and perhaps that building should come under the management of the new trust.

The last matter I wish to raise concerns some of the difficulties involved in changing over from the building committee to the new trust. Again the Minister made no reference to the aspect of what it is going to cost and what impact it will have on the people involved. I refer to the problems which arose over the long delay in establishing the nature of the site itself.

During that delay and additional work which was necessary to give it proper foundations, the issue of area subsidence arose. I understand that Sir Roy Grounds, the project architect, had forecast to the building committee, the Government-appointed body in charge of the construction headed by Sir Kenneth Myer, that this would occur and it did occur. The cracks did happen and the settlement occurred and it all went as predicted by the architect. I do not suppose anybody will ever know how much of that subsidence was caused by the pumping of water from the site. The architect was quoted in the *Age* of Wednesday, 6 April 1977 as saying:

> making a long-shot guess, there's a chance that what we are doing here may have speeded up by a year or two the regular subsidence which has been doing on for about 80 years.

Most affected by this subsidence was U.S.P. Needham Melbourne Pty Ltd's building almost next door. That company issued a series of writs seeking compensation in the expectation that it could prove that work on the Arts Centre caused the damage. As a result of action taken by that company, eventually the South Melbourne City Council has also taken out writs. About eleven writs have been issued which could lead to a major law suit.

U.S.P. Needham Melbourne Pty Ltd first noted subsidence in 1975. It was informed by a letter dated 31 March 1976 from Lewis Construction Co. that significant movement of the party wall had occurred and that recent movement would require the company's urgent and immediate attention. Obviously the company did not see it as being simply its responsibility but considered that it was very much on the receiving end.

The South Melbourne City Council came into the matter on 2 April 1976 when it requested U.S.P. Needham Melbourne Pty Ltd to make safe the parapet to the party wall, which could be dangerous to the public. The company employed a consultant structural engineer and ultimately had to rebuild the wall at a cost of about $186 000, details of which were notified to Lewis Construction Co. and its insurance company. I understand that U.S.P. Needham Melbourne Pty Ltd has made many efforts to get the Arts Centre and the construction company to discussions in the hope of reaching agreement on compensation. If the writs proceed, it will be one of the biggest cases to come to the Victorian courts for a long time. U.S.P. Needham Melbourne Pty Ltd is still prepared to negotiate and it may be better for the matter to be determined by negotiation rather than by litigation. However, the issue remains unresolved and it could be very costly before the outcome is finally determined.

I mention a minor matter in the Bill. Clause 6(3) provides, *inter alia:*

> (3) Without limiting the generality of subsection (1), the Trust may with the consent of the Minister enter into a contract, an agreement or an arrangement with any person or body whether corporate or unincorporate—
>
> . . . . . .
>
> (*b*) for the hire of any plant or equipment of the Trust;

That seems an unnecessary requirement. If a company comes into one of the theatres and finds it requires, for example, additional lighting, before that additional lighting can be brought in the company must obtain the consent of the Minister. That seems an extraordinarily clumsy and unnecessary procedure. Perhaps the Minister has in mind that there will be an operating level specified and any additional instruments, lighting or equipment of whatever sort above a certain limit would then require the consent of the Minister. That is not a matter for the consent of the Minister, but rather a matter for the manager of the trust to determine.

I turn now to the membership of the trust, which is dealt with in clause 8 of the Bill. The trust is to consist of nine

members. The first two are to be members of the National Gallery trustees appointed on the nomination of the National Gallery trustees. The Minister did not explain when he was explaining the Bill why, out of nine members, two should represent the National Gallery. From the point of view of the over-all management of the whole site, the National Gallery is an integral and important part, but one member of the trustees would be sufficient to carry that responsibility. Two members are suggested as representing other institutions rather than being members on their own merits. One from the National Gallery would be sufficient and that would allow an additional member of the trust to come from one of the many performing arts groups. One member is to be appointed on the nomination of the Council of the Victorian College of the Arts. One can understand the reason for that and would hope that eventually it will become part of the over-all structure and management of the Victorian Arts Centre.

One member is to be a person resident more than 40 kilometres from Melbourne —a reminder that the Victorian Arts Centre exists not just as a centre for Melbourne but to serve the people of Victoria. Some of the theatre companies have already pioneered the practice of transporting people by bus from country Victoria to the city. No doubt this practice will continue and those country people ought to be represented on the trust. Five members are to be appointed to represent the interests of the public generally in carrying out the functions of the trust.

There ought to be continuity between the existing building committee and the new trust. I pay tribute to George Fairfax and the building committee for the excellent job they have done, the progress they have achieved and the solid results they are now seeing for their efforts. If the principle of continuity is accepted, the number of people representing the performing arts on the trust will be decreased. I hope that at least one person appointed to the trust will be a person professionally employed within the performing arts so that the people who are most intimately connected with the development of the performing arts in this State, the actors, the backstage hands and so on, will become part of the trust and will be involved in its decisions.

Finally, one member of the trust should be a woman. I understand there is a woman on the building committee. At least 50 per cent of audiences at a ballet, the theatre and classical concerts are women, and in many cases it is the women who are the decision-makers on whether the family will go to a concert or one of the performing arts, so there is a strong case for suggesting that one of the trustees should be a woman.

The Bill provides for five members of the trust to be appointed to represent the interests of the public generally. It also provides for two representatives from the National Gallery to be appointed to the trust. Members of the Labor Party do not understand why that is necessary when one could do the job. That is particularly so when one considers that the trust consists of only nine members. I hope the Minister will respond on these matters.

Clause 8 provides that all members of the trust shall be eligible for reappointment. The Opposition has no quarrel with that, but I wonder whether there should be a limit on the number of terms a member of the trust can serve. Apparently that has not been considered. Clause 8(3) provides that no one of or over the age of 72 years will be eligible to become a member. I do not know whether there is a specific reason for that age being set, but it seems to be unusual in a measure such as this.

I have indicated that the Opposition regards this as an important Bill. The Government should be forward thinking and have the new trust established so that it can begin its work because, in many of the performing arts, it is necessary to book interstate and overseas artists for years ahead. It has been suggested that the theatres will be opened in 1981 or 1982 and it is obvious that the artists who are to perform in those theatres will have to be booked in plenty of time. If they are artists from interstate or overseas—and no doubt such

artists will be performing in the theatres —it may be that a three-year period will be required to organize the contracts and ensure that they are here at the specified time.

Therefore, it is important to establish the trust and allow it to begin its work to ensure that continuity between the existing building committee and the new trust is maintained. The Labor Party wishes the trust every success.

Mr McINNES (Gippsland South)—The National Party welcomes the Bill as part of an evolutionary process that has been continuing during the construction of this magnificent theatre, gallery and performing arts complex. The complex is now within two or three years of completion, and the time has arrived when it is necessary to appoint a trust to take over the work of the building committee.

The building committee is to be congratulated on its handling of an arduous task, particularly during the past few years when complications emerged in the course of the construction of the complex. The committee had enormous hurdles to overcome, both financially and physically, but it seems to have achieved its aims successfully. Although the final estimated cost of $175 million or $180 million is to be deplored, when one takes into account the anticipated life of the complex of more than 200 years, it becomes apparent that the investment will be well worth while.

The Victorian Arts Centre Bill, as its name suggests, will be for the enjoyment of all Victorians. That must be the central theme of the proposition. The onus will be on the trust in its role as the custodian of the centre to encourage its use as widely as possible for the enjoyment of all Victorians, regardless of their backgrounds, origins, status or financial positions. It is a little difficult at this stage to decide whether the project will be able to pay its way and it is obvious that a subsidy will be required for some time. I understand that in Russia 98 per cent of theatres have to live within their box office receipts.

Mr Simmonds—And they are working night and day.

Mr McINNES—That is true. They obviously have a high utilization because of the large population and the fact that, as a people, the Russians are art-orientated.

The project should encourage international visitors. I have no doubt that it will do so, in much the same way as does the Opera House in Sydney. It is well located and is close to the heart of the city. It is accessible at all times of the day, whether lunch-time or evening. It is on one of the main arteries of the city and it will play a large part in rejuvenating the heart of the city and bringing life back into it.

The Arts Centre will play a central role in the enjoyment of the arts throughout the State. It has to become the catalyst that brings to the State and to Australia people of international renown and ensures that their services are enjoyed not only by the people of Melbourne but also by people in the centres that are being developed throughout the State. A number of these centres are being planned or are in progress in Sale, Warragul and other provincial cities. Although at times the costs might be considered to be high, the ultimate benefit will be shared by everyone and Victorians will be able to be justly proud.

The centre is frequently compared with the Sydney Opera House. I suppose that is inevitable and must be expected, but the people who have been in charge of the construction, Sir Roy Grounds and Mr Fairfax, have emphasized again and again that it ought not to be compared with the Opera House. It is a larger project with a greater seating capacity and it covers more land. Its very form is substantially different from that of the Opera House and the purposes are not identical.

New South Wales was fortunate in that it was able to complete the Opera House before the main thrust of inflation struck. Even though that State ran lotteries to finance its project, it did not strike the bad period that had to be faced by the Victorian project,

which was responsible for the escalation in the costs from the original estimate of $48 million to approximately $180 million.

Most of the points made by the honorable member for Carrum are valid, although he referred to the litigation, which does not really have much to do with the Bill.

Mr Cathie—The matter still has to be resolved.

Mr McINNES—There has been a lot of discussion about it and I am sure the normal legal processes will deal with the matter. I shall not go into it any further.

As everyone knows, the gallery has been extraordinarily successful. It is well established and the controlling body is to be congratulated for the initiative that has been displayed in bringing the modern masters' exhibition, the Chinese exhibition and the Russian exhibition to this country. All of those exhibitions were magnificent. The car park has been operative for some time. Space is provided for 2000 cars. When the theatres open, it will pay its way because it will be used almost around the clock.

The Victorian Arts Centre receives substantial donations from private individuals. The donations listed in the report for 1977–78 year total $70 000.

I congratulate the building committee of Mr Kenneth Myer and his associates, and particularly George Fairfax who is in charge of the committee. Those honorable members who visited the centre to view construction were impressed by Mr Fairfax's team and the building workers on the site. The annual report for 1977–78 good naturedly indicates the inter-play between the workers and their dreams of the centre and the role it will play.

One can be proud of having built a magnificent centre that will last for a long time. It will add to the many entertainment attractions of Victoria. Its location beside the Yarra River is convenient. Melbourne has made the best of what it has. Unfortunately, Victoria does not have a harbour like Sydney or its magnificent bridge but Melbourne is the garden city and that area will be developed. I am not sure whether the project will be enhanced by a casino. Nevertheless, the final development will include the gardens on the banks of the river and will transform that area into something of which the citizens of Victoria can be proud.

The Bill provides a means for other revenue producing services. Leases and franchises will be let for kiosks for the sale of souveniers and tickets. These kiosks will be subject to the latest marketing technology. The Bass booking system will be used throughout the country and that will enable people from country areas to make bookings for the centre and get to Melbourne via the freeways within two or three hours to enjoy the performances and concerts which will be held.

The composition of the trust is reasonable. Nine members will be appointed. I am pleased that at least one person who is actively associated with the promotion of the arts will be appointed and will come from outside the metropolitan area. One hopes that when the Minister selects the five members of the trust to represent the interests of the public generally in carrying out the functions of the trust he will choose them from many areas of Victoria.

The provision, which limits the age of persons to be appointed to the trust to persons not being under 72 years of age, is strange because many geniuses have emerged late in life. Enjoyment of the arts does not necessarily depend on age. Once the centre is fully established, people with experience, involvement and knowledge of the arts will be of benefit to the structure of the trust.

The National Party supports the Bill and wishes it a speedy passage.

Mr MILLER (Prahran)—I have an interest in the Victorian Arts Centre theatre complex, not as the member who lives closest to the centre, but as a member of the board of the Victorian State Opera. As the honorable member for Carrum said, this Bill is important, firstly, because it sets out the purposes of a trust to be established, namely, the Victorian Arts Centre Trust, which is to

have a variety of functions, powers and duties conferred on it; secondly, because it deals with the management and operation of the Arts Centre and, thirdly, because it refers to the use and promotion of the theatre complex. The complex which is to be established is magnificent in concept. It is a credit to the architects and to the Government which funded it. It is proposed that the State theatre will seat 2000 people, the playhouse theatre will seat 850 people and the experimental theatre will seat 450 people. When integrated with the Victorian Arts Centre next door, the theatre complex will provide a magnificent entertainment venue for the city of Melbourne. It is important, because the centre will be open within three years' time, that legislation should be enacted now. If the centre is to be adequately utilized, it is essential that there be at least a two-year leading-up time so that world class singers and musicians can be engaged.

What is also important is that this concept will provide many benefits to the residents of Victoria. It will create employment and help to develop the performing skills of many artists in Victoria. When one considers the range and variety of theatres in Melbourne for musicians, actors and so on, one can see that there has been a vast outflow of talent from Victoria.

Thirty renowned Australian singers are now singing in Europe and a variety of Victorian singers sing with other State opera companies and the Australian Opera Company. Alternative opportunities are clearly presented to Victorians and provide employment for people who undertake production courses at the Melbourne University music school and the Victorian College of the Arts.

An Arts Centre of this kind will also provide a focus for pride in achievement in Melbourne, a city of almost 3 million people, and enable a continuation of Melbourne's recognition as a centre of culture and learning. In this case it will provide a real focal point, not only for the visual arts but also for the performing arts, and will carry on a tradition which goes back to the days of Dame Joan Hammond and other great singers who have emerged from Victoria. The measure will also provide educational as well as employment benefits, and musical education will be significantly enhanced by the construction and completion of the centre.

The honorable member for Carrum focused sharply on some of the principal provisions of the Bill. It is significant that some sixteen specific powers are conferred on the Victorian Arts Centre Trust which is to be established, and these include a vast range of matters as well as specific borrowing powers. It is curious that an omission from clause 6 is the power to obtain contracts of insurance or to insure any of the buildings or persons who come onto or into the premises at the Arts Centre.

Clause 6 is perhaps the most significant clause because it deals with the operation and functions of the trust. As has been indicated, no reasons have been articulated why two members of the trust are to be from the National Gallery. Certainly the Arts Centre will be a close adjunct of the National Gallery, but why two out of nine members should be appointed from that source has not been explained. That is important, particularly when one considers that one member shall be appointed from the council of the Victorian College of the Arts; one shall be a country person and five members will represent the interests of the public generally. This is an area where tremendous scope has been left open to the Governor in Council. Perhaps consideration could be given to appointing somebody from the Trades Hall Council because of its involvement in the arts and performing arts and in developing a viable arts programme.

Mr Cathie—Such as George Seelaf.

Mr MILLER—Mr George Seelaf has a tremendous interest in that area and would be an extremely valuable appointee.

The principal users of the centre, who will be from the performing arts, if one assumes that two members of the trust

shall be members of the National Gallery trustees, should be represented on the trust. The five major areas that come to mind are drama, opera, films, including television, music and ballet. They ought to be considered, and the users of the centre should be able to have a voice on the trust. That would not exclude the suggestion that somebody who was professionally employed in one or more of those categories could also serve on the trust. Perhaps a professional actor or musician may fall into one of those categories.

If one considers the impact that the Sydney Opera House has had on tourism in Sydney, one can see that it has resulted in significant development taking place and has attracted many visitors, not only to opera performances, but also to other performances that have been presented in that magnificent centre.

One can only expect an enormous growth in tourism in Victoria to continue as a result of the Arts Centre, particularly amongst Japanese tourists, many of whom are well versed in the theatrical arts, who will come to Melbourne to attend the performances.

The honorable member for Carrum has canvassed many of the criticisms that may be expressed about this centre and its concept. I also add my congratulations to the members of the building committee, Sir Kenneth Myer and Mr George Fairfax, who have done a superb job in developing the centre to the stage it has now reached. It will provide a cultural oasis in the heart of Melbourne and will provide a long-term benefit not only for Victorians but for all Australians and all who visit it. I add my comments to those already made by the honorable member for Carrum and state that the Opposition wholeheartedly supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Interpretation)

Mr CATHIE (Carrum)—During the second-reading debate the Labor Party raised specific points about the way in which the Bill was drafted, and the Minister should have replied on those matters. The Opposition indicated that it could foresee a time when one trust ought to be responsible not only for the National Gallery, the theatres, the concert hall and the Victorian College of the Arts, but also for the Sidney Myer Music Bowl and perhaps the Young Mens Christian Association building, which services many of the organizations involved in the visual and performing arts.

Honorable members have heard no comment from the Minister about the fact that the interpretation of "centre" in clause 3 limits it to the land currently vested in the building committee. Although clause 6 deals with the powers of the trust and suggests that later it may be able to lease any land, that concept is vital.

The trust that is being set up ought not, in the Opposition's view, to have just the responsibility of managing this very important complex but it should also develop a vital role in the interrelationship between the Victorian College of the Arts, the Sidney Myer Music Bowl, the National Gallery, the theatres and the concert hall, and in developing that interrelationship it should be equally involved in education and performances. The centre is a total complex, and I hope the Minister will respond and indicate in what ways, particularly in the future, he envisages the trust operating to develop that concept.

Mr LACY (Minister of the Arts)—The honorable member for Carrum wants to project future objectives.

Mr Cathie—Specifically.

Mr LACY—The honorable member wants to declare objections for the future, for what will constitute the centre after the trust is developed and established. For the time being the definitions in the Bill are appropriate and cover everything envisaged at present for the development of the centre. Clause 3 is appropriate and it should remain as it is.

The clause was agreed to, as were clauses 4 and 5.

Clause 6 (Powers of Trust)

Mr CATHIE (Carrum)—Clause 6 certainly sets out fully the essential powers of the trust but there has been over-reaction in the drafting of the Bill. Simply, it is not necessary that, on each occasion a company performing in one of the theatres requires to put in additional equipment and lighting, it must channel its request through a clumsy and bureaucratic system of the request being referred back to the Minister. That power could properly be exercised by the general manager employed by the trust in day-to-day decision making. That is normal practice. I suggested in the second-reading debate that a level ought to be set and that any requirements for additional equipment for lighting over that limit would then be referred to the Minister.

Mr LACY (Minister of the Arts)—The clause provides the power for the Minister to give consent. He can give blanket consent up to a limit. There is nothing to prevent the Minister from doing that for any arrangements of hire of plant or equipment. It is difficult to understand the point the honorable member makes. It is clear that consent can be given and of course it would be given if those purposes needed to be fulfilled.

Mr McINNES (Gippsland South)—A major asset has to be protected; the trust has that responsibility and I do not understand the point that, as the Minister has the ultimate power on this aspect, he will be involved in the day-to-day running of the trust. Honorable members should consider all aspects of the equipment that will probably be used and some of the groups using it.

The clause was agreed to, as was clause 7.

Clause 8 (Composition of trust)

Mr CATHIE (Carrum)—During the second-reading debate the Opposition raised two quite important matters on the constitution of the trust and on the success of the trust. I have no doubt of the future success of the whole of the magnificent project, but it will be guaranteed by the people appointed to the trust. They have a very high responsibility. The Minister has explained that out of a small number of people who will comprise the trust, two will be representatives from the National Gallery trustees. One member from the gallery would be sufficient to assist in the coordinated management of the complex. I understand the reason for a representative of the National Gallery. The National Gallery is a part of the total complex. However, it is out of proportion altogether for the gallery to have two of its members appointed to the trust, particularly when only five members will be appointed to represent interests of the public generally.

There also ought to be continuity with the existing building committee. That is important because the building has not yet been completed either in the construction of the concert hall or the theatres. Much still needs to be done, particularly on the technical, interior fittings of the building, and that leads me to refer to the controversy that occurred over the acoustics in the concert hall. Many of those matters have yet to be determined. The Minister should give some indication, firstly, why two people on the trust will be representatives of the National Gallery and, secondly, who the five people representing the interests of the general public will be. The honorable member for Prahran quite rightly indicated that the Trades Hall Council has developed a major role in the arts. It takes artists in the performing arts field into the factory. That is an important educational achievement and Mr George Seelaf, who has been involved in much of the organization, would be an excellent choice as an appointee to the trust.

Mr LACY (Minister of the Arts)—The honorable member for Carrum raised three items during the second-reading debate on this clause including the two to which he has again referred. He previously referred also to the principle that the composition of the trust should provide for at least one woman representative.

Firstly, in framing the legislation the Government had to consider not only the interests that need to be represented on the trust but also the extent of the representation and the substance of those interests. Obviously, the very core of the centre is the National Gallery. The gallery is and will remain a very substantial part of the whole centre. Indeed, the gallery would be the only substantial tenant in the centre in an artistic sense—apart from those providing the servicing and catering arrangements—and because of that, and considering the Victorian College of the Arts and the need to have representation from country interests, it was important that the gallery had a substantial interest and that its representation should be recognized to a greater degree than the representation of the College of the Arts or the country or non-metropolitan interests. For that reason, there will be two representative of the National Gallery trustees on the trust. Indeed, that provides a measure of continuity with the building committee—the second point—and that is precisely the present situation of the building committee. Two representatives of the National Gallery trustees are on the committee and that provision will ensure continuity.

Mr Cathie—They might. The same two might not be nominated again.

Mr LACY—No, but there is continuity within the structure within which they may be nominated. The honorable member was referring to more than that, and the actual membership of the building committee in relation to the membership of the trust. Of course, that continuity is possible. It is not prevented by the provisions of clause 8. Continuity can be made effective by the membership of the trust nominated by the Governor in Council. It will be my responsibility to make those recommendations to the Governor in Council, and, of course, continuity of membership will be one of the factors considered.

The third matter was the position of a woman on the trust. Having one woman member of the trust is a most stupid suggestion. Firstly, it is incredibly sexist in concept because as the Bill stands all nine members could be women. The honorable member only assumes that the membership will comprise all men and that therefore a guarantee should be given that one member should be a woman. One could also guarantee that one should be a man. As it is, no sex is referred to in the clauses of the Bill and each component part of the membership of the trust can be a man or a woman. The important thing, apart from the sex of the persons nominated or continuity with the existing building committee, is that for the membership of this trust the Government should obtain the best people available so that the management of the centre can be placed in the best hands for the future of the centre.

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

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

LABOUR AND INDUSTRY (AMENDMENT) BILL

The debate (adjourned from October 30) on the motion of Mr Ramsay (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr SIMMONDS (Reservoir)—The Opposition does not oppose the Bill. It realizes that the Government may have some problems with the definition of antique shops and difficulty in extending trading hours, but the Government is entitled to have the opportunity of testing its capacity to deal with the situation.

The motion was agreed to.

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

PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL

The debate (adjourned from November 27) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr MATHEWS (Oakleigh)—It is a matter of regret that debate on matters of this importance should take place at 2 o'clock in the morning. It shows irresponsibility of a high order on the part of the Government. Those who contribute to the debate at this late hour will be doing so at less than optimum level and many honorable members who wish to contribute will be inhibited in doing so. It is no exaggeration to say that this Bill has implications of the most profound kind for our entire system of government in Victoria. This Bill, flawed though it is, contains the potential for a complete overhaul of all the departments and authorities which carry on the business of Government in this State.

In America there is a saying that old agencies never die; they do not even fade away. I take that to be very true of the various bodies to which government is entrusted in this State. If we were starting anew, we would not choose to divide up the responsibility of government along the lines of our present departments or allow so many of those responsibilities to be put into the hands of semi-Government authorities. We would not tolerate a situation where so many public bodies outside the confines of the Public Service Board are able to pursue wilful ways of their own choosing with a near total disregard for public policy or where so many of these bodies have for so long failed in their basic obligation even to report to this Parliament as they are required to do by legislation, that their reports are not even missed. Honorable members are no longer even aware when the reports do not come forward in this House.

Sunset legislation is designed to remedy a situation of concern to all the developed nations with which we compare ourselves. In his run for the United States Presidential election last primaries, President Carter said:

> It is time for us to take a new look at our Government, to strip away the secrecy, to expose the pressure of lobbyists, to eliminate waste, to release civil servants from bureaucratic chaos and to provide tough management.

At the same time, his adversary in those primaries, Senator Edmund Muskie, was saying:

> We in Congress have too often satisfied ourselves with the rhetoric of legislation, leaving the hard work of oversight—a fundamental congressional responsibility—to be carried out in a hit-or-miss fashion . . . Sunset will make us take a closer look at all the component parts of the Federal Budget . . . to ensure that we are getting the most for the tax dollars we spend.

I should like to think that the debate tonight was being conducted in the spirit of trying to bring about a better piece of legislation for the State of Victoria than is before the House in the form of this rather flawed Bill. If the Premier were at the table—and, after all, this is the Premier's Bill—I should like to think that he would concede that the Bill is not the sunset legislation which he promised in his policy speech earlier this year.

I think that the Premier would concede that it is not even the sunset legislation to which His Excellency the Governor referred in his Speech at the opening of this Parliament. In fact it is not sunset legislation at all.

The basis of sunset legislation, as it was first brought forward by the organization Common Cause in the American State of Colorado in the middle 1970s, is that the attention of the legislature is focussed on the performance of Government agencies and departments. This regular process of review of Government departments and instrumentalities is enforced by a reversal of the normal onus of responsibility of the continuation of those public bodies. Rather than the legislature being required to take specific action in order to wind up a public body, it is necessary for the legislature to take specific action to keep that public body in being.

The absolute essence of the sunset concept is that all public bodies should operate under what amounts to sentence of death; that the people who make up every public body, and are responsible for the effectiveness of its activities, should be constantly aware that there is a day of reckoning ahead of them when their actions, activities and

achievements will be judged. That public body will automatically go out of existence unless the legislature is prepared to take a specific decision that should go forward that life should be prolonged, and it will continue to serve a useful purpose in the community which justifies its continued existence.

Although the Bill has been sold to the community, and indeed to this Parliament, as sunset legislation, nowhere in the Bill is there any reference to these fundamental requirements to which I have just referred.

Sunset legislation has attracted a great deal of attention around the world. Since Colorado enacted the first sunset legislation in 1976, 32 American States have followed suit. There is currently a sunset Bill before the United States Congress. Already two bodies at the national level in Australia are operating under the sunset concept. The Darwin Reconstruction Commission was enacted in 1975 with a specific five-year lifetime written into the legislation; that is, at the end of a five-year period, the work of the Darwin Reconstruction Commission is automatically subject to review, and the commission will automatically go out of business unless the Federal Parliament takes the view that the life of the commission should be prolonged. Similarly, the Australian Wheat Board is subject to review at fifteen years intervals.

Despite the lip service that we in this Parliament are giving to the notion of sunset legislation, Parliament continues to create new public bodies as we did in this House only a few moments ago, in the case of the Victorian Arts Centre Trust, without writing a sunset clause into the legislation to ensure that the newly-created body will be the subject of review as to the efficiency and relevancy of its work at periodic intervals.

When Common Cause was bringing forward the concept of sunset legislation initially in the State of Colorado, it laid down certain criteria which were needed to make the sunset legislation effective. It is important that the Bill should be judged by the ten criteria, which are:

1. Programmes and agencies should automatically terminate at a date certain unless affirmatively re-created by law.

2. Termination should be periodic (e.g. every seven or nine years) in order to institutionalize the programme evaluation process.

There is no provision for this in the Bill.

3. Like all significant innovations, introduction of the sunset mechanism must be a learning process and should be phased in gradually.

That is a point in favour of the present Bill.

4. Programmes and agencies in the same policy area should be reviewed simultaneously in order to encourage co-ordination, consolidation and responsible planning.

5. Existing entities should undertake the preliminary programme evaluation work, but their evaluation capacities must be strengthened.

6. In order to facilitate meaningful review, the sunset proposal should establish general criteria to guide the programme evaluation process.

7. Substantive preliminary work must be packaged in manageable decision-making reports so that top decision-makers can exercise their common sense political judgments.

8. Substantial committee reorganization, including adoption of a system of rotation of committee members, is a prerequisite to meaningful sunset review.

9. Safeguards must be built into the sunset mechanisms to guard against arbitrary termination and to provide for outstanding obligations and displaced personnel.

10. Public participation in the form of public access to information and public hearings is an essential part of the sunset process.

It would be very easy to pin false hopes on the Bill in its present form. The fact is that the Bill, good though it is in concept, and enormous though its

potential for serving the welfare of this State may be, is seriously flawed in its present form. I hope it will be possible to reach agreement this morning in the Committee stage on three amendments that will radically transform the nature of the proposition before the House.

There have been examples—cautionary tales, if you like—from which honorable members should be prepared to learn tonight. In the enactment of sunset legislation in the American State of Alabama, a process of evaluation of more than 200 public bodies was adopted, which proved to be less effective than no evaluation at all. A hurrying of the sunset process can make a mockery of the concept, and so discourage other people from taking up the idea seriously.

On the other hand, in Colorado, where initially only thirteen public bodies were nominated for evaluation and review through the sunset process, it was demonstrated how those public bodies could be sorted out in a way which enabled the State to discard those bodies that no longer had a useful role to play in the Government of Colorado, to retain in their existing form a number of agencies that were doing a good job, and to identify the necessary measures for strengthening some agencies for which a role still existed, but which were falling short of their goals.

The Bill will enable a body to be reviewed only if that body is referred to the Public Bodies Review Committee, either by a majority decision of the Legislative Assembly or the Legislative Council, or by Order of the Governor in Council. Neither of those procedures is adequate. Parliament should have the right to refer a public body for review to the committee. The Government, through the mechanism of an Order of the Governor in Council, should have the right to refer a public body to the committee for review, but, equally, if the process of review is to go forward in a satisfactory ordered manner, it is essential that the committee should have the right to nominate public bodies to undergo the review process. That is one of the key amendments the Opposition will move.

Secondly, the Bill in its present form does not lay down a requirement that the committee should say when a public body which has been the subject of review should undergo that review process a second time. The Bill in its present form provides that a public body should not be subjected to a second process of review until a minimum of five years after the initial review. It does not entrust the committee with the right and obligation of specifying a maximum period within which the review process should be carried out again. That is fundamental to the whole concept of sunset legislation.

Finally, there is no provision in the Bill for minority reports. The Opposition does not believe the process of modernization and streamlining of assessment and improvement of public bodies will be well served by fostering what may, in some instances, be an appearance of spurious unanimity. If there are mixed feelings on the part of the committee about the outcome of reviews of specific public bodies, those mixed feelings should be explicit in the reports which the committee brings down.

It is important that the fate of a public body should not be determined by a unanimous adverse view when there may well be other feelings on the committee which would have come forward if provision had been made for the registration of minority opinions.

The Bill should have been brought forward at a much earlier stage in the session. This is a debate in which many honorable members would have chosen to involve themselves if the circumstances had been different. In view of the hour I will say no more, but in the Committee stage I will press amendments along the lines which I have foreshadowed.

On the motion of Mr ROSS-EDWARDS (Leader of the National Party), the debate was adjourned.

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

STATE EMPLOYEES RETIREMENT BENEFITS BILL

Mr THOMPSON (Treasurer)—I move:

That this Bill be now read a second time.

The Bill is simple in design and aim and somewhat complicated in context. It could be called the blue collar superannuation Bill because the main aim is to provide a form of superannuation for a class of employee who has not as yet been accepted in any existing State superannuation scheme. It arises from an undertaking given by the Premier in 1978 that a scheme would be provided for Country Roads Board and exempt Public Service employees.

There are approximately 2800 in the first category working for the Country Roads Board and approximately 4000 who may well enter from the category of exempt Public Service employees. Because the Bill deals with a somewhat different type of employee, the scheme is somewhat different from existing schemes. Firstly, it provides for the first time superannuation cover for intermittent and part-time workers. There are many in the Country Roads Board who fall within that category. Secondly, it provides for a form of partial pension for those who have enjoyed some return of health, perhaps having been retired or superannuated in the first place. People who are able to work to a certain degree in certain types of occupations can be gainfully employed. It also provides progressively increasing benefits for those who have not been accepted as full contributors based upon their length of service. That is just and reasonable.

Another innovation is that provision is made for a means test to apply to a surviving spouse. Under the existing State scheme, surviving spouses lose the pension right on remarrying, whereas this approach is somewhat different and merely applies a means test based upon a full pension up to 150 per cent of the minimum wage and disappearing at 200 per cent of the minimum wage. It disappears at the basis of 2 per cent for every 1 per cent by which the income exceeds 150 per cent of the minimum wage.

The scheme is also somewhat different in that it will apply retrospectively to the two groups mentioned, the Country Roads Board and exempt Public Service employees, back to 1 January 1979. Those two groups are mentioned specifically in the Bill.

However, there is provision to admit other classes of personnel by order of the Governor in Council upon approval of the Treasurer. The scheme will be administered by a board consisting of an independent chairman, a Government nominated person and somebody elected by the contributors. These people will be appointed for five-year periods. Somebody will be nominated by the Treasurer and there will be consultation with the Victorian Trades Hall Council before such a person is nominated. The board will also assess employer contributions after actuarial assessment on a triennial basis. The whole idea of the scheme was to cater for a different class of employee and to also make it possible for them to derive full benefit from social security pensions.

The scheme will enable somebody who has completed 30 years' service to receive a pension equal to 25 per cent of his final retiring salary as well as a lump sum payment equal to three times the final retiring salary which will be assessed on the average salary received over the final three years before retirement.

The scheme is an appropriate one and comes about as a result of a lot of research work carried out by a committee headed by Mr Arnold. Mr McBride represented the Trades Hall Council and Mr Champion basically represented the Government although he comes from an independent firm of actuaries. A tremendous amount of work has gone into the preparation of the scheme. The report was received by the Government in October and was immediately passed to Parliamentary Counsel. The Bill is the end product of the work performed by that inaugurating committee along with the Parliamentary Counsel.

Mr Whiting—It should have been introduced earlier than this.

Mr THOMPSON—I agree with that interjection. It was originally stated that the Bill would not go through the House, and naturally I am still prepared to leave it on that basis. However, it is up to the House to decide whether or not it will go through. It is a long and complicated Bill and implements a different type of scheme.

Mr Ross-Edwards—It sets a lot of precedents in the superannuation field.

Mr THOMPSON—It has a different approach. As I have indicated, it caters for intermittent and part-time employees so it is different in that respect.

Of course it is also entirely different from the State Public Service scheme where the pension is 70 per cent of final retiring salary, whereas in this case it is 25 per cent with a lump sum entitlement. However, contributions range from 3·5 per cent to 6 per cent of salary compared with up to 9 per cent under the State Public Service scheme with an average contribution of 7 per cent.

Those are some of the main differences and the main principles of the scheme. It is a long and complicated Bill and, as the Deputy Leader of the National Party indicated, it is the type of Bill which members of the House might like to consider at greater length. The reason it was not introduced earlier was that it was not possible for the scheme to be completed as the recommendation was received only towards the end of October.

The Bill represents a new approach to a different class of personnel and basically it contains some new and enlightened provisions which could protect the funds of other schemes. Some additional benefits flow to contributors and it makes provision for people who presently do not have coverage on a comparable basis. I commend the Bill to the House.

Mr SIMMONDS (Reservoir)—The Opposition supports the measure which initially arises from industrial action taken by the Country Roads Board employees and other exempt employees of the Government of Victoria. That industrial action culminated, as the Deputy Premier explained to the House, in the formation of a working committee to resolve a position of discrimination against a group of workers employed by the Government.

Because the measure meets the needs of a group of employees and because it is the request of the employees concerned that the measure be passed as expeditiously as possible, the Opposition supports the proposition that the Bill should pass as quickly as possible through the House.

The Opposition takes that stand because it is fully conscious of the expertise of the members of the committee which was involved in bringing into effect the scheme enunciated by the Deputy Premier. The provisions of the scheme have been well canvassed by the parties involved in the discussions.

The Leader of the National Party interjects, but I advise him that the workers in Victoria will be the beneficiaries under this measure and in the main those workers have been employed throughout the State. I refer to employees of the Country Roads Board, the Fisheries and Wildlife Division and other Government instrumentalities. In the past honorable members have heard the honorable member for Benalla indicate concern for those employees, and I hope his concern is supported by the National Party as this measure seeks to carry out the wishes of a group of workers who for years have been deprived. This has been acknowledged in discussions with the Government over many months. In fact, it is more than twelve months since this action was initiated. I am putting a case in this House for the people I represent and their request is to have the measure passed as quickly as possible, and I take full reponsibility for that decision.

Mr ROSS-EDWARDS (Leader of the National Party)—Because of the complexity of the measure and the precedent it is setting, and for other reasons, I move:

That the debate be now adjourned.

The motion was agreed to.

Mr THOMPSON (Treasurer)—I move:

That the debate be adjourned until next day.

Mr SIMMONDS (Reservoir)—I ask the Deputy Premier whether it is his intention to list this Bill for discussion on the next day of sitting.

Mr THOMPSON (Treasurer) (*By leave*)—Perhaps the matter could be advanced after consultation between the Leader of the House and the Deputy Leaders of the Labor and National parties on when this measure is to proceed. I did indicate when I introduced the Bill earlier that it was originally the intention of the Government to allow it to remain on the Notice Paper, but it may be wise if further discussions took place between those three honorable members.

Mr FORDHAM (Footscray)—Quite clearly it was the accepted arrangement between the Government and the Opposition that debate on this Bill would be resumed tomorrow. That ought to be made clear and placed on the record. Honorable members will return to this Chamber within a few hours and obviously the Leader of the National Party is becoming testy. It has been a long sessional period for all honorable members and I ask the Leader of the National Party not to ruin the work that has gone into this Bill at this stage.

The provisions contained in the measure are clearly in the interests of a great mass of people who will receive a long-overdue benefit once the Bill is passed. I am sure the Leader of the House will ensure that the Bill is listed on the Notice Paper for resumption of debate on the next day of sitting.

The motion was agreed to, and the debate was adjourned until next day.

ADJOURNMENT

Pre-school dental services—Lead levels—Exploitation of youth—Westgarth Primary School—Workers compensation — Adult migrant education teachers—Briquettes

Mr GINIFER (Keilor)—I draw to the attention to the Assistant Minister of Health a matter relating to the direction received from the Health Commission about the suspension of the pre-school dental health scheme. Considerable headway has been made in a number of municipalities in Victoria in the provision of dental services for pre-school children. The matter has been drawn to my attention by the City of Keilor which has co-operated with the Government in the provision of those services.

On this occasion the decision taken by the Government, because of economies and cutbacks introduced in the Budget, means that as from 31 December services provided for pre-schools in the City of Keilor and in a number of other municipalities in the State will be suspended. The services which have been provided have been satisfactory and have represented a low unit cost for patients, but those services are to be suspended.

Has this matter been drawn to the attention of the Assistant Minister of Health and will he have inquiries made to determine whether the decision could be reviewed? The service has been run on a basis of cost-sharing between the Health Commission and the municipalities involved. Has the Minister received representations from municipalities pleading the position that this service is one from which there has been a substantial return for the State's investment? Can the Minister have the matter reviewed? Has it been reviewed? Is there any possibility that a stay order may be served on the Health Commission which has given notice, at least to the Keilor pre-school centres, that the service will be terminated by the end of December?

Dr VAUGHAN (Glenhuntly)—The Assistant Minister of Health would be aware that the lead loading on the community comes predominantly from dietary sources. In addition, he would probably be aware that many plants have the ability to concentrate heavy metals within their cellular tissue. I raise the possible risk in expectant and nursing mothers consuming vegetables grown in metropolitan areas and areas adjacent to high density traffic routes. Obviously, considerable lead fall-out occurs on the soil

adjacent to roads, especially major roads. Hence, there is a possibility of its getting into home-grown vegetables.

What investigations has the Minister had made into this possible problem? What further investigations does he propose to have made? Is he prepared to have a study of lead levels carried out on this season's home grown vegetable crops in areas adjacent to high density traffic routes to ascertain any potential risk? I realize that home-grown tastes best, but is it always best?

Mr SIMPSON (Niddrie)—I raise with the Minister of Transport a matter concerning the exploitation of students, mainly boys in the fourteen-to-sixteen-year age group. This exploitation has been drawn to my attention as happening in the Niddrie electorate, although it appears to be occurring throughout Melbourne. Various tow-truck companies employ young lads to go door-knocking with a view to persuading householders whose properties are situated at busy intersections to take one of the companies' business cards so that, in the event of an accident on a busy intersection, the householder will ring a particular tow-truck operator and the resulting work will flow to that company as the result of such an accident.

A resident of the Niddrie electorate who is not interested in a spotter's fee, a lady who is an elder of the Uniting Church in Australia and who is interested only in assisting the speedy removal of persons or property involved in an accident, was called upon by one of these young lads. He asked whether she had business cards from any other tow-truck companies and she indicated that she already had two or three. He asked her to give him the cards from the other trucking companies and to take the one which he was handing out. She asked the reason and he indicated that this was how he made his pocket money. He was to receive $1 from the company he represented for every card from another company that he returned to his boss. She inquired about the result of his efforts at that time. He had been working for four hours and had collected one card, so a student at one of the high schools had worked for four hours and made $1.

Apart from the exploitation of that lad, these operators are attempting to pull the wool over the eyes of people such as this lady who was interested only in trying to assist in the event of an accident.

I ask the Minister whether there is some way his department can control this type of exploitation and ensure that it is brought to an end.

Mr SIDIROPOULOS (Richmond)—I bring to the attention of the Assistant Minister of Education the alarming situation at Westgarth Primary School where Greek–Australian parents and the Greek community generally are angry because of the divisive action of the principal. The devious methods employed by the principal resulted in the election to the school council of eight candidates, none of whom represents the large Greek community at that school.

In other schools, principals encourage participation by all parents, irrespective of their ethnic background. This principal, instead of trying to create an harmonious relationship between all parents, created an atmosphere of animosity and bitterness among them. Instead of supporting full participation by all parents in the affairs of the school, he made sure that only the parents he wished to see elected to the school council were elected.

The time allotted for voting was approximately 35 minutes and this denied many parents the opportunity of attending the school and exercising their voting rights.

In the past, when the principal needed the assistance of all parents at the school, he notified them in both Greek and English. On this occasion the notices were sent only in English.

I ask the Assistant Minister to arrange for a fresh election to be held and for notices to parents concerning the election to be sent in both languages, English and Greek. I also ask the Assistant Minister to arrange that all schools which have a large migrant

community should send all notices to parents in a multi-cultural form in order to ensure that every parent has equal access to information regarding the running of the school.

Mr SIMMONDS (Reservoir)—I raise with the Minister of Labour and Industry the uncertainty that has developed in the community about workers compensation, particularly following a letter from the Minister to the Registrar of the Workers Compensation Board on 7 December. The letter was written as a result of a deputation from the United Firefighters Union, which expressed to the Minister a concern that he believed was genuine but unjustified. The letter states:

> In the course of discussions with the firefighters, I undertook to inquire from the Workers Compensation Board whether any indication could be given of the expected impact of the word "substantially" in this context.
>
> I realize this may be difficult in the absence of actual cases, or without legal argument on the subject. However, I should be grateful for any help or guidance you can give in this matter which would be of general assistance to the community's understanding of the issue.

As the Minister was responsible for drafting and producing the Bill, I find it incomprehensible that the honorable gentleman should now ask the Registrar of the Workers Compensation Board to interpret it. The inference is that if the interpretation is satisfactory to the Minister he will use it to justify his public response. I do not wish to be unkind, but the letter was written six days ago.

I ask the honorable gentleman to inform the House whether he received a response to the letter, what action he will take if he fails to get a response or what he regards as a satisfactory response, whether he is prepared to further review the legislation and whether he is prepared to have further talks with the union and other trade unions to discuss the meaning of the legislation that has caused so much concern in the community.

Mr FORDHAM (Footscray)—I direct to the attention of the Assistant Minister of Education problems that have arisen regarding the classifications and rights of teachers employed in the Adult Migrant Education Services section of the Education Department.

This facility has been working in Victoria for many years, in fact, since the Commonwealth migration programme commenced. It is designed to provide for the educational needs of adult migrants. The teachers have been endeavouring for some time to obtain fundamental justice in their classification system and their rights as teachers, so far without success. The lack of response from the relevant authorities, the Government of the day and the Teachers Tribunal has resulted in increased restiveness within the branch.

To give an illustration, I point out that all teachers and administrative personnel are classified as temporary. Consequently, teachers are remunerated according to their qualifications and length of experience in a range of subdivisions 1 to 9 on the temporary scale, whereas teachers with similar qualifications doing similar work in other sections of the department are entitled to far higher rates of pay. As a result of the temporary designation, teachers within the Adult Migrant Education Services section are ineligible for study leave, superannuation and promotion opportunities, all of which are available to permanent members of the Teaching Service.

Parliament passed legislation in March 1978 to facilitate permanency of tenure for Adult Migrant Education Services teachers, but, unfortunately, that legislation has not yet been implemented. It is a disgrace that there has been no positive approach to the problem.

I hope the Minister will agree to deal with the problem as a matter of urgency. It has been brought to his attention and that of the Government on a number of occasions in the past, and the discrimination can no longer be countenanced.

Mr BROWN (Westernport)—I raise with the Minister for Minerals and Energy a problem that has arisen because of the proposal by the State Electricity Commission to discontinue the production of household-size

briquettes, which are three times larger than the industrial briquettes produced by the commission. People in country Victoria, particularly pensioners and dairy farmers, who use the household-size briquettes in large quantities, are most concerned about this matter. The larger briquettes are the same price as the industrial size but, because of the increased mass they burn much more slowly and the heat output into the appliance is considerably less than that of the smaller briquettes. Many appliances that currently use the household size would burn out if they were fuelled solely by the industrial size. I ask the Minister to investigate why it is proposed to cease the manufacture of the large, household-size briquettes, and, if possible, to ensure that their manufacture is continued.

Mr LIEBERMAN (Assistant Minister of Health)—I have noted the concern of the honorable member for Keilor about pre-school dental services, which are provided by about twenty municipalities in Victoria. A number of members of Parliament and various associations have been in touch with me about the problem. The discussions I have had with the honorable member for Keilor were helpful to me in providing me with a better knowledge of the type of service provided in the area he represents and the effect the loss of the service might have.

The Health Commission decision that the service should end at the end of this year was made for budgetary reasons. It was a difficult decision to make and was not arrived at lightly. Since the decision was made, a number of facts have emerged that have led me to believe the decision ought to be reviewed. Subject to my being able to obtain support from the Treasury, I hope to be able to extend the service—perhaps until 30 June next—during which time it will be possible to carefully evaluate its effectiveness and the cost-benefit element, to ascertain whether it can be continued permanently.

At this stage, I am uncertain whether I have been able to achieve that objective and the Health Commission is still considering my request. I hope that within a few days I will be able to announce that funds will be available to allow the service to continue, at least until 30 June next.

In answer to the question raised by the honorable member for Glenhuntly, concerning lead poisoning in the community, I point out that the matter is handled by the Minister of Health. I will bring it to his attention.

Mr RAMSAY (Minister of Labour and Industry)—The honorable member for Reservoir raised the question of the approach by the United Firefighters Union concerning the effects of the recent amendments to the Workers Compensation Act.

Honorable members will recall that several days ago some publicity was given to the fact that fire-fighting services were likely to be in jeopardy because of industrial action to be taken as a result of the attitude taken by the union to the amendments. I thought it appropriate that I should speak with the officers of the union in an endeavour to clarify the situation. At that conference the union asked how the Government could be certain that the Workers Compensation Board would interpret the legislation in the way in which the Government believes it will interpret it. I undertook to contact the board to inquire when it would be in a position to give some definitive interpretation that would be of assistance to the fire fighters in their understanding of the situation.

On receipt of any information from the board, I will certainly be informing the union, although the officers of the union understood fairly clearly that the ability of any tribunal to give such definitive statements in the absence of an actual hearing was still in doubt.

When I am advised by the board in this direction I will certainly communicate further with the union.

Mr MACLELLAN (Minister of Transport)—The honorable member for Niddrie raised a matter regarding children being paid fees to get back the cards relating to spotters' fees belonging to other companies in the tow-truck

industry. I can understand the problem but I cannot see a solution to it. However, I shall see whether it is possible to use imagination to find some useful answer.

Child labour in factories is a matter for the Minister of Labour and Industry, but where it is not in factories it is not covered other than by a wages board decision and there would not be one in this area.

The honorable member for Richmond and the Deputy Leader of the Opposition raised matters for the attention of the Assistant Minister of Education. I shall draw those matters to his attention.

The honorable member for Westernport raised a matter for the attention of the Minister for Minerals and Energy. I shall endeavour to have a word with him, if I can find him around the House.

The motion was agreed to.

The House adjourned at 3.6 *a.m. (Thursday).*

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

FAMILY PLANNING ASSOCIATION

(Question No. 23)

Mr ROPER (Brunswick) asked the Treasurer:

In respect of the Family Planning Association of Victoria:

1. What is the grant to the association for this financial year?

2. What was the amount paid by the Association in respect of pay-roll tax last financial year?

3. Whether he is aware that some $8000 is estimated to be the pay-roll tax commitment for this financial year?

4. Whether he will either increase the grant to ensure that the full amount of the State grant can be used by the Family Planning Association, or take appropriate action to have the association exempted from pay-roll tax?

Mr THOMPSON (Treasurer)—The answer is:

A grant of $22 500 was made to the Family Planning Association through the Health Commission. There are a number of grants made to various organizations in the Budget each year. Because of the overall financial position it was not possible to increase the level of the majority of grants for the 1979–80 financial year.

WOMEN'S REFUGES

(Question No. 108)

Mr ROPER (Brunswick) asked the Minister for Community Welfare Services:

In respect of capital expenditure under the Community Health Programme as specified on page 15 of the Explanatory Memorandum relating to the Public Works and Services Act 1978, what works are to be carried out at each of the ten women's refuges and when it is expected that tenders will be let in respect of each of these works?

Mr JONA (Minister for Community Welfare Services)—The answer is:

As at the end of the financial year 1978–79, there were fifteen women's refuges operating in Victoria. For the year, funds were expended in capital works in the refuges according to the following:—

1978–79	*Total expenditure*
	$
Southern Halfway House ..	3 704.03
La Trobe Valley Women's Refuge ..	10 118.45
Blackburn Baptist Church Women's Refuge	4 000.00
Doncare Halfway House	1 775.00
Maroondah Halfway House ..	5 057.55
Mary Anderson Lodge	500.00
Peninsular Women's Refuge Group	3 173.46
Women's Liberation Halfway House	1 486.90
"Nanow" Fostering Women's Refuge	17 942.88
Co-As-It Women's Refuge ..	6 000.00
Western Region Women's Refuge..	8 801.26
Warrnambool Women's Refuge ..	18 171.06
North West Region Women's Refuge	1 520.59
Mountain Women's Refuge ..	17 826.34
Aborigines Advancement League Women's Refuge (commenced only in June 1979)	1 850.00

DIRECTOR OF CONSUMER AFFAIRS

(Question No. 935)

Mr MATHEWS (Oakleigh) asked the Minister of Consumer Affairs:

1. What is the—(*a*) authorized; and (*b*) actual staff of the office of the Director of Consumer Affairs, indicating where staff have left and not been replaced?

2. What is the—(*a*) date; (*b*) substance; and (*c*) result of—(i) any undertaking to provide additional staff which has been given by the Honorable the Premier; (ii) any submission

for extra staff addressed to the Public Service Board; (iii) any submission from staff seeking re-classification of positions within the office?

3. Whether the office is behind in its handling of complaints; if so, what is the average delay?

4. Whether children in the care of the Spastic Society of Victoria have been used to monitor television advertisements for the bureau; if so, on what basis?

Mr RAMSAY (Minister of Consumer Affairs)—The answer is:

1. The authorized staff of the Ministry of Consumer Affairs is—

(*a*) Director of Consumer Affairs	1
Consumer Affairs Bureau	45
Small Claims Tribunals	7
Motor Car Traders Committee	7
	60

(*b*) The actual staff of the Ministry of Consumer Affairs (as at 11-12-79) was:

Director of Consumer Affairs	1
Consumer Affairs Bureau	40
Small Claims Tribunals	7
Motor Car Traders Committee	7
	55

Of the five vacancies, two have been caused by recent resignations and their replacements are currently being sought. The balance are vacant because of current staff ceilings. In the meantime, one officer is on loan from the Department of Labour and Industry.

2. (i) No such undertaking was given by the honorable the Premier. The last public comment made by him was on Radio Station 3AW on 15 June this year, when the Premier undertook to consult with me about the staffing situation. He has done so.

(ii) Many submissions for extra staff have been made since the establishment of the office of the Consumer Protection Council in 1964. The last submission to the Public Service Board relating to the Ministry of Consumer Affairs was in 1978, but the honorable member will realize that current budgetary restraints adopted by the Government have affected plans for expansion of services in all departments.

(iii) I am not aware of any formal submissions for reclassification of positions having been made by staff members.

3. Depending on the nature of the complaints, the majority of claims are dealt with in a time bracket of 4 to 12 weeks. This I regard as reasonable. "Delay" starts to run after a reasonable period has elapsed.

4. No.

GOVERNMENT PUBLICATIONS AND FILMS

(Question No. 1000)

Mr WILKES (Leader of the Opposition) asked the Minister of Labour and Industry:

1. What public relations, information, extension or educational brochures, publications and/or films the departments, instrumentalities and/or divisions under the Minister's control have produced since the General Election held on 20 March 1976?

2. What was the cost of each publication, brochure and/or film?

3. What was the purpose of each publication, brochure and/or film?

4. What evaluation, if any, of the need for any such publication, brochure or film was undertaken before it was produced, and what evaluation, if any, of their effectiveness was carried out after production?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

The time, effort and expense entailed in collating this complex information cannot be justified. If the Leader of the Opposition requires information on any specific item arising out of this department's educational and information activities then every effort will be made to supply the information.

GOVERNMENT PUBLIC RELATIONS

(Question No. 1029)

Mr WILKES (Leader of the Opposition) asked the Minister of Labour and Industry:

1. What public relations and/or advertising firms have been employed by the departments, instrumentalities, authorities and divisions under the Minister's control since the General Election held on 20 March 1976?

2. What projects they were employed to undertake and what was the cost of each project?

3. What evaluation, if any, was carried out on the effectiveness of these programmes both before and after they were undertaken?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

The time, effort and expense entailed in collating this complex information cannot be justified. If the Leader of the Opposition requires information on any specific item arising out of this department's educational and information activities then every effort will be made to supply the information.

(Question No. 1058)

Mr WILKES (Leader of the Opposition) asked the Minister of Labour and Industry:

1. How many people are employed by the departments, instrumentalities, authorities and divisions under the Minister's control in each of the advertising, public relations, information and extension fields?

2. What is the annual budget for each of these activities in each of these departments, instrumentalities, authorities and divisions?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

The time, effort and expense entailed in collating this complex information cannot be justified. If the Leader of the Opposition requires information on any specific item arising out of this department's educational and information activities then every effort will be made to supply the information.

GERIATRIC SERVICES

(Question No. 1173)

Mr ROPER (Brunswick) asked the Minister of Health

In respect of the visit of Dr Lionel Cosin, an expert in geriatric medicine and services:

1. What services he provided to or through the Health Commission and on what basis?

2. Whether he has written a report; if so, whether copies will be made available to the Member for Brunswick?

Mr BORTHWICK (Minister of Health)—The answer is:

1. Dr Cosin spent 10 weeks working with the staff of Manvantara, located in Ringwood. It is a 45 bed treatment unit and day hospital under the management of the Eastern Suburbs Geriatric Centre Society.

He also surveyed the facilities and services in the area, advised the Committee of Management on the effective use of the unit and how it could relate to the planning of the new Eastern Suburbs Geriatric Centre.

2. Yes. I will arrange for a copy to be made available.

HOSPITALS

(Question No. 1297)

Mr ROPER (Brunswick) asked the Minister of Health:

Which private hospitals or nursing homes in Victoria have been purchased by American hospital companies, specifying the companies concerned and whether charges to patients at those hospitals have risen substantially since they were purchased?

Mr BORTHWICK (Minister of Health)—The answer is:

It is asumed that the honorable member is making reference to the activities of certain Australian based companies who are associated with United States parent companies.

It is advised that the following companies have recently purchased private hospitals or nursing homes in Victoria—

(*a*) American Medical International (Aust.) Pty. Ltd.

The Avenue Private Hospital, Windsor.
Peninsula Private Hospital, Frankston.

(*b*) Hospital Corporation Australia Pty. Ltd.
Linacre Private Hospital, Hampton.
Warringal Private Hospital, Heidelberg.

The matter of fees charged to private hospitals and nursing homes does not come under the jurisdiction of the Health Commission of Victoria but is a matter for private negotiation between the hopital and the patient.

CONSUMER AFFAIRS COUNCIL

(Question No. 1592)

Mrs TONER (Greensborough) asked the Minister of Consumer Affairs:

1. How many matters have been referred to the Consumer Affairs Council pursuant to section 6 (*a*) of the Consumer Affairs Act 1972 in each year since the inception of the council?

2. On what date each such matter was referred?

3. What were the terms of reference of each such matter?

4. When each such investigation was completed and what was the result in each case?

Mr RAMSAY (Minister of Consumer Affairs)—The answer is:

The information requested is contained in the annual reports of the Consumer Affairs Council which are available in the Library.

TURANA YOUTH TRAINING CENTRE

(Question No. 1619)

Mrs TONER (Greensborough) asked the Minister for Community Welfare Services:

In respect of renovations to Turana Youth Training Centre:

1. What was the date on which he announced proposed renovations?

2. What is the date on which specifications were completed or will be completed?

3. When tenders will be—(*a*) called; and (*b*) let?

4. When the work will be completed?

Mr JONA (Minister for Community Welfare Services)—The answer is:

1. 26 April 1979.

2. Specifications are in the final stages of completion.

3. It is expected that tenders will be let in the early months of 1980.

4. Funds have been provided in the 1970–80 Works and Services Programme to enable construction to commence during that financial year. The overall project, including the renovation and alteration of the existing dormitory block to provide associated recreational and training facilities, is expected to be completed during the year 1980–81.

BLUE BLOCK DAM

(Question No. 1732)

Mr AMOS (Morwell) asked the Minister of Agriculture, for the Minister of Water Supply:

1. Why the estimated cost of the proposed Blue Rock Dam on the Tanjil River, itemized by the State Rivers and Water Supply Commission in sworn evidence to the Public Works Committee in 1977 and totalling $18 940 000, has increased by 48 per cent and now stands at $28 000 000?

2. Whether inflation was taken into account in either the 1977 or the 1979 cost estimates; if not, why?

3. Whether the Minister will supply this House with an itemized list of the 1979 estimated costs, showing where these differ from the 1977 figures?

Mr I. W. SMITH (Minister of Agriculture)—The answer supplied by the Minister of Water Supply is:

1. Estimates of cost of the Tanjil (Blue Rock) Dam at site T4 were presented by the Water Commission to the Public Works Committee, in March 1977, in a table reproduced in full below:

	100 000 *Ml.* (80 000 *ac. ft.*)			200 000 *Ml.* (160 000 *ac. ft.*)		
Item		*Latrobe*	*Tanjil*		*Latrobe*	*Tanjil*
Site No.	*L3* (A)	*L6*	*T4*	*L3* (B)	*L6*	*T4*
Embankment	8·15	6·25	4·23	11·00	13·67	7·15
Spillway	1·53	2·41	1·89	1·96	1·67	2·33
Diversion and Outlet	2·72	2·20	2·10	4·31	2·31	2·72
Inlet Structure	0·56	0·56	0·51	0·54	0·61	0·56
Cummulative Total (T)	12·96	11·42	8·73	17·81	18·26	12·76
Land Resumption	0·01	0·36	0·31	0·01	0·62	0·51
Reservoir Clearing	0·84	0·38	0·84	1·65	0·64	1·38
Road Relocation	0·36	0·08	0·09	0·36	0·08	0·09
Engineering (11 per cent. x T)	1·43	1·26	0·96	1·96	2·01	1·40
Management (2 per cent. x T)	0·26	0·23	0·17	0·36	0·37	0·26
Cumulative Total (U)	15·86	13·73	11·10	22·15	21·98	16·40
Contingencies (15 per cent. x U)	2·38	2·06	1·67	3·32	3·30	2·46
Clay blanketting of deep lead exposure at T4 (including contingencies)	..	..	0·08	..	..	0·08
Total	18·24	15·79	12·85	25·47	25·28	19·94

(A) and (B) refer to different centreline locations at Site L3, approximately 170 m apart."

Except for the addition of an allowance of $80 000 for "clay blanketing of deep lead exposure at T4", all figures in the table were taken from a report prepared by the Snowy Mountains Engineering Corporation (SMEC) in December, 1976, comparing the costs of various schemes for augmentation of Latrobe Valley water supplies. The SMEC estimates were based on prices as at October, 1976.

Site investigations necessary for detailed design of the project are now in progress, and it is expected that sufficient information for a revised, detailed cost estimate will be available early in 1980. The only item that has been separately revised in the meantime is that for land resumption, tentatively estimated in June, 1979, at $3·1 million subject to negotiation with individual landholders affected. The revised estimate allows for resumption of additional lands around the storage to protect water quality in the reservoir whereas the SMEC estimate for land resumption was based only on the area flooded to full supply level. If the SMEC estimate had allowed for $3·1 million for land resumption at T4, the cost estimate for that site would still have been about $4 million less than for the alternative Latrobe River sites shown in the table.

Pending revision of other individual cost items, the updated estimate of total cost given in June, 1979, was obtained by applying a cost-index factor of 1·3 to those items (representing inflation in dam-construction costs between October 1976 and June, 1979) as follows—

October 1976 estimate:	$1 million
Total	18·94
Less land resumption	–0·51
	18·43

June 1979 estimate:

Items other than land resumption:	
($18.43 million x 1·3)	23.96
Land resumption	3.10
	27.06

As the cost index is currently increasing at a rate close to 1 per cent per month, it was decided to round the estimate up to $28 million rather than down to $27 million.

2. As indicated in the answer to the first question, inflation was taken into account in updating the original estimate (October 1976) to cost levels as at June, 1979.

3. As indicated in the answer to the first question, all items in the "1977" (October 1976) estimate, except for land resumption, have been taken in bulk to have risen by a factor of 1·3. Except for land resumption, the items have not yet been individually revised.

GOVERNMENT ENERGY MANAGEMENT

(Question No. 1743)

Mr ROSS-EDWARDS (Leader of the National Party) asked the Minister of Agriculture, for the Minister of Water Supply:

1. In view of the policy announced by the Premier that all departments and instrumentalities of Government would play their part in a co-ordinated and comprehensive programme of sound energy management, why the Budget provision in Division 740 for fuel, light, power and water is estimated to be $72 600 in 1979–80 compared with an actual expenditure of $48 503 in 1978–79, an increase of 49 per cent?

2. What steps are being taken to control this expense item?

Mr I. W. SMITH (Minister of Agriculture)—The answer supplied by the Minister of Water Supply is:

1. Actual costs incurred in 1978–79 were approximately $10 000 in excess of the recorded expenditure of $48 503 due to the late receipt of accounts from the State Electricity Commission of Victoria. These delayed payments have been incorporated in the 1979–80 estimates. Increases in costs due to increased tariffs in 1979–80 are expected to be a further $3300.

In addition the commission occupied its new building extensions which represent an increase of approximately 30 per cent in floor area, and costs of fuel, lighting and power can be expected to increase proportionately

2. (*a*) A consultant's report has been obtained on changes to the building and operation procedures required to meet the interim energy conservation policy specified by the Public Works Department.

(*b*) Lighting and air-conditioning operations are being adjusted wherever possible to match prevailing climatic conditions.

Legislative Council

Thursday, 13 December 1979

The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 10.34 a.m. and read the prayer.

SUPERANNUATION (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

MASTER BUILDERS ASSOCIATION OF VICTORIA (GUARANTEE) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

MOTOR CAR (INSURANCE BY PENSIONERS) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

TOWN AND COUNTRY PLANNING (AMENDMENT OF SCHEMES) BILL

This Bill was received from the Assembly and, on the motion of the Hon. A. J. HUNT (Minister of Education), was read a first time.

EDUCATIONAL GRANTS (CONTINUATION) BILL

This Bill was received from the Assembly and, on the motion of the Hon. A. J. HUNT (Minister of Education), was read a first time.

EDUCATION (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. A. J. HUNT (Minister of Education), was read a first time.

VICTORIAN ARTS CENTRE BILL

This Bill was received from the Assembly and, on the motion of the Hon. A. J. HUNT (Minister of Education), was read a first time.

LABOUR AND INDUSTRY (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

QUESTIONS WITHOUT NOTICE

JAMES McGRATH FOUNDATION

The Hon. R. J. EDDY (Thomastown Province)—Will the Minister for Conservation, who is the representative of the Minister of Health in this House, advise whether the current list of directors of the James McGrath Foundation in Victoria is at variance with the list of directors published in the official Odyssey House document dated 12 September 1979? As three of those names are no longer listed, what are the changes and when will a new list be issued?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I am unfamiliar with the list of the directors of Odyssey House but I shall certainly check the question asked by the honorable member and provide an answer for him.

TEACHING SERVICE

The Hon. B. P. DUNN (North Western Province)—In view of the admission of the Minister of Education in answer to a question I asked on 6 December that the Victorian Secondary Teachers Association staffing policies and teaching loads which are part of those policies are severely affecting curricula in Victorian secondary schools, will the Minister, in the interests of students who face restricted education because of these actions, indicate what action he proposes to take between now and the commencement of the school year to overcome these difficulties and the problem of union restrictions on teacher loads?

The Hon. A. J. HUNT (Minister of Education)—Teacher hours are governed by regulation 24 of the Teachers Tribunal regulations and not by what the Victorian Secondary Teachers Association alleges. The teachers should get back to teaching. I propose to take steps to ensure that the regulations are much more nearly observed than is the case at the moment. I certainly do not propose to make provision for extra teachers for schools at which teachers are in many cases teaching for as little as 15 hours a week. That is not a fair go for the children concerned and it is time the children received their due.

WORKING PARTY ON EDUCATION

The Hon. JOAN COXSEDGE (Melbourne West Province)—Will the Minister of Education inform the House why he has limited teacher representation to one person out of a working party of eight when he must surely be aware of the vast differences between the three teaching divisions and the need for each union to adequately present its views? Is this not a provocative decision?

The Hon. A. J. HUNT (Minister of Education)—It is a provocative question. I make it perfectly clear that there are occasions when committees of 21, 25 and 30 members are formed when the broad spectrum of interests needs to be represented. I make it equally clear that a working party of that size will not work. With great reluctance, the working party on declining enrolments has been fixed at eight members, even though, through long experience, I have learned that a working party should consist of 3, 4 or 5 members and indeed perhaps a maximum of seven members. But there are eight members on the working party because a number of perspectives had need of representation. One teacher, one principal, chosen by the principals' association, one person to represent parents' clubs, school councils and similar bodies and various ranges of departmental interests will comprise the working party.

I have offered the unions a proposal that meets the suggestion raised by the honorable member, that there be a consultative group of 18 or 20 members, or even 30—I do not care—to represent those interests, to which the working party can report and who can comment on tentative remarks of the working

party. I refuse to have on working parties such large numbers that they will make the working party inoperable.

BOARD OF WORKS RATES

The Hon. D. K. HAYWARD (Monash Province)—Now that the people are finding the payment of the Melbourne and Metropolitan Board of Works rates quite burdensome, will the Minister of Water Supply advise whether the board will consider the possibility of payment of rates in quarterly instalments each year, as is the case with local government rates?

The Hon. F. J. GRANTER (Minister of Water Supply)—The Board of Works has considered the proposition on many occasions. In local government the ratepayer has the right to elect to pay his rates by four quarterly instalments. The Board of Works has a system of payment by two instalments, and it has worked very well. The number of ratepayers who do not pay by one instalment is about 16 per cent and I envisage that these are mainly industrial organizations who chose to pay by two instalments. Applications made by people in necessitous circumstances are always considered favourably by the board and in some cases they make monthly payments. I point out to the House that the board does not charge interest on arrears of payment.

FIRE AT PARLIAMENT HOUSE

The Hon. H. R. WARD (South Eastern Province)—I direct my remarks specifically to you, Mr President, regarding a fire that occurred in Parliament House during yesterday's sitting. Will you advise whether the fire was deliberately lit, whether fire extinguishers were readily available, whether there were any unauthorized people in the vicinity of the fire that occurred and whether any members of Parliament were at that time immediately endangered by the fire?

The PRESIDENT (the Hon. F. S. Grimwade)—The quick answer to the questions posed are, "No", "Yes", and "I do not know". This morning I inspected the area that was burnt with the engineer of Parliament House. It was a minor fire; all fires, of course, are serious. From what I could see, and the area has certainly been cleaned up, very little damage was done in an area which is not generally frequented and for which three fire extinguishers were available and had been used. They were located very close to that area. As a result of the fire, I have requested that a report be presented to the Speaker and myself by the engineer on the matter with any suggestions from him on the fire warning system in Parliament House.

MULGRAVE FREEWAY

The Hon. C. J. KENNEDY (Waverley Province)—I direct a question to the Minister for Local Government, who is the representative of the Minister of Transport in this place. As a result of the opening of a further part of the Mulgrave Freeway yesterday, there have been at least one serious accident, several minor accidents and many near misses at Huntingdale Road since 10.30 a.m. yesterday as well as enormous chaos in that very narrow section of Huntingdale Road at that section of the Mulgrave Freeway.

The Hon. H. R. Ward—When were you on it?

The Hon. C. J. KENNEDY—I was on the freeway yesterday and today. Will the Minister advise why the Government chose to open that stage of the freeway rather than to keep the traffic going through to Warrigal Road?

The Hon. D. G. CROZIER (Minister for Local Government)—I am not able to give a precise answer to the honorable member's question, but I shall refer it to the Minister of Transport.

SCHOOL CURRICULA

The Hon. W. R. BAXTER (North Eastern Province)—I direct to the Minister of Education a question regarding the problems created in the limited curricula available at country high schools which have small enrolments. In view of the surplus of teachers, will the Minister consider increasing the teaching staff at the major high school in a particular region—for instance, in

the north-east it would be the Wodonga High School—to a level beyond what it would have under the normal staffing formula to enable that school to provide courses in the more obtuse studies of, for instance, foreign languages, which could in no way be available at the surrounding minor high schools, to enable students in that area to have access to face-to-face teaching for those subjects?

The Hon. A. J. HUNT (Minister of Education)—That is a proposal which I will refer to the working party.

POLLUTION

The Hon. E. H. WALKER (Melbourne Province)—In view of the attitude expressed yesterday by the Minister for Conservation towards the Health Commission's approach to pollutants, and in light of this morning's newspaper report that pollution in Melbourne is far worse than had been imagined, indicating that on World Health Organization standards Melbourne is exceeding the standards on one day in five——

The Hon. D. G. Crozier—Standards or targets?

The Hon. E. H. WALKER—I understand they are standards. As we are approaching the summer season when photo-chemical smog will be bad and there is an increasing risk of skin cancer, will the Minister do something about a promise he made two years ago, in March 1977, as Minister of Health, when he said he would investigate the banning of aerosol sprays which contain fluorocarbons? Will he now assure the House that he will do something about that because it would be positive in relation to pollution?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The question is based on a whole series of what could best be described as misunderstandings. Firstly, let me quote the World Health Organization's long-term goals for ozone levels of 56 parts per 100 million. In Melbourne in 1974 that goal was exceeded on 1 day in 10; in 1975 it was exceeded on 1 day in 7; in 1976 it was exceeded on 1 day in 6; in 1977 it was exceeded on 1 day in 15; and in 1978 it was exceeded on 1 day in 7. These are World Health Organization long-term standards. As my colleague, the Minister for Local Government, implied by interjection, the World Health Organization figures were goals and not current standards. The strictest standards in America are twice the level of the World Health Organization standards; so there is only one day in which standards of 25 have been reached in Melbourne, and that compares with the strictest standard in America of 12.

I am not trying to say that the standards for air quality are not important. The Environment Protection Authority has issued an extremely important and, generally speaking, well received air quality draft policy.

The Hon. E. H. Walker—The Minister disagreed with it yesterday.

The Hon. W. V. HOUGHTON—I am not disagreeing with that. The honorable member's question is based on a lot of misinformation and misconception. I have just quoted the figures for the days on which the World Health Organization's long-term goals are exceeded in Melbourne. What Mr Walker has said about them is incorrect. That is all I am trying to say.

The matter of fluorocarbons in the atmosphere is still currently the subject of much examination and report and Mr Walker and I have expressed some concern about them. I do not disagree on the matter, but as yet there are no clear indications about current fluorocarbon use as related to the ozone.

TOTALIZATOR AGENCY BOARD

The Hon. J. W. S. RADFORD (Bendigo Province)—I ask the Minister of Water Supply who represents the Minister for Youth, Sport and Recreation in this House whether he is aware that in Western Australia the minimum totalizator wager is $1 and that there is now an ever-increasing demand in Victoria to raise the level of the minimum wager?

The Hon. F. J. GRANTER (Minister of Water Supply)—I am aware that in other States the amount of minimum

wager that a punter can place on the totalizator varies. I am not conversant with the West Australian position. I will take this matter up with my colleague, the Minister for Youth, Sport and Recreation.

SCHOOL STAFFING

The Hon. D. M. EVANS (North Eastern Province)—I refer the Minister of Education to a pamphlet which circulated fairly widely in Victoria recently and compared the conditions in an inner suburban school with those in an outer suburban school in Melbourne, supporting the request for a needs-based appointment to a school which had certain criteria. The criteria between the two schools which were compared were socio-economic and included such factors as the number of children from: Single parent families; families of blue collar workers; families of white collar workers; and families on social security. I ask the Minister, in view of the socio-economic importance of the questions raised and the obvious inference that the schools should take up the socio-economic problems, whether there will be consultation between the Education Department and the Federal Department of Social Security to try to spread the load or burden which now appears to be thrown on the education system.

The Hon. A. J. HUNT (Minister of Education)—I do not know that all the assumptions made by the honorable member are fully justified. Schools are staffed in accordance with what are conceded to be special needs. The first element of that is the number of children, for obviously a school with many pupils requires more teachers than a school with fewer. The number of pupils is not the only criterion; there are many others and socio-economic conditions affect the needs of the schools. That does not mean that the school takes over the role of the Department of Social Security, although it may mean some added counselling and visitation by appropriate officers, with a view to meeting the specific problems of the children without which their schooling will prove inadequate.

As the honorable member rightly says, the number of single parent families is another factor taken into account, as is the number of migrant families for whose children English is a second language. The state of school buildings is taken into account, as are a few other factors. In country areas remoteness is also taken into account.

These tests have been developed following consultation with other bodies. They were recently reviewed at the primary level and updated and agreed upon between the Education Department, unions, parent associations and VICSSO, representing school councils. Similar criteria are adopted at other levels, and in the technical division the provision of special needs staff is particularly high by comparison with others, aimed at providing needs based staffing.

I believe the social issues have been adequately taken into account and because the school does not seek to replace the Department of Community Welfare Services or the Commonwealth department, I doubt whether discussions with them are necessary at this stage.

INSTRUMENTS (POWERS OF ATTORNEY) BILL

For the Hon. **HADDON STOREY** (Attorney-General), the Hon. A. J. Hunt (Minister of Education), by leave, moved for leave to bring in a Bill to amend the law with respect to powers of attorney, to re-enact Part XI. of the Instruments Act 1958, to amend the Public Trustee Act 1958, the Transfer of Land Act 1958 and the Trustee Companies Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

LIBRARY COMMITTEE

The Hon. D. M. EVANS (North Eastern Province) presented a report from the Joint Library Committee, together with appendices.

It was ordered that they be laid on the table.

PAPERS

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

Lands—Report of the Department of Crown Lands and Survey for the year 1978–79.

Trade Unions—Reports of the Government Statist for the years 1977 and 1978.

On the motion of the Hon. E. H. WALKER (Melbourne Province) it was ordered that the reports be taken into consideration on the next day of meeting.

MOTOR CAR (INSURANCE BY PENSIONERS) BILL

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

That this Bill be now read a second time.

This Bill proposes to amend the Motor Car Act to provide for concessional rates of premiums in respect of third-party insurance cover for certain categories of pensioners. The Bill thus gives effect to yet another of the election promises made by the Government in the context of the recent Victorian State elections.

The Bill empowers the Governor in Council to provide for the premiums to be paid in respect of motor cars owned by certain categories of pensioners to be one-half of the premiums which would otherwise be payable. The concession may apply only to motor cars used solely for social, domestic or pleasure purposes.

Moreover, by virtue of sub-clause (2) of clause 2 of the Bill, the categories of pensioner who will be elegible for the concession are those who are aged, invalid or widows' pensioners and who hold the appropriate concession card issued by the Commonwealth Department of Social Security—the same as those for whom concessional registration fees are provided for in the Motor Car (Fees) Bill 1979. The concession card is, of course, the same one as entitles the holder to concessions in respect of certain other items of expenditure such as medical treatment, municipal, water and sewerage rates and fares on public transport.

Although the Bill is short, it provides for a concession to persons who find the increasing costs and charges relating to the running of a motor car to be a burden. It is hoped that this Bill will ease that burden to some degree and I commend it to the House.

The Hon. R. J. EDDY (Thomastown Province)—There is no doubt that this Bill has resulted from pressures and reminders by members of the Labor Party. Yesterday, during the debate on the Motor Car (Fees) Bill, I reminded the Government of the promise of the Premier in his Budget speech in April this year that pensioners, who were recipients of benefits from the Government, would receive a 50 per cent reduction in registration and third-party insurance fees. The Premier undertook to reduce registration fees applicable to pensioners, and he went on to say:

This Bill gives effect to that undertaking by providing for concessions to be granted to pensioners equal to 50 per cent of registration fees.

That did not happen. I quoted figures yesterday during the debate on the Motor Car (Fees) Bill and I reminded the House that, according to that Bill, pensioners were to receive a 50 per cent reduction in motor registration fees.

On a Gemini car the registration fee is $16.81 for pensioners, and third-party $33.62, and this is reduced to $16.81 for pensioners, and third-party insurance, plus registration fees, amounts to $136. According to the Premier's election promise of a 50 per cent reduction in registration fees and third-party insurance, pensioners should only be paying $76.46. I also quoted other relevant figures.

This Bill will enable pensioners to receive a full 50 per cent rebate in respect of both registration fees and third-party insurance. I welcome the Bill, but it was the Opposition who had to remind the Government of the Premier's promise. The Government heeded our advice, and no doubt rushed this Bill into the House to keep that promise made by the Premier to pensioners.

The Bill assists a certain category of pensioners, such as age pensioners, invalid or widow pensioners, who hold

the appropriate Commonwealth concession card for medical treatment, and who receive concessions for such other items as sewerage rates and public transport. However, a number of pensioners are missing out on the concessions granted by the Government, such as lone persons and deserted wives who receive the same pension payment and concession cards for medical treatment.

Some of these people, of necessity, have to own a motor car because they live in municipalities where there is no transport, but they do not receive a 50 per cent reduction in motor car fees. Members of the Government, particularly Cabinet, should consider granting concessions to these people. They are endeavouring to survive, particularly young pensioners who have one or two children, and in some cases more, on a small pension received from the Government. The Premier and the Government should consider granting this 50 per cent reduction in motor fees to those pensioners irrespective of whether they are age pensioners or deserted wives. I ask the Minister to take this up with the Premier and members of the Cabinet.

I welcome the Bill. I am certain that the pensioners who will benefit from it will also appreciate it, but all pensioners, whether they be single mothers or deserted wives, who receive a concession card, should be granted the 50 per cent reduction in motor car fees. I have much pleasure on behalf of my party in supporting the Bill.

The Hon. W. R. BAXTER (North Eastern Province)—The National Party supports the Bill. I largely endorse the remarks made by Mr Eddy that there are certain classes of pensioners who are not being covered by many of the concessions now being granted by the State Government. The State Government is to be commended for the concessions it has given to pensioners in a number of aspects over the past three or four years. I take the view that it is basically a Commonwealth responsibility, coming under social security, but the State has been most generous in assisting pensioners.

My concern is for those whose income is just outside the pension range. They are now becoming the disadvantaged in our community. People who qualify for a pension are not only receiving a cash payment each fortnight but are also attracting concessions on motor registration fees, third-party insurance, municipal rates and so on, yet there are thousands of people in the community who have worked hard during their lives, who have been thrifty, and saved, and who now find themselves just outside the pension range and thus denied these concessions.

Members of Parliament and the Governments should take that into account when deciding upon further assistance to that group in the community.

The Hon. R. A. MACKENZIE (Geelong Province)—I commend the Government for this action. Too often the Opposition criticizes the Government for a lack of feeling for the under-privileged in the community, and it is a pleasure to commend the Government for taking this step to assist needy people. I support the comments made by my colleague, Mr Eddy, and by the National Party.

However, not all pensioners will benefit under the Bill. It will probably benefit only a minority of pensioners because only a minority of them would be car owners.

The Hon. B. A. Chamberlain—The majority of pensioner car owners will benefit from the Bill.

The Hon. R. A. MACKENZIE—I would have thought the majority of age pensioners would not be car owners, but I am prepared to stand corrected as I do not have the statistics. However, it is my belief that any legislation to assist a group in the community should assist all members of that group. I would like the Government to continue its efforts to assist pensioners. They already receive concessions related to rates and fares and those concessions ever, I would like the Government to are of assistance to all pensioners. How- consider a reduction in the charges to

pensioners for gas and electricity, commodities used by all. Perhaps a reduction of 25 per cent or a smaller percentage in gas and electricity charges could be allowed to a pensioner on the production of a pensioner benefit card when paying his account. I have pleasure in supporting the Bill.

The Hon. D. N. SALTMARSH (Waverley Province)—My comments follow along similar lines to a matter raised by Mr Baxter. Over the years there has been increasing concern on the part of Governments to assist the under-privileged and it has been easy to assume that the under-privileged are the pensioners. That was a correct assumption until fairly recently but now assistance has been offered by way of rebates to those in receipt of the full aged persons' benefit.

This problem was highlighted to me recently when I received representations from a couple of pensioners. They are people who provided for their own retirement through superannuation. In many instances they have literally gone without things such as holidays to ensure that they accumulated a nest egg for their retirement years because they saw this as being a responsible attitude. They now find that, because their income is a few dollars above the level of eligibility for receipt of a pension, they have put themselves beyond the possibility of receiving rebates and assistance with medical expenses and the like.

If there is to be further assistance for the pensioner group in the comunity, instead of it being 50 per cent for one section of pensioners, could it not be 10 per cent for all of those in this general category? The Government should consider the needs of people just outside the present eligibility boundaries for aged persons' pensions so that there is just treatment across the board.

While supporting the Bill fully and wholeheartedly, I make the point that the Government needs to give more careful consideration to the range of people who may become the new section of deserving aged people in the community.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6325 s. 71)

The Hon. HADDON STOREY (Attorney-General)—It would be ungracious of me not to thank honorable members who spoke during the second-reading debate for their commendation of the Bill and for their thoughts on other means of assisting pensioners and disadvantaged persons in the community who fall just outside the boundaries set on pension eligibility. The Government has followed the generally accepted proposition that a pensioner holding a concession card issued by the Commonwealth Department of Social Security is the pensioner most in need. Accordingly, the Bill sets out to assist that group. Some problems have been highlighted by honorable members who spoke, problems flowing from the nature of the means test applied by the Commonwealth Government to the granting of a pension. It is a complex subject which cannot be coped with in the Bill to amend the Motor Car Act, but I assure honorable members that the Government will take into account the points made.

The clause was agreed to.

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

TOWN AND COUNTRY PLANNING (AMENDMENT OF SCHEMES) BILL

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a second time.

It deals with section 32 (6) of the Town and Country Planning Act, the section by which, in appropriate circumstances, the Governor in Council is not satisfied that the preparation of a planning scheme is warranted, it may be amended without going through the whole process of exhibition and objection or after undergoing a limited process. It is a section which is used sparingly to avoid going through a lengthy process, but it does have very real value.

The section is worded somewhat confusingly. At first glance it is difficult to tell whether the discretion concerned is that of the Governor in Council or that of the Minister. Orders in Council from time to time have referred variously to the Minister being satisfied or to the Governor in Council being satisfied. The matter should be clarified and the Bill indicates clearly that it is the Minister who must form the opinion that an amended planning scheme is not warranted, and not the Governor in Council. The words "the Minister" are proposed by the Bill to be inserted in place of the word "he".

A further clause is added to validate action taken in the past whether the Order in Council made reference to the Governor in Council or to the Minister being satisfied. It is a simple issue and I commend the Bill to the House.

The Hon. E. H. WALKER (Melbourne Province)—I have noted the comments of the Minister in the second-reading speech and I have examined the Bill. The Labor Party offers no opposition to it.

The Hon. K. I. WRIGHT (North Western Province)—The National Party supports the measure. There has been some practical experience of its derivations in town planning appeals in municipalities such as the Shire of Kerang and the Shire of Boort. The proposed new section includes the words "after the Minister has considered a report thereon by the Board and consulted the responsible authority". I assume that that consultation is not merely a matter of telling the council what he proposes to do but is a matter of discussing the matter with the council and taking note of what the council says about it.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6849 s. 32 (6))

The Hon. A. J. HUNT (Minister of Education)—Mr Wright has raised the question of consultation. Meaningful consultation does occur. It need not necessarily be with the whole council; it may be with officers on the council's behalf.

By way of example, I recall one urgent case where a municipality had to know within the week whether it could accept the proposal made by an industry. The municipality sought the amendment to its own planning scheme. The Board of Works was involved, as was the Town and Country Planning Board. The application was made on the Tuesday, and the Board of Works and the Town and Country Planning Board examined the matter urgently. Both gave reports under delegated authority on the Thursday and the matter was processed and went to the Governor in Council on the Friday. Without detriment to sound planning procedures, the area obtained an industry which it otherwise would have lost.

It is for urgent cases of that nature that the section exists and it has to be made to work, but it ought never to be used simply as a short-cut means of overriding people's rights. I assure Mr Wright that in my experience it has been used with considerable discretion.

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

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

EDUCATIONAL GRANTS (CONTINUATION) BILL

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a second time.

Non-State schools in Victoria currently receive a subsidy towards the cost of educating pupils which is 20 per cent of the cost of educating pupils in State schools. The Government has promised to raise that percentage from 20 to 25 per cent over a period of five years. The Bill, as a first step, takes the percentage to 21 per cent. In actual figures, which appear in the Bill, the subsidy at primary level is raised for the school year 1980 from $197 to $233 and at secondary level

from $326 to $387. I commend the work done for these purposes and 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 later this day.

EDUCATION (AMENDMENT) BILL

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a second time.

The Bill has three purposes. Firstly, it abolishes the Ministry of Special Education and provides for an Assistant Minister, whose role is included in the definition of Minister under the Act. Secondly, it enlarges the power of certain school councils. Thirdly, it makes a formal amendment in the final clause to take account of the change in the nomenclature of classification of primary schools by the Teachers Tribunal.

Matters of substance in the powers of school councils are threefold. The Bill enables a school council to enter into contracts with other school councils. Quite obviously, this may be to their mutual advantage. The schools had been precluded from making arrangements with other school councils, which is ludicrous, and it is desired to remedy that position. Secondly, it enables the Crown to make payments to contractors where school councils have, with the consent of the Minister, ordered the work. It is said by the Solicitor-General that that practice, which is obviously sensible, is without statutory warrant. This is provided for in the Bill. Thirdly, it clarifies the powers of the school councils under agreements entered into with the authority of the Minister of Education and other Ministers with municipalities and with other departments. There is specific power in the Act for those agreements to be entered into, but the Auditor-General takes the view, even though the councils have the power to enter into an agreement, that they do not have the power to carry it out. The Bill remedies that defect also. I commend the Bill to the House.

On the motion of the Hon. H. A. THOMAS (Melbourne West Province), the debate was adjourned.

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

VICTORIAN ARTS CENTRE BILL

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a second time.

I have circulated detailed notes that set out the background of the measure at considerable length and honorable members may care to peruse those at their leisure. Suffice to say that the main purpose of the Bill is to provide for the appointment of a Victorian Arts Centre Trust which will be the successor in law of the Victorian Arts Centre Building Committee in every respect. Its powers are so established to attract tax deductible gifts or bequests.

Because of the placement of the theatres, the Melbourne concert hall, the gallery and the Victorian College of the Arts side by side, Victoria has an unparalleled opportunity and challenge to present total programmes in the arts which should encourage creative exchanges between the art forms, give inspiration to students of the arts and provide facilities for the public which few places in the world can match.

To help achieve the links with the National Gallery of Victoria and the Victorian College of the Arts, thereby ensuring close liaison with both bodies having responsibility for major aspects of the Victorian Arts Centre, two members of the trust will be appointed from members of the National Gallery trustees by nomination, and one will be appointed on the nomination of the Council of the Victorian College of the Arts. Provision is also made for representation on the trust of a member with an interest in the arts, who lives outside Melbourne. The general manager and other staff will be appointed by the trust with the approval of the Minister. This method of appointment will allow the trust the flexibility necessary to attract the best people.

The Bill provides the means to encourage revenue-producing activities and services such as car parking, catering, souvenir sales, ticket sales, and guided tours to be major contributors to the financing of operations. The building has been designed to last for centuries and to require minimal maintenance. Clearly, well-managed ancillary services will help further to minimize the need for a subsidy. The Bill should provide a firm foundation for the future management of the centre. I take this opportunity, on behalf of all honorable members, of thanking the building committee for the work it has done to date. I commend the Bill to the House.

The Hon. JOAN COXSEDGE (Melbourne West Province)—The Labor Party does not offer any opposition to the Bill.

The Hon. B. P. DUNN (North Western Province)—Members of the National Party support the Bill. The promotion of the arts is an important aspect. However, concern should be expressed that sometimes the priority the Government gives to the needy in the community is overshadowed by the priority it has given to promotion of the arts. At times, members of the National Party consider that the Government should redirect some of its efforts to more practical and necessary forms of urgent expenditure that face the people of the State.

Generally, people are concerned with the rapidly escalating costs of the Arts Centre. Obviously, the Arts Centre will be a great burden financially on the people of Victoria. There is no doubt that culturally it will be of great benefit, but at a very significant cost. Admittedly, the State is committed to the project and to the cost, but, as Mr Walker interjects, the cost is outrageous. There has been some scaling down on the originally envisaged project, much to the disgust of some people. I notice that Mr Block is preparing to enter the debate. I know he has a particular interest in the centre and no doubt he will make a valued contribution to the debate.

The National Party is concerned with the high cost the Victorian people have been committed to for the Arts Centre. The Government should learn a lesson from the history of the project when it considers undertaking future projects. Obviously problems have been encountered with the construction of the extensions to the centre that were not envisaged at the commencement of the project. The National Party urges the Government to consider the taxpayers who are paying for the centre. The Government has a responsibility to ensure that the taxpayers' money is being spent properly, beneficially and productively. There has been a massive expenditure in the arts field throughout Australia in the 1970s. The Government must consider the practical needs of the community and of industry, which is clearly where the priority of Government expenditure should lie during the 1980s.

The National Party hopes that the Bill will assist in the proper and full use of the facilities of the Arts Centre provided at great cost by the taxpayers.

The Hon. Dr FOLEY (Boronia Province)—I support the Bill and draw the attention of the Minister to clause 18 which provides that the trust shall, not later than 31 December in each year, make a report to the Minister on its operation. I do not suggest that the clause should be amended, but I point out that that date ensures that Parliament will not receive the annual report, if it is tabled on time, until the following March.

I urge the Minister of Education to seek an assurance from the Minister of the Arts that the date of presentation of the annual report will be brought forward rather than presented on the date indicated in the Bill.

The Hon. P. D. BLOCK (Nunawading Province)—Having had Mr Dunn forecast that I might say a few words, I emphasize that they will be only a few words. I would not want this Bill to pass through the House without joining the Minister in congratulating the building committee for bringing this magnificent project to the stage where it is almost ready to be commissioned.

In my opinion it is one of the finest complexes in the world. Certainly it compares more than favourably with the Lincoln Centre in New York and much more than favourably with the South Bank complex in London and the National Theatre and concert hall complex across Waterloo Bridge.

The Arts Centre is a very bright and exciting complex and one of which Victorians will be proud for years to come. Victorians will be enormously proud of cultural advantages the complex will bring to our State.

I share Mr Dunn's concern over its immense cost, but in years to come that cost will be forgotten as Victorians enjoy the facilities which are beyond question. I understand that the current cost is estimated at about $170 million but it may go up to $200 million. However, in the long term that is a price which Victorians will have been proud to pay. We will have in Melbourne a facility which can draw artists from all around the world who can be mixed together in the performing arts; this will create great excitement for all.

Fortunately, we will not have the same problems that have been encountered and are continuing with the Opera House in Sydney. The problems are largely due to the bureaucratic type of management employed in Sydney whereas the Arts Centre complex will be managed more along the lines of the Adelaide Festival Hall. This type of management allows greater flexibility than is possible with the management arrangements in Sydney. It will also allow the management to scour the world and hire people at reasonable rates for the best people in the world will be wanting to work in the best Arts Centre in the world.

I commend the Bill and wish it a speedy passage. I also commend the Opposition for supporting it and I look forward to the day when honorable members will be able to witness performances in the Arts Centre.

The Hon. E. H. WALKER (Melbourne Province)—In an attempt to be cooperative, I intended not to rise on this issue, but I must correct statements made by Mr Block and Mr Dunn. The Opposition did not support this measure; it offered no opposition to it, and the difference is quite significant.

This issue was debated *ad nauseam* in another place where the Labor Party had much to say, not just about this measure but about the project at large. I myself have said a number of things in the House about the Arts Centre and I intend to make a few comments in reply to statements made by Mr Block.

Nobody can justify the expenditure of $200 million on a project which was expensively estimated at $45 million in the first instance. Anybody who does must be seen as being somewhat irresponsible. It is a huge cost. In his second-reading speech, the Minister indicated that the Arts Centre has been designed to last a couple of hundred years. That is nonsense and I would like the honorable gentleman to indicate how he can make such an authoratative statement.

The design of the building and its construction, especially its construction, have been responsible for much of the cost, because when the holes were dug for the foundations of stage 2 of the project, it was found that not only was there a mud-hole in what was possibly the worst location for a large construction in Melbourne, but also that the mud in that hole was of a particular kind. It is acidic and a tremendous amount of study had to be undertaken to try to work out how it would be possible to build in a hole like that. The acid could attack the reinforcement steel in the concrete and the building could disappear in a period of one decade, let alone 200 years.

It was necessary to build what is, in fact, a huge and expensive concrete bathtub. In addition there are electrodes running into the mud and through these electrodes there is a constant electric charge to try to neutralize the acid. It was a most dramatic form of construction and I would not like to be responsible for its support after ten years because it only requires a few hairline cracks to occur in the concrete bathtub

for the acid to seep through and attack the reinforcing steel in the concrete. The method of construction adopted was highly expensive and I doubt whether the statement that it will last 200 years is one about which honorable members could be confident.

There are other aspects concerning the Opposition about the project. Only two days ago Mr Hamilton was highly critical of the design of the spire. He approached me later and asked my personal opinion on the proposed spire, but I will not repeat what I stated as it would be unethical for me to comment in Parliament on another architect's work. I will make no comment on the actual design of the spire except to say that the first spire design did have some use in that it was to house a restaurant and was to be put to certain other uses, but the new spire has absolutely nothing in it.

Beyond that, we have a Premier in this State who, in addition to paying an enormous amount for this project, wants to finance a so-called landmark for Melbourne which would be located only 300 yards away from this expensive spire. The landmark is being decided by a competition which has been held and the project will involve an expenditure of at least $50 million. No doubt that amount will also increase if the project ever gets off the ground, because it has already been estimated that it will cost $40 million just to roof the railway yards, before any landmark is constructed. The Opposition suggests the project will lead to an extraordinary expenditure on a so-called landmark while across the river at the Arts Centre there is a spire which in itself could be regarded as a landmark for Melbourne. Nevertheless, the Premier appears to be intent on constructing another landmark which, apart from the cost of roofing the railway yards, will be highly expensive and probably cost another $10 million.

The Hon. P. D. Block—That is rubbish.

The Hon. E. H. WALKER—It will probably be more than that. I cannot see why we need a spire and a landmark for Melbourne when one would suffice.

The Hon. P. D. Block—I find myself in almost unanimous agreement with Mr Walker, except over the cost of the spire.

The Hon. E. H. WALKER—I submit that there has been gross irresponsibility in the use of funds, but Mr Block was putting the proposition that Victorians would be proud of that cost because it would be forgotten in a few years time when the Arts Centre was being used.

I submit that Victorians will not forget it and it is a cost which has risen by a factor of five. There are other Government projects where the cost has risen by a factor of five. The original estimate for the Melbourne underground rail loop was $80 million and that has increased to $400 million. The West Gate Bridge was estimated to cost $40 million and it finally cost $200 million. The cost of this project was estimated at $40 million and I suggest it will go to $200 million. That is an immense cost to provide this facility and I do not agree with Mr Block that the cost will be forgotten.

The Opposition is conscious of the cost. It was only a couple of days ago that the House was debating the Public Works and Services Bill when honorable members were informed by the Government that it could not afford to construct any large projects because it did not have the money, yet it is able to provide funds for the Arts Centre which it has been claimed will last for hundreds of years. I suggest it will not last for a hundred years. I agree with the views of some of my colleagues on the large cost and I also believe the building could have been better designed. The Government would have saved many millions of dollars and we would not have witnessed the extraordinary expenditure that has been incurred on this project.

I wanted to indicate that in agreeing to the passage of the Bill the Opposition is not agreeing with the cost of the project. The Opposition supports the intent of the measure but submits that

the Government should have been more responsible before embarking upon the project.

The cost will continue to increase as already there are several buildings in South Melbourne which have subsided and will become structurally unsafe because of the way the Arts Centre has been constructed. I understand that claims for damages have already been made upon the Government because buildings have commenced to sink and this could only occur because of the way in which the Arts Centre has been constructed.

This Bill sets up a trust to administer the Arts Centre and that is why the Labor Party offers no opposition. However, it does not support the enormous expenditure which has occurred in the past and which will continue in the future, and I submit on behalf of the Opposition, that the Government has exhibited gross irresponsibility in that regard.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Transitional Provisions)

The Hon. A. J. HUNT (Minister of Education)—As soon as the *Hansard* record becomes available, I shall refer it to my colleague, the Minister of the Arts, whom I am certain will be most interested in the remarks made today. However, I must draw attention to the fact that this is not a Bill about the design, construction or funding of the Arts Centre. It is, as Mr Walker acknowledged in his final remarks, simply a Bill to replace the existing building committee with a new trust.

I can assure Dr Foley that my colleague, the Minister of the Arts, is a person who likes to get things done, and certainly to get them done at the earliest possible opportunity. If it is possible for the annual report to be presented to the House before it rises in December rather than waiting until the following March, then that will be done.

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

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

MASTER BUILDERS' ASSOCIATION OF VICTORIA (GUARANTEE) BILL

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

That this Bill be now read a second time.

The Government recently announced that it would enter into a co-operative arrangement with the Master Builders Association of Victoria for the establishment of a group apprenticeship scheme. The cost of the scheme will be largely met by the building industry but, as part of the scheme, the Government has agreed to guarantee borrowings by the association by way of overdraft which may be necessary to implement the scheme. The Government is also making a contribution towards the administrative costs incurred by the association. The estimated contribution for the current financial year is $40 000.

The scheme will facilitate the training and placement of apprentices in the building trades. Initially, 30 apprentices will be trained and allocated to master builders for periods of around three months. Each builder taking apprentices will pay the association an amount equal to the wages, plus an allowance to cover the wages paid to the apprentice whilst attending school. These costs will be initially met by the association and will necessitate some overdraft accommodation pending recovery from the employers concerned.

The scheme will be kept under review and the size of future intakes will be assessed in the light of the results achieved with the initial group of apprentices. I commend the Bill to the House.

On the motion of the Hon. R. A. MACKENZIE (Geelong Province), the debate was adjourned.

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

LABOUR AND INDUSTRY (AMENDMENT) BILL

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

That this Bill be now read a second time.

The main purposes of this measure are to remove the statutory listing of the content of the portfolio of the Minister of Labour and Industry from the principal Act; to set a new scale of annual fees payable for the registration of shops, factories and market sites and to make minor changes in the shop trading hours provisions. The Bill also enables exemptions from trading hours to be granted in respect of festivals in a municipality.

Section 13 of the principal Act directs the Minister to administer the Acts specified in the Second Schedule. What the section does, in effect, is to determine the portfolio of a Minister and any change to that portfolio is subject to enactments of the Parliament. This system inhibits the Leader of any Government from easily and quickly adjusting the content of a portfolio and wastes the time of the Parliament. The repeal is made for these reasons and follows a similar repeal made to the Health Act.

Provision is made in the Bill to increase from 1 January 1980 the annual fees payable for the registration of shops, factories and market sites. The fees, which are set out in the Fourth Schedule, are, with two exceptions, increased by approximately 8 per cent. Again, no increase is made to the fee for a factory or shop in which the occupier works alone or employs up to four persons. This is in line with the Government's determination to assist small businesses where possible. The fee for registration of a market site is doubled.

This latter registration fee relates to market sites which are promoted for profit or reward as sites for shops permitted to be open outside the ordinary trading hours specified in the principal Act. The existing fee of $100 is considered to be unrealistic and is accordingly increased to $200. Stall holders are not required to pay an individual shop registration fee for stalls at these markets.

The amendments made by clauses 4, 5, 6 and 7 all relate to schemes for orders exempting shops in certain specified areas from the requirement to close in accordance with the provisions of the principal Act. The changes made to sections 80A and 80C are designed to simplify the issue of exemption orders for holiday and tourist resorts. Experience has shown that the involvement of two Ministries in the procedure for individual applications is not justified and merely serves to create an additional administrative burden on both departments.

The removal of the reference to section 49 (1) (c) from section 80E of the principal Act will put charitable markets on the same footing as markets run for profit. The new section 80F, which is inserted into the principal Act by clause 7, gives the Minister power to grant exemption orders in respect of periods of festival in a part of a municipality.

Community festivals of one kind or another have become increasingly popular in Victorian cities and towns over the past few years. The festivals usually celebrate some local event or historical occasion and the whole local community becomes involved. On many occasions they extend over the period of a long week-end when the provisions of the Labour and Industry Act relating to shop closing hours severely restrict the ability of shopkeepers to make a total contribution to the success of the celebrations.

It is appropriate in the Government's view that local shops should be able to participate for the whole of the period of a local festival. Accordingly, the new section will enable the issue of exemption orders. Councils will be able to apply for such orders which may be granted on not more than two occasions in any year in a municipality and may not be for a period of more than three days in any case.

Clause 10 of the Bill adds a new type of shop to the Fifth Schedule of the principal Act. That schedule lists the shops which are excluded from the requirement under section 80 to close and remain closed on a Saturday from 1 o'clock and all day on a Sunday.

The effect of the amendment to the schedule will be to enable shops which sell old goods such as furniture, plate china, statuettes and other curiosities and odds and ends of an artistic or antiquarian interest to open during those otherwise prohibited hours.

I have arranged for explanatory notes to be attached to the Bill. These should serve to assist the House in its consideration of the measure, which I commend to the House.

The Hon. G. A. S. BUTLER (Thomastown Province)—The Bill has been perused and is supported by the Opposition.

The motion was agreed to.

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

INDUSTRIAL RELATIONS BILL

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

The Hon. JOAN COXSEDGE (Melbourne West Province)—This Bill, which contains 105 clauses, carries out the recommendations of the Committee of Review of the Labour and Industry Act 1958, which reported to the Minister in 1976. Its purpose is to introduce reforms to the system of industrial relations in Victoria.

Since 1897, Victoria has been well served, on the whole, by what it has come to know as the wages board system. Indeed, in 1896 Victoria, which at that stage was a colony, passed possibly the most advanced Factories and Shops Act in the world up to that time. But lately it has become evident that the system has been under some strain and as a part of its ongoing review of systems and functions the Government proposes to establish an Industrial Relations Committee. It is plain that this will improve access to the system and provide for speedy action, thus reducing the effects of industrial conflict.

The Opposition concedes that the establishment of an Industrial Relations Committee could improve industrial relations in Victoria, but at the same time it recognizes the dominance of the Federal Conciliation and Arbitration Commission as it applies to Federal awards.

This measure resulted from a tripartite inquiry made up of employers, trade unions and people from the Department of Labour and Industry where I gather an atmosphere of consensus prevailed. One of the first recommendations of the committee was that the Labour and Industry Act 1958 should be divided into several Acts, each dealing with one broad subject-matter.

This Bill makes two major improvements in the Victorian wages boards system. Firstly, it establishes an Industrial Relations Commission; secondly, it renames and increases the authority of the wages boards. Clauses 4 to 26 will replace the two existing separate organs, namely, the wages boards and the Industrial Appeals Court, with one unified, co-ordinated system. The Industrial Appeals Court has been, up to now, a part-time court consisting of a County Court judge assisted by two lay advisers, one representing employer interests and the other representing employee interests.

Although the future of wage indexation is currently under review there is little doubt that industrial relations in Australia will continue to require a system under which wage levels and conditions can be reviewed and repaired. An effective central body, such as the Australian Conciliation and Arbitration Commission, must obviously be maintained and its work can be more effectively supplemented in the State jurisdiction by a State Industrial Relations Commission.

The new commission will be a full-time commission and will deal with a broader scope of subject-matters than does the Industrial Appeals Court. The commission will act in three separate ways: In court sessions when the president will deal with the legal aspects of employment relationships; in full session when the president and two commissioners will sit on the non-legal aspects of the jurisdiction; and with a

commissioner acting alone when the commission may use one of the commissioners to seek out information or to act as conciliator in a particular situation.

The second major change provided in this Bill will effectively strengthen the wages boards. The Bill changes the name of the wages boards to conciliation and arbitration boards. Although these boards will be similarly constituted and exercise much the same function as present wages boards they will have additional powers in the area of dispute settlement. The committee of review's recommendation has been adopted to give the president of the commission a role as overseer of disputes so that he is no longer bound to rely on the notification of disputes. The Bill gives to the chairman of each conciliation and arbitration board the power to convene meetings in order to endeavour to settle disputes.

In clauses 47 to 52 the Bill brings into the State system, for the first time, the concept of industrial agreements. By providing such a system, Victoria is really only recognizing what is a fact of life in industry, namely, that agreements are made between employers and employees.

Clauses 53 to 56 propose a system of recognition of industrial employer and employee associations.

The Bill provides for the recognition of any industrial association which can prove a *bona fide* interest in the operation of any board or boards that are established. In addition to these major alterations, the Bill proposes to transfer to the commission certain functions which are currently carried out by the Minister or the Governor in Council.

The Bill preserves existing rights to long service leave and annual leave and substantially increases some penalties for breaches of the Act. Many machinery provisions, such as those for the appointment of inspectors, legal proceedings and other matters, have been transferred directly from the Labour and Industry Act.

I shall summarize the major changes proposed by the Bill. A full-time industrial relations commission is to be established. The authority of the wages boards is to be increased, giving the chairman the power of arbitration to assist in the resolution of industrial disputes. The wages boards will be renamed conciliation and arbitration boards and they will be co-ordinated within the industrial relations commission. The functions of the appeals procedures will be streamlined so that the president sitting alone may deal with legal matters, thus freeing the other two commission members for other activities. The full commission will still have specific responsibilities and power to assign special duties to individual members of the commission. The concept of registration of industrial agreements will be established. Provision is made for the recognition of industrial associations.

In the interests of better industrial relations, the Trades Hall Council is prepared to accept the Bill but with some reservations. The Labor Party supports the Trades Hall Council decision. I quote from a resolution of the Trades Hall Council which is in line with the Labor Party's thinking. The decision states, *inter alia:*

> The Trades Hall Council notes the proposed amendments to the Bill and holds the Government to its commitment that the legislation be reviewed following the first twelve months of the operation of the new system.

It is important that such a review take place. The Labor Party does not oppose the Bill but, at the Committee stage I will seek to amend it.

The Hon. W. R. BAXTER (North Eastern Province)—Apparently Mrs Coxsedge has a new speech writer in the Minister of Labour and Industry, because the House has just been taken through the second-reading speech almost word for word.

The Hon. Joan Coxsedge—I used bits here and there.

The Hon. W. R. BAXTER—Mrs Coxsedge used bits here and there—how amazing! She omitted to quote a significant sentence in the Minister's opening remarks which sums up the problem but fails to provide answers. The answers are few and far between. The Minister stated, *inter alia:*

Industrial relations has become one of the most vexatious intractable and frustrating problems of our time.

All honorable members would agree whole-heartedly with those sentiments. I am not confident that the Bill and the machinery it sets up will overcome the problems of industrial relations.

The Bill is a genuine attempt by the Government to improve industrial relations. There is do doubt the community is sick and tired of constant industrial disruption. Everyone is searching for answers but no one has a concrete scheme on how to overcome industrial problems. A lot more goodwill on all sides is needed.

There is no sense blaming the unions on every occasion. However, there are many examples of disruptive tactics adopted by unions, especially by their leaders but, by the same token, there are examples of provocative action by some employers.

There is a small group of employees who live "on the brink". We know they are only a minority, which does nothing to maintain industrial peace. What those engaged in industrial strife need to realize is the impact their actions have upon those people who in no way are involved in a specific dispute. Often, stop-work meetings and lightning strikes do not hurt the employer whom the action is designed to get at. The employer merely lives to fight another day and perhaps puts his prices up to cover the losses sustained. However, it is the ordinary men and women going about their every-day business who are affected.

The thought often occurs to me while out at Tullamarine waiting for an aircraft which is delayed because of some lightning stop-work meeting, of the thousands of people throughout Australia who in no way are connected with the industrial dispute but whose work or holidays are completely thrown into turmoil by that action. It is almost beyond belief what it must cost those people in money and frustration. Industrial relations need more goodwill on everyone's part to try to avoid those situations where innocent people are harmed unnecessarily.

The concepts embodied in the Bill are valid and justifiable. It has been indicated that the legislation will be reviewed in time. Mrs Coxsedge suggested that twelve months would be an appropriate time. I would be somewhat dubious as to whether twelve months was a sufficient length of time to test the adequacies of the measure. However, the commitment has been given that, if it is shown to be lacking in some way, the Government will bring it back to Parliament. That is a commendable attitude and the National Party supports the Bill.

The Hon. D. K. HAYWARD (Monash Province)—It is a source of pride to Victorians that the system of conciliation and arbitration really began in Victoria with the establishment of the wages board system in 1896.

The Hon. W. A. Landeryou—It began in this House.

The Hon. D. K. HAYWARD—That is so. There were some excellent elements inherent in that system. Those elements include the collective bargaining and conciliation approach as distinct from the imposition of decisions. Proceedings were informal, simple, quick and speedy. I contrast that with the system that has grown up in other States and, to a degree, in the Commonwealth sphere. Those systems are too formal and legalistic and depend too much upon the adversary style of the procedure, which depends upon the existence of a dispute. If there is no dispute in existence, a dispute is set up. That is the opposite of good industrial relations.

The wages board system has served Victoria well but the increase in complexity of industry and relationships between employers and employees has created a need for reorganization to overcome some of the deficiencies which have developed. Those deficiencies include the complexity of the system.

There are now more than 200 wages boards. There is a lack of co-ordination between those wages boards. As Mrs Coxsedge pointed out, the appeal

proceedings which had been established were inadequate because the appeals court functioned only part-time.

There are other administration problems associated with the system. For example, there is a lack of ability to register agreements and there is a lack of recognition of employer and employee organizations. There is no proper recording of proceedings and publication of decisions.

It is pleasing to note that most decisions are arrived at by agreement between the parties. It is rare that the chairman of a wages board has to arbitrate on some decision. The Bill preserves the concept of the wages board system but overcomes the defects mentioned by Mrs Coxsedge through the establishment of an industrial relations commission as an effective co-ordinating body. The Bill also establishes a full-time appeals aspect and generally streamlines and co-ordinates the system of industrial relations.

The Bill provides for the recognition of industrial associations and the registration of agreements. However, it preserves the atmosphere of informality, non-legalism and inexpensive, speedy and effective proceedings. That has been the basis of the success of the system.

The Bill is an important aid to improving industrial relations. Anybody who has had a direct involvement in industrial relations, and there are a number of such people in this House, knows that good industrial relations do not depend upon laws or institutions. Basically, good industrial relations arise from the way in which employers and employees treat each other. Everyone has his or her own priorities on the important things for Victoria in 1980. My personal priority is that the most important thing is to create an atmosphere in which we can overcome some of the problems of youth unemployment.

Youth unemployment is a critical issue not only for economic, but also for financial and sociological reasons. Effective preparation for jobs is fundamental and necessary. However, many job creation schemes which are spoken of from time to time do not necessarily create long-term jobs. A lot of those schemes are a waste of money. The only way in which jobs can effectively be created in the long term is by persuading people to buy more goods. That may seem a simplistic approach but it boils down to providing an increase in the over-all volume of business, and that occurs only when one satisfies customer demands.

If employers and employees are genuine about creating more jobs, attention should be focused upon satisfying customers. A number of elements are involved. These include effective, suitable and attractively designed products, their reliability and quality, delivery time, and price.

Industrial relations have a substantial impact on those factors. If we are genuine in attempting to improve the over-all employment situation, we should provide mechanisms under which both employers and employees can sit down and discuss ways in which they can improve the services and products provided to the customer. That does not happen easily because habits of confrontation and aggression die hard. Those habits do not necessarily reflect the attitude of all people involved in the industrial relations field.

Basically, most people want to get on with the job. There is not always a clear understanding that the only way to achieve effective industrial relations is through proper communication with each other and proper commitment to common goals. The Bill is good because it reforms what is already a good system.

Fundamentally, however, the responsibility for good industrial relations does not lie with Government, with legislation or even with tribunals, but with employers and employees through proper communication. In industrial relations, lack of communication with non-English-speaking migrant workers is a problem which is likely to be quite explosive. There cannot be effective communication and a commitment to common goals when people cannot verbally

communicate. It is a good Bill but there are those fundamental problems to which attention must be paid.

The Hon. CLIVE BUBB (Ballarat Province)—The Bill embodies the best of the current wages board system, which has always embodied the true spirit of conciliation. That is evidenced by the fact that about 95 per cent of the matters coming before wages boards are settled at that level.

The Hon. W. A. Landeryou—That is not so.

The Hon. CLIVE BUBB—The Leader of the Opposition disagrees, but it would certainly be more than 90 per cent; he must agree. The fault in the wages board system is that, like all common-law jurisdictions, it has difficulty grappling with over-award payments and conditions. With that in mind, the recognition of industrial agreements is important. This limitation has always led to the problem that chairmen of boards have been reluctant to hand down decisions because of the likelihood of appeal. I am sure Mr Landeryou recognizes that. That led to an accent on conciliation in one section of the industrial system and to entry into a quasi-legalistic system comprising an Industrial Appeals Court. Under the Bill that situation will be broken down and appeal procedures will be streamlined; there will be a division of industrial matters from machinery matters in that area.

I disagree with Mrs Coxsedge's comment that there is a broadening of the position. On the contrary, there has been a contraction of the position in respect to appeal procedures. The court will no longer hear appeals against decisions on breaches of the Labour and Industry Act, so the position has contracted. This will lead to claims and disputes being more speedily resolved, and speed is important in industrial relations. Workers want claims handled quickly; employers do not want protracted disputes which are potentially crippling financially.

The proposed system notches in better with the Federal system and will result in a more co-ordinated and integrated approach to the centralized system of wage indexation. It supplements the approach of the Australian Conciliation and Arbitration Commission. The dispute-settling procedures are also greatly improved.

The Bill is a step in the right direction in respect to the registration of organizations. It has been an anachronism in the Victorian system that there has been no requirement for recognition or registration as in the Federal system. The Bill will encourage people to perform in what could be termed a proper and reasonable manner within the system. I shall not dwell on it, but penalties can be imposed if a person or an organization does not conform to acceptable standards.

The Bill will result in an improvement in the system, giving effect, as it does, to the recommendations of the committee referred to. That committee was comprised of representatives of the Victorian Chamber of Manufactures, the Victorian Employers Federation, the Victorian Trades Hall Council and officers of the Department of Labour and Industry. At page 2 of its report tabled on 9 April 1976, the committee states, *inter alia*:

> What the Committee is recommending is in effect a compromise between the present Victorian system and a "Court system". In the Committee's opinion, it grows out of the present Victorian system fairly naturally.
>
> The system recommended comprises—
>
> (*a*) an "Industrial Commission" (including a registry); and
>
> (*b*) any number of boards, to be known as "Conciliation and Arbitration Boards".

The Bill makes precisely that provision and I commend it to the House.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 11 were agreed to.

Clause 12 (Powers of commission in court session)

The Hon. JOAN COXSEDGE (Melbourne West Province)—I move:

> Clause 12, line 23, after "President" insert "a Commissioner and the Chairman of the appropriate Wages Board".

The proposed amendment provides for appeals to be heard by the full bench comprising the president, a commissioner and the chairman of the appropriate wages board. The Opposition believes that is a far more democratic system than placing such power in the hands of the president alone. This is an important part of the Bill and the Opposition believes the amendment should be supported.

The Hon. HADDON STOREY (Attorney-General)—The Government does not support the amendment, believing it is appropriate that such appeals should be to the president. Along with other matters, this is something which will be examined and considered when the Bill is being reviewed in twelve months' time, as agreed by the Minister. This provision will be examined closely in the light of the amendment proposed by the Opposition. However, the Government is not prepared to accept the amendment at this stage.

The Committee divided on Mrs Coxsedge's amendment (the Hon. W. M. Campbell in the chair).

Ayes	.. ..	11
Noes	.. ..	24
Majority against the amendment	.. ..	13

AYES

Mr Butler	Mr Mackenzie
Mrs Coxsedge	Mr Walker
Mr Eddy	Mr White
Mr Kennedy	*Tellers:*
Mr Kent	Mr Thomas
Mr Landeryou	Mr Walton

NOES

Mr Baxter	Mr Hunt
Mrs Baylor	Mr Jenkins
Mr Block	Mr Lawson
Mr Bubb	Mr Long
Mr Crozier	Mr Radford
Mr Dunn	Mr Storey
Dr Foley	Mr Taylor
Mr Granter	Mr Ward
Mr Guest	Mr Wright
Mr Hamilton	
Mr Hayward	*Tellers:*
Mr Houghton	Mr Reid
Dr Howard	Mr Saltmarsh

PAIRS

Mr Sgro	Mr Chamberlain
Mr Trayling	Mr Stacey

The clause was agreed to, as were clauses 13 to 43.

Clause 44 (Employer, &c. to notify industrial dispute)

The Hon. JOAN COXSEDGE (Melbourne West Province)—The Labor Party opposes the clause on the ground that it gives the Minister power that could lead to the operations of the board being seriously eroded. This would open the way for direct political interference in the conciliation process, which is highly undesirable.

The Hon. HADDON STOREY (Attorney-General)—I understand the argument of the honorable member. However, all the clause permits the Minister to do is to refer the matter to the commission, and it is still a matter to be dealt with within the industrial processes set out in the Bill. I fail to understand how that amounts to political interference. It is still a matter that must be determined, under the provisions of the clause, by the commission.

The Committee divided on the clause (the Hon. W. M. Campbell in the chair).

Ayes	.. ..	25
Noes	.. ..	11
Majority for the clause		14

AYES

Mr Baxter	Dr Howard
Mrs Baylor	Mr Hunt
Mr Block	Mr Jenkins
Mr Bubb	Mr Lawson
Mr Crozier	Mr Radford
Mr Dunn	Mr Reid
Mr Evans	Mr Saltmarsh
Dr Foley	Mr Storey
Mr Granter	Mr Ward
Mr Guest	Mr Wright
Mr Hamilton	*Tellers:*
Mr Hayward	Mr Long
Mr Houghton	Mr Taylor

NOES

Mr Butler	Mr Walker
Mrs Coxsedge	Mr Walton
Mr Eddy	Mr White
Mr Kennedy	*Tellers:*
Mr Kent	Mr Mackenzie
Mr Landeryou	Mr Thomas

PAIRS

Mr Chamberlain	Mr Sgro
Mr Stacey	Mr Trayling

The remaining clauses were agreed to.

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

The sitting was suspended at 12.56 p.m. until 2.3 p.m.

MASTER BUILDERS' ASSOCIATION OF VICTORIA (GUARANTEE) BILL

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

The Hon. R. A. MACKENZIE (Geelong Province)—I am pleased to be able to speak on the Bill because I have a particular interest in it. I am delighted that the Government has taken the initiative in establishing the scheme, because there was some doubt whether it would accept the proposal put forward by the Master Builders Association of Victoria.

The fact that the Government has done so shows that it realizes that industry—not only the building industry but all industries—is undergoing dramatic change. Therefore, it is vital that we change the way in which young tradesmen are trained. The existing system has remained unaltered for several hundred years. When the first apprentices were indentured, a bond was made, usually between the parents of the apprentice and a master tradesman. The indentures were signed and then torn in half, one half going to the master tradesman and the other going to the employee.

The system served its purpose well, but in these days it has become apparent that it must be altered. I became an apprentice in 1949 and I served a five-year apprenticeship as a plumber and gasfitter with the building firm of J. C. Taylor and Sons (Aust.) Pty Ltd in Geelong. In that era building companies were very different from the way they are today. The firm employed 800 or 900 tradesmen at its peak and it was like a large family. It employed all manner of building tradesmen, including more than 30 plumbers and several hundred carpenters. It had a big joinery shop and everyone worked together. There was a great deal of close co-operation between the various trades because all the men worked with the same firm.

In general in the building industry in those days there was a lot of comradeship and co-operation between the trades, but as the years went by the larger companies began the system of sub-contracting rather than employing large numbers of tradesmen whose employment would have to be terminated when things were slack. The companies employed sub-contracting firms, many of which comprised only a few men. The big building companies maintained a skeleton crew of carpenters, but most of the other work was let to sub-contractors in the other trades.

It was in this area that the problems began to arise. The older-style firms could employ many apprentices —the firm for which I worked might have taken 50 in one year—but the sub-contracting system has become more prevalent and the same number of apprentices are not being taken on. Often, sub-contractors will not train apprentices because of the fierce competition. They believe apprentices hold them back and they are reluctant to employ them. Another problem faced by employers is the high cost of workers compensation.

It has become apparent that many young people still want to become apprentices but the opportunities are becoming fewer. Therefore, the system had to be examined. On the one hand, industries are crying out for skilled tradesmen and, on the other, thousands of young unemployed are looking for apprenticeships. It is strange that the two demands cannot be met, and the only reason for that is that there is no opportunity for training the young people. The Master Builders Association of Victoria has presented this novel idea of a group apprenticeship scheme, and, to its credit, the Government has agreed to support it to the tune of $40 000.

The Opposition hopes this is just the start of a revamping of the apprenticeship system because, if employers are not in a position to train apprentices, it is the Government's responsibility to ensure that they are trained. The Government is responsible for the economic stability of the State and, if the State

is crying out for skilled tradesmen and young people are available but are not being trained, the Government must accept responsibility.

It is doing that in a small way through the measure, but, apart from the group apprenticeship scheme—and I know several committees are examining this matter at present—it might be advantageous to move away from the old idea of apprenticeships so that young people, after completing formal schooling, can continue to attend school and learn trades academically, just as professional people, such as engineers and architects, do.

A person wishing to become an engineer has two options. At the end of his formal education he can join a local government body, such as a shire council or a water trust, as a cadet engineer and gain practical experience while doing a part-time course, or he can go straight to university and complete an academic course. At the end of a certain number of years two people arrive at the same destination. One has arrived there through the practical experience of work with the local government body and the other has arrived there after an academic course. The latter may lack practical experience but may have better theoretical knowledge.

The same system could apply to apprenticeships. If there were two lads, one of whom was lucky enough to gain an apprenticeship and have a lot of practical experience as well as attending a part-time course to obtain theoretical knowledge, and the other was able to continue at school and do a plumbing course—or carpentry, or joinery or any other trade—the latter would have additional opportunities. A lad doing the academic course could learn many other subjects, such as surveying or accounting or quantity surveying or estimating, all of which are skills the lad on the job never obtains, and would be appreciated by employers.

At the end of the period there would be two young men arriving to seek a position, one who had gone through his apprenticeship and gained a lot of practical experience but who may be a little limited in his theoretical knowledge, and the other who had done the academic course, who may lack practical experience but may have the other skills I have mentioned, which could be of considerable value to his prospective employer. This is something that the Government should be considering. Several committees have been established to consider the matter, and one in Geelong operates from the Gordon Institute of Technology; it has already put forward several proposals.

The Opposition supports the Government on the Bill and hopes that it will be a small step forward in trying to provide Victoria with more skilled tradesmen and that it will provide job opportunities for the pool of unemployed youth.

The Hon. W. R. BAXTER (North Eastern Province)—The National Party is indeed pleased to be associated with this self-help scheme in the building industry. The Master Builders Association is to be congratulated on having initiated the scheme and, as Mr Mackenzie indicated, the Goverment is to be commended for joining in and providing some of the funds. Although vast numbers of young people are unemployed now, unless additional people are trained under the apprenticeship scheme, in the relatively near future there will be a shortage of skilled tradesmen.

For the reasons outlined by Mr Mackenzie, the old training methods are no longer applicable in every case. The National Party believes this proposed legislation is an appropriate improvement to the apprenticeship training scheme.

The Hon. N. F. STACEY (Chelsea Province)—I listened with pleasure to the remarks of Mr Mackenzie, who is always interesting when he speaks on a subject that he knows very well, and obviously on this occasion he knew the subject well.

The Bill will initiate a worth-while improvement in the training of apprentices. All honorable members are

aware that ,as Mr Baxter said, for the past four or five years Victoria has been facing a shortage of skilled tradesmen in a number of fields, including the building trades. One of the reasons for this is that the men who learnt their trades in the armed forces during the second world war are now reaching retiring age. They developed practical skills during wartime and were the backbone of many trades in Victoria. They are now working towards retirement, so it is important to recognize that there will be an extreme shortage of skilled tradesmen. Boilermakers are already in short supply.

The measure is not the first initiative that the Government has taken to establish a group apprenticeship scheme, as it has been called—that is as good a term as any to use. About twelve months ago, the Housing Commission assumed responsibility for about a dozen apprentices, and a great deal of work was done at the Dandenong TAFE College where a special course was designed to enable them to fit in with the works programme of the Housing Commission. That has also proven to be a very worth-while programme, and the boys undergoing this training are benefiting from the variety of experience they are obtaining.

This programme will apply, as Mr Mackenzie said, particularly in the building industry, where at present many experienced and knowledgeable builders, particularly in the metropolitan area, are engaged in sub-contracting work building additions to existing houses. Experienced tradesmen like these often do not have enough continuous work to justify taking on the responsibility of an apprentice, or the variety of work that is necessary for an apprentice to receive the thorough training that was provided in the past.

Therefore, I suggest a further extension of this idea, which I have gained from discussing the matter with a number of builders in the area I represent. The Government should investigate the possibility of indenturing apprentices in the building field to a municipality. A council has a building surveyor and a building inspector and, more importantly, every building programme in the municipality requires the issue of a building permit. The building inspector and surveyor know what building work is taking place in the municipality and they have a close knowledge of the abilities, standards and reputations of the builders involved. It would be simple for a municipality, such as Chelsea, which I represent, and which has a population of about 30 000 people, to take on one or two apprentices who would move around to the various builders and tradesmen who operate in the municipality and perhaps outside it. They would be under the control of municipal officers who are experienced and knowledgeable in the building industry.

It would be worth while at least to investigate this idea because of the importance of apprenticeship training in general, the work that has been done by the Industrial Training Commission and the dramatic increases that have taken place across the board in the number of apprentices who have been indentured. There has been an increase of about 15 per cent in the number of apprentices taken on. The Industrial Training Commission is doing an excellent job of training apprentices, and as a result of this measure experienced tradesmen will be able to take on more apprentices.

I suggest that the Government investigate the scheme of indenturing apprentices to municipalities as an extension of the welcome policy that is now being legislated for at the initiation of the Master Builders Association.

The motion was agreed to.

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

INSTRUMENTS (POWERS OF ATTORNEY) BILL

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

That this Bill be now read a second time.

A working party was set up in March 1979 under the chairmanship of the Chief Parliamentary Counsel to review

Part XI. of the Instruments Act which relates to powers of attorney. The other members of the working party were representatives from the Australian Bankers' Association, the Share Registrars' Association, the Law Institute of Victoria, the Titles Office, the Trustee Companies Association and Mr C. W. O'Hare of Monash University. The working party completed its report on 11 October 1979 and the Bill implements its recommendations.

Basically the Bill is a complete reform of the provisions relating to powers of attorney and it provides for the repeal of the existing Part XI. and its replacement with a new Part XI.

The working party considered recommendations made by the United Kingdom Law Commission in its report on powers of attorney which was enacted in 1971 and compared them with recommendations which have been made by the New South Wales Law Reform Commission.

The working party was of the view that there were four main areas where reform was needed. These were the abolition of registration of powers of attorney, the creation of a short form of power of attorney, the need to make special provisions in relation to powers expressed to be irrevocable and the protection of third parties and attorneys who act in reliance of a power which has been revoked. I shall now deal with each of these areas in more detail.

The United Kingdom Law Commission recommended the introduction of a system of certified copies to replace the system of filing powers of attorney in force at that time. It was of the view that filing served no purpose other than to guard against the possibility of loss of all copies of the power. New South Wales, however, chose to retain its system of registration of powers of attorney on the basis that the practice was settled and understood. The Council of the Law Institute of Victoria was of the view that registration was of little importance.

The working party favoured the English approach that registration be abolished. In reaching this view, it took into account the fact that registration affords no protection against forgery and that in reality the main function of the Titles Office was simply to ensure that the power of attorney authorized the execution of the instrument. Provision has been made for proof of a power of attorney by means of a certified photocopy in the proposed section 111.

Clause 5 provides for minor amendments to the Public Trustee Act 1958, Transfer of Land Act 1958, Trustee Act 1958 and the Trustee Companies Act 1958 which dispense with the need for registration.

The working party agreed with the United Kingdom and New South Wales proposals that a short form of power of attorney would be more convenient for general purposes than the form currently in use. The New South Wales style of form has been adopted in the new Schedule 12. There were two situations where it was considered that the short form should not be used: Delegation by an attorney of his powers and delegation by a trustee as defined in the Trustee Act 1958. Those exclusions are contained in the proposed section 107.

The working party was of the view that legislation to clarify the situation with regard to revocation of powers of attorney was desirable. It was noted that the United Kingdom proposals were based on the premise that the only circumstances when a power of attorney is truly irrevocable is when it is given to secure a proprietary interest vested in the attorney or to protect an obligation owed to the attorney. The New South Wales proposals were to the effect that an irrevocable power is one which is expressed to be irrevocable and which is given for valuable consideration. It was thought that legislation should follow the United Kingdom proposals as there were some problems with the definitions used in the New South Wales proposals. The recommendations of the working party are implemented in proposed section 109.

The working party considered it desirable to protect the rights of attorneys and third parties who act in reliance on

a power that has been revoked and are unaware of the revocation. In this regard, it preferred the New South Wales proposals, which were less complicated than the United Kingdom proposals. Proposed section 110 is intended to give effect to these recommendations.

Some other minor reforms were recommended by the working party and are contained in the Bill. Proposed section 106 allows a donor to have some other person execute a power of attorney on his behalf and in his presence where two witnesses are also present and attest the document. This provision is designed to assist a donor who may, for example, be physically incapable of signing a document. Proposed section 108 requires an attorney who is signing a document in his own name to indicate that he is acting as attorney for the donor of the power.

Finally, the working party recommended that the Bill be allowed to lay over from the end of this session to the next to enable the legal and commercial community to study the proposals and be prepared for the changes and the Government supports this recommendation. 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 the next day of meeting.

WHEAT MARKETING BILL

The debate (adjourned from the previous day) on the motion of the Hon. W. V. Houghton (Minister for Conservation) for the second reading of this Bill was resumed.

The Hon. D. E. KENT (Chelsea Province)—The Bill relates to a subject that has always aroused considerable debate. It has been used repeatedly as a vehicle for members of the National Party to conduct a guided tour around their vast electorates. Unfortunately they have not always been capable of separating the chaff from the grain. I am sure they will provide the chaff, and I hope to provide some substance to go with it.

One must acknowledge that the wheat growing industry has for many years been industrially very active and it has been remarkably successful. It has been an example to all other primary industries. Whatever other shortcomings the members of that industry may have revealed in the political sense, industrially they have been very competent at protecting the interests of those who have been able to survive.

As Mr Dunn repeatedly points out, those who are engaged in the industry are in it for profitability. Mr Dunn also has repeatedly informed us of the declining population of farmers. I am sure he will take the opportunity to reaffirm that problem, be it one of his own party's creations, and give the House what he promises will be a relatively short speech.

The Labor Party, having been the originator of the proposal, put in a great deal of work to bring about the stabilization of marketing in all primary industries, and originated the original wheat stabilization agreement. That has been the basis of orderly marketing for many years.

The Hon. B. P. Dunn—When?

The Hon. D. E. KENT—Unfortunately, members who now claim to represent the farming interests have not been sufficiently interested to know when that stabilization agreement originated.

Previously, the Act was called the Wheat Stabilization Act whereas it will now be called the Wheat Marketing Act. Certain changes are necessary because of the continually changing circumstances that have been the subject of a great deal of debate amongst representatives of the wheat growing industry. Some of the marketing arrangements have been the subject of High Court disputes and recent judgments. Unfortunately, some people take seriously the election propaganda of the Liberal and National parties that they believe in free enterprise, but some growers, who have not been long in the industry, have been resentful of the power of the Australian Wheat Board to control the marketing of wheat and they have challenged

the fact that all wheat on the domestic market should come under the control of that board.

Generally speaking, despite attempts by people, who advocate free enterprise, to disrupt organized marketing, the majority of wheat growers realize they have a security that is vital to the future prosperity of their industry. Wheat has had a prosperous period over the past quarter of a century, but it will face new problems in the future, particularly with energy costs—the industry being a heavy consumer of fuel. There will necessarily be changes in production methods that may tend to reduce the current yields.

It is worth mentioning that the season in Victoria this year is particularly good. Once again there is a problem of rust, which has been well publicized, but apparently it is not having the disastrous effect that some people with rustic minds predicted. It has only slightly reduced the yield this year.

Any Bill, or any stabilization marketing arrangement, depends on complementary legislation by all States in the Commonwealth. Because people in Australia are reluctant to change the Constitution, these sorts of measures require agreement between the States, and the States have agreed to the principles laid down in the Bill.

Interestingly, the Government, which tends to deplore the proliferation of statutory authorities, has added another one in that it has given statutory power to the Victorian Wheat Advisory Committee. The committee advises the Minister of Agriculture on varieties of wheat that should be liable to discount due to poor quality. It also has other responsibilities.

Clause 11 is of some interest in that it authorizes the Australian Wheat Board to declare that the Act does not apply to certain categories of wheat, for instance, seed wheat, or inferior wheat that would not be acceptable if it were delivered to the board. This removes the need for the board to accept and pay for such wheat and to process its sale.

There are some grave dangers in this amendment to the Act. Recently, in an amendment to the Vermin and Noxious Weeds Act, saffron thistle was removed from noxious weeds. One of the reasons for doing so was that so much saffron thistle was getting into grain that it was impossible to separate it. What I term, "the easy way out", was taken, and it was decided that saffron thistle was no longer a noxious weed. It will still be in grain, and I do not know what criterion will be used to declare such wheat inferior.

One has to be very careful about one's interpretation of "foreign". I do not want to bring any racist connotations into the debate, but there could be a situation where a large amount of wheat, because people are conscientiously rejecting wheat that contains impurities, is not accepted by the board, and that could result in vast quantities of wheat being available on the market without any control. This could have a very damaging effect on orderly marketing and also have damaging effects in that it could lead to the spread of weed seeds through feed wheat. It could cause widespread damage in a variety of ways. The application of this section of the Act needs to be watched very carefully.

The Opposition does not disagree with most of the other provisions in the Bill. It has resulted from a lot of discussion between Governments and representatives of the wheat growing industry. There has been a change in the system of paying growers because, despite the help they have received, there has been growing pressure over recent years for growers to receive the maximum payment for their crop at the earliest possible time. Arrangements have been made over the last season or so for a discount system for an early payment, and a new system has been arrived at for a minimum delivery price.

The formula is set out in the Bill and payments will be guaranteed by the Commonwealth Government, which will financially reimburse, in the event of sales falling short of the minimum price. These arrangements are for five seasons, commencing in this season.

The purpose is to provide growers with an improved cash flow, and the reference in the Minister's second-reading speech also mentions ability of growers to manage their finances. I doubt if the two things are synonymous, but it removes the quick catch payment, an incentive for black-market trading.

A lot of black-market trading has occurred in recent years, particularly when there was a surplus of wheat, and when marketing quotas were introduced. It is probably not technically correct to call most of that trading "black-market" trading. It was probably grey marketing, because most of it was within the law in that it was interstate trading, and it made use of the technicalities by which interstate trading can be conducted.

There are restructuring arrangements for the pricing of wheat on the domestic market, and once again opportunities are provided for action to be taken which could, if not properly exercized and controlled, lead to instability in the whole market. Prices could be fixed for home consumption wheat, for stock feed, and other such uses, that could have a considerable effect on the whole market.

The pressures that stock-feed can exercise upon the grain growing industry must be carefully watched; pressures such as reduction of costs and extra supplies. The person who will pay for the stability and prosperity of the wheat industry is the consumer, the person who eats wheat in his bread.

The formula seems to be extremely generous in taking into consideration the average export price and the rate of increase in growers' costs and allowing an average margin of 20 per cent over a period of years. That seems to be a high margin. In his second-reading speech, the Minister said in what seemed to be typical farmer-orientated jargon:

> This margin was selected in recognition of the higher costs imposed on the wheat industry by virtue of the protection afforded other domestic industries and the costs local consumers would incur if wheat supplies had to be imported.

The Hon. D. E. Kent

That statement would be acceptable if it were consistent with the other attitudes on farming interests.

The Bill deletes reference to quotas. Quotas were introduced in the early 1970s when there was a glut of wheat, brought about largely by a serious decline in the price of wool. There was no restriction on the right to grow wheat, but wheat was subject to a stabilization scheme, whereas wool was sold on the open market. Fortunately, thanks to the efforts of the Australian Labor Party and its Federal Government between 1972 and 1975, there is now an established wool marketing system which guarantees that the wool growers will not again be in that situation.

The quotas which operated on wheat were not, as is frequently assumed, quotas on production; they were marketing quotas—a clumsy and inefficient method of organizing and protecting the market. They gave great impetus to black market operations. The Australian Labor Party has a proud record of support for the farming industry and for support of stability of marketing which one would wish could be shared by others. Naturally, the Labor Party supports the principles of the measure.

The Hon. B. P. DUNN (North Western Province)—This is an important Bill for the wheat industry of Victoria and is part of similar complementary legislation that will be dealt with by Parliaments around Australia to give State ratification to the new Federal Wheat Marketing Act. The wheat industry is today one of Australia's really large primary industries. Wheat is grown on about 47 000 farms in Australia, including more than 9000 in Victoria. The industry earns considerable amounts of money for the people of this State and the Commonwealth, and is one of the major factors behind Australia's favourable balance of trade situation. This year there has been an increase in the quantity of rural products exported, not the least of which has been wheat.

In the past year particularly, Victoria has exported large quantities of wheat.

There is every reason to believe that this high level of exports will continue, at least in the immediate future. Much of the present harvest which is being taken in throughout the State is already committed to overseas markets and will find its way to them as quickly as shipping contracts and arrangements can be made. All of this hinges very much on the ability of our handling system to transfer the wheat from the inland areas to the seaboard for export.

Over the years the wheat industry has undergone significant changes. The biggest single change has been the swing towards mechanization. Wheat growing properties now employ very little labour and are able to produce large quantities of grain. It is common to see one farmer using mechanization to sow and harvest a large quantity of grain on his own, without the employment of outside labour. One of the reasons for this has been that it is much better and more reliable for him to purchase machinery than to employ casual labour which is hard to find, particularly labour with the experience and skill required to operate some of the machinery and more particularly, labour that can be available in what generally is a seasonally orientated industry which does not require labour throughout the year. Normally sowing and harvesting times are the peak periods. The labour force in country areas is not geared for that type of part-time employment. Machinery has been efficiently substituted for labour.

The machinery is purchased at a high cost, of course, but it gives the grower the capacity to cultivate more acres. Producers have had to build up the size of their properties, as have most farmers, to increase their income and to improve the economics of the operation. The one factor that will eat away at the wheat industry and perhaps eventually bring about its undoing, is the extremely high cost of production. Producers in areas which have a long fallow cycle and require extensive cultivation to conserve moisture, amongst other things, will feel the effects of increased fuel prices. In fact, these rises are being felt now by primary producers, particularly those in the wheat industry. With the mechanization involved in this industry, the input of fuel is high. Some of the more marginal areas where farmers work broad acres for a low yield, will find that the economics of the operation will slip considerably in the years ahead. In a good season this will not occur.

This year wheat is being grown in areas of New South Wales that have never before been cultivated, and crops equivalent to those produced in the Wimmera and Mallee, which are traditional wheat growing areas, are being produced. This has been done easily and on a broad-acre scale. It depends wholly on the weather.

The Hon. B. A. Chamberlain—Will it continue?

The Hon. B. P. DUNN—It will go on. In years gone by, people moved out of the wool industry and into growing wheat. In the Western District, with which Mr Chamberlain is familiar, wheat is being grown in areas which have never before seen a tractor. Thousands of acres in the Western Province and in the southern part of the province that I represent are now sown with wheat, and I believe that will continue, at least while it is profitable.

The Hon. B. A. Chamberlain—The economics of it cannot be so bad.

The Hon. B. P. DUNN—The economics are such because the area has a higher rainfall and a shorter fallow cycle. The majority of growers south of Horsham cultivate two or three times a year and the land is out of production for only three or four months. They plan ahead, and they can receive a crop year in and year out. That is why the economics of growing wheat in the Western District are probably better than those of many other areas which have traditionally grown wheat.

This year the State has a record harvest and although in some areas the crops are down on the estimates, other areas have crops which greatly exceed the estimates. In the Mallee, and the southern Mallee in particular, as well as the northern Wimmera, crops are

yielding well above estimates. It is interesting to consider the figures for some of the silos. I am familiar with a silo at Brim, which is north of Warracknabeal. The estimated yield in the silo district is about 35 000 tonnes. Already 11 000 tonnes have been taken into the system, and it is full. It will fill tomorrow. Therefore, one-third of the grain has been delivered and the system is full. These situations are occurring throughout the Mallee area which Mr Wright and I represent. At the Cowangie silo, 50 per cent of the harvest has been received. A limit has been placed on deliveries to that silo. Deliveries will be governed wholly by the number of rail trucks received.

This year the railways have had difficulty in getting into gear to meet the harvest. Unfortunately, during the first two or three weeks of the northern harvest, the number of railway trucks was insufficent to make an impact on clearing the system, and it is now choked up. There is little chance of the railways and the Grain Elevators Board getting ahead of the delivery situation, and it is clear that it will be a long, hard and slow grind to take into the system the wheat harvest of this State.

The Hon. B. A. Chamberlain—The railways and the other people involved did a magnificent job last year.

The Hon. B. P. DUNN—Yes, but this year the organization is not as good. I am not blaming the Grain Elevators Board wholly, but it appears that, for two or three weeks at the beginning of the season, railway trucks could not be found and were not allocated in sufficient quantities to areas receiving grain. The system got behind, and it will not catch up.

The Hon. K. I. Wright—VicRail has centralized control.

The Hon. B. P. DUNN—Yes. Victoria is looking at a harvest of about 5 million tonnes this year. Last year it was 4·1 million tonnes. From talking to the Grain Elevators Board, I understand that 1·2 million tonnes have already been received, that the State system is receiving around 300 000 tonnes a day, that the Wimmera wheat harvest has not got into full swing and neither has the northern harvest. It was commendable that the Grain Elevators Board cleared the system prior to the harvest, but this year it will have enormous problems, and patience will be needed by all concerned.

Bunker storages are being used extensively in Victoria this year. An area of land is excavated and filled with wheat which is covered with a lining and then with earth. Apparently wheat will keep for many years by this method.

The Hon. D. E. KENT (Chelsea Province)—I raise a point of order. Mr Dunn seems to assume that the House is dealing with the Grain Handling Improvement Authorities Bill.

The PRESIDENT (the Hon. F. S. Grimwade)—The thought had crossed my mind that perhaps the subject-matter was related to the Grain Handling Improvement Authorities Bill. However, I believe what Mr Dunn is saying is germane to the marketing and storage of wheat and I invite him to continue.

The Hon. B. P. DUNN (North Western Province)—Mr Kent is out of touch with the situation, but I would not expect much more from him. What is proposed would be an integral part of the wheat industry and as Mr Kent represents a city electorate now, no doubt he adopts a rather cynical attitude to his former farmer friends. He has tried to convince the House that the Labor Party now maintains some interest in farmers, but I assure Mr Kent that the farming community, which I know and represent, will not have a bar of him or the Labor Party as their representatives in this House.

There are difficulties in receiving the wheat this year, but with patience and after much effort the wheat will be taken into storage. On the assessment of the Grain Elevators Board and the Australian Wheat Board, undoubtedly it will be the highest receival ever in Victoria and that follows the record of last year. The industry will have had two record years in a row and this has

had an amazing effect on wheat growers, but it probably has also had a dangerous effect.

The history of wheat stabilization goes back a long time. On previous occasions when I have made comments on the wheat industry I have given the life cycle of the weevil, well remembered by Mr Hamilton, but I do not intend to repeat that today. However, I want to go into the history of wheat stabilization schemes in Australia.

In the early 1900s, in fact between 1919 and 1939, there were fluctuations in the price the producers received for their grain. The price ranged between 2/2d a bushel and 8/10½d a bushel during that time, which is a significant fluctuation, particularly when one considers the percentage movement between those prices. That fluctuation caused continuing distress to wheat growers, and many of them were destroyed during those times when the price collapsed.

The first real attempt to stabilize the price of wheat was made by the Scullin Government in April 1930. The plan put forward was aimed at providing a guaranteed price of four shillings a bushel payable at country sidings throughout Australia. The Bill was opposed and defeated. It was largely opposed by the same people who have opposed wheat marketing over the years and particularly this year—I refer to those who want a free trade situation.

The next attempt to stabilize the price of wheat was again made by the Scullin Government, and it was successful on this occasion in having passed through the Federal Parliament in 1930, a Bill that provided a guaranteed price of three shillings a bushel. I am not arguing about which Government was responsible as that does not concern me for it is history. What we have to look at is where we go to from here.

In 1938 a wheat stabilization plan called the Wilson-Uphill plan, was put forward by two senators. That plan provided for an acquisition price of 3/8d a bushel. It was introduced into the Senate, accepted and put into operation. Eventually in 1940, that plan was superseded by the Menzies plan which was another guarantee plan. That plan provided a guaranteed price of 3/10d a bushel up to a limit of 140 million bushels. There have been a number of plans put forward over the years and they have led us to where we are today.

There was the Scullin plan introduced in the early 1940s and which covered the period between 1942 and 1944. It guaranteed a first advance of four shillings a bushel on the first 3000 bushels delivered by any farmer.

That plan was aimed at curtailing production of wheat which created, as we have learned during recent months, immense problems. It was aimed at holding production down and the plan was introduced at a time when Australia was holding 215 million bushels of wheat in store with little prospect of selling it. That was just at the end of the war period and the scheme operated until 1944. A similar plan operated until the 1948–49 season. Under that plan an area of land was allotted to each grower, the area being fixed in proportion to the average acreage he had sown during the base three-year period.

In 1948 the first real moves were made to introduce stabilization as we know it now. A modified plan was put forward and agreed to by the Commonwealth Minister and State Ministers of Agriculture in 1948. It was put to the various States in the form of a wheat grower referendum and in the polls of growers conducted in the States, there were 29 989 votes for the plan and 16 371 votes against, which gave a result of 64·6 per cent in favour of the plan. That was the start of a real wheat stabilization plan as compared with the guaranteed minimum pricing arrangements.

The plan was again put to the growers in July 1954 and it was overwhelmingly approved on that occasion with 46 584 votes for the plan and 2934 against. That illustrates the massive degree of support in the wheat industry for stabilization.

Since that time there have been numerous schemes which have brought about a stabilized price for wheat with the Australian Wheat Board being the sole marketing authority for that grain. There is no doubt that a similar situation exists in the wheat industry today for there is widespread support for stabilization and the retention of the Australian Wheat Board as the sole marketing authority.

When the present plan was about to expire, those in the industry learnt of strong representation being made from New South Wales and some areas of Queensland in an endeavour to ensure that the Australian Wheat Board was not retained as the sole marketing authority because those States have engaged in considerable sales of wheat outside the board—in other words, private sales.

The Industries Assistance Commission was asked to report on the wheat industry and its report was published in July 1978. It made numerous recommendations about the wheat industry, some of which have been adopted but the majority of which have been rejected.

Wheat stabilization was a'so the subject of a challenge in the High Court, but that challenge was rejected on 8 September 1978, in a ruling which upheld the rights of the Australian Wheat Board to be the sole marketing authority of grain in Australia. That was a significant ruling by the High Court and was in the interests of the wheat industry in Australia.

Again the principal Act is under challenge and the High Court is at present hearing or about to hear another challenge to the Australian Wheat Board and the principle of wheat stabilization. The case involves a group of growers and the Australian Wheat Board and again challenges the validity of the principal legislation in relation to section 92 of the Commonwealth Constitution which allows free trade between the States. The growers I represent in north western Victoria and the Wimmera are adamant that the Australian Wheat Board must be the sole marketing authority and that wheat stabilization must continue.

I compliment the Victorian Farmers and Graziers Association and I mention Mr Ian Fletcher, the chairman of the grains division, who has made extensive representations on this wheat stabilization Bill. I consider that he, along with other members of the grains division, has been responsible for making a significant input which has led to its success.

The plan was finally introduced and agreed to by Mr Nixon, the Federal Minister for Primary Industry, but basically the Bill includes provisions requested by the wheat industry.

The Hon. D. R. White—Where is Mr Sinclair now?

The Hon. B. P. DUNN—I am sorry that my friends on the Opposition side of the Chamber are losing patience, as they always do when honorable members are dealing with a Bill covering some form of agriculture. I can well remember occasions in this House when honorable members have had to sit through extensive debates on subjects such as workers compensation and other matters, but Opposition members seem to adopt a rather cynical approach when it comes to matters of agriculture. I do not intend to be intimidated by Opposition members. As a matter of fact I am thinking of extending my speech considerably to make an attempt to educate them a little about agriculture in Victoria.

The Bill contains a number of significant changes to past legislation. One of the most significant is the introduction of a guaranteed delivery price which wheat growers will enjoy in the coming year. In the past wheat growers received a first advance and then subsequent advances as the money was received from overseas sales. The first advance was paid from borrowings made by the Australian Wheat Board from the Reserve Bank of Australia. Growers were paid a certain amount per tonne less freight and other charges, it was an immediate return but then they had to wait for two years or more to receive the remainder of the wheat pool payment.

It should be remembered that the money used to pay the first advance and, under the new proposal, the guaranteed minimum delivery price, was and will be borrowed by the Australian Wheat Board and the interest is paid by the wheat growers. There is no commitment to be met by the taxpayers of Australia as payments of interest are made by the wheat growers. At times it has been portrayed that the money is provided by the Government, but it is not.

From now on the Australian Wheat Board will have to borrow that money on the commercial market and not from the Reserve Bank of Australia, which is another significant change.

The provision ensures that the wheat grower receives more of his return earlier and that provision has been included to counter the effects of over-the-border trade, where a private buyer will purchase the entire crop of a wheat grower and immediately pay cash for it. Under past stabilization plans the growers sometimes had to wait two or three years to receive their payments. To some it has been very attractive to receive money in their hand immediately and not have to wait.

This year the guaranteed minimum delivery price is around $114 a tonne, which will ensure that the majority of growers will receive more than $90 a tonne after freight costs and other charges have been deducted. That is considerably higher than last year's return, which would have netted wheat growers about $65 or $68 a tonne.

The Bill will allow the board to authorize direct sales by wheat growers to commercial interests, and direct delivery from grower to buyer, under permit from the board. That will overcome some difficulties, particularly in New South Wales and other areas which have consistently delivered to commercial interests over the years. The grower and the buyer will have freedom to negotiate allowances for the quality of the grain and freight. Even if a grower sells grain in that way, a deduction will be made for the provision of Grain Elevators Board facilities, if it is in Victoria, which means the buyer will not by-pass that charge which every other grower has to pay.

Another matter covered by the Bill is the varieties and segregation of wheat. Because of the needs of the export market, it is becoming necessary to segregate grain by quality on a much wider scale. It is therefore necessary to ensure that there is some control over the various varieties and the areas where they are grown; otherwise the situation becomes completely unwieldy.

As from the next harvest the wheat board will apply a fine or dockage to growers for wheat that is delivered in areas where it is not specified as a recommended variety. That is significant control because it means that the board can tell the grower which variety he can grow. This method has been phased in for some years now and there are recommended varieties for each zone. No doubt control will be tightened with a full variety of control and segregation. That is necessary, having regard to the requirements of the purchasers of wheat.

Under the Bill, the Australian Wheat Board will also be able to establish a price for wheat used in Australia for stock feed and industrial purposes. In fact, the guaranteed minimum delivery price will be based on the average for the two previous harvests, plus an estimate for the present harvest, and that will give a fair average price for that period.

It is not necessary to speak at any length on the Bill, the details of which are relatively complex, other than to say that the National Party wholeheartedly supports the concept of stabilization and of the Australian Wheat Board being the sole marketing authority for wheat. It is essential to the future of of the industry that there be an effective wheat stabilization and wheat marketing plan operating throughout Australia. The plan runs for nine years, so it will take the wheat industry well into the future. The provisions of the Bill will be successful.

I commend the Australian wheat growers and the organizations representing the industry which have made a considerable input to the measure before the House.

The Hon. J. W. S. RADFORD (Bendigo Province)—It gives me pleasure to speak on this Bill. The two previous speakers have given a thorough background to the history of this measure, which relates to the wheat industry, but one must also remember that the Federal Government has passed this legislation and that this measure will complement that legislation. Before this Bill could be introduced it was necessary that the other States and the Commonwealth agree to enact similar legislation.

This Bill will ensure that all wheat on the domestic market will be under the control of the Australian Wheat Board. That is important, because it prevents black market trading of wheat across the border which undermines the orderly marketing system. This will mean a lot to the Australian wheat grower and to Australia's export income. If that structure were destroyed, there would be chaos and the nation would not receive the income it should.

Earlier this year as the representative of the Minister of Agriculture I held discussions with Mr Ian Fletcher, the chairman of the grains division of the Victorian Farmers and Graziers Association. Mr Fletcher expressed his approval of this Bill. He also said that wheat growers approved of the Bill.

I refer now to the delays in delivering grains in some areas this year. I understand that the rate of delivery for this harvest is up 60 per cent compared with the rate last year. Growers take advantage of the larger harvesting machinery and trucks that deliver the grain to the receival points. The flow of grain from the farm to the silos and from there by rail to the seaport is an enormous task.

In December and January last year it was thought Australia would never have another harvest as big as last year's, but this year it is even bigger. There are many reasons for this, such as another good season, better technology, weed control, better varieties and the fact that farms are becoming more efficient because larger machinery is being used. Unfortunately, that has the effect of squeezing out the smaller grower.

It will be interesting to see what happens in the next ten years and whether Australia will follow the United States of America and, instead of the grower doing all the work for himself a contract system will be introduced where the owner will find it more profitable, because of the high cost of machinery, to contract out the sowing, the harvesting, and delivery of his crop.

I shall return to the Bill, because I know some of my colleagues will say that I have strayed from it, and I will refer to some of the clauses which differ from previous legislation. The most important, as far as quality of grain is concerned, is clause 5 which sets up the Victorian Wheat Advisory Committee to advise the Minister of Agriculture on the varieties of wheat and where they should be grown. Previously, this was a non-statutory function. This provision will ensure that the grain that is giving the best results and is easier for the Australian Wheat Board to sell will be grown. It provides control over the release and registration of new wheat varieties and has regard to the yield quality characteristic.

Wheat growers know that there are odd pockets of the State where varieties of wheat of a low quality are grown. Wheat which the Australian Wheat Board, as the selling agent, would have difficulty in selling. Power has therefore been given to the board to apply discounts for poor quality varieties. I am sure the industry will approve of this provision.

Another significant clause allows direct delivery from the grower to the buyer, under permit from the board. This facilitates the board's receiving payments from the buyer and gives power to the grower as part of a pool arrangement. However, the grower and the buyer are free to negotiate allowances for quality and freight charges.

To ensure that the system is not abused and that the Grain Elevators Board is not by-passed by the system,

the board can make a deduction for the provision of Grain Elevators Board facilities. That is important when one considers the cost of providing those facilities, such as silos and other ancillary equipment necessary to handle the grain harvest. The development of this system should provide incentives for trading by purchasers and growers who need to operate outside the Australian Wheat Board.

Reference was made to problems in northern New South Wales and south Queensland. To a certain extent similar problems exist on the boarders of Victoria. Mr Dunn quoted examples where land had never been sown for grain before but where wheat was now being harvested, and in many cases the grower was not prepared to take steps to ensure that impurities were removed. Instead of trying to reach the proper standards, it was easier to trade over the border. This matter has been given wide coverage by previous speakers, especially the fact that initially high first payments were being made for private sale. Fortunately, the Bill takes steps to overcome that problem.

Growers will receive up to 95 per cent of the payment in the first year with the necessary deductions for handling charges. That is important because, as I said earlier, of the costs associated with the grain industry, especially the high cost of fuel. This cost is inflated. The grower community is disappointed that some form of discounting has not been implemented by the Federal Government in relation to fuel that is used on a property solely for agricultural purposes.

Many of our wheat export competitors, Canada is an example, have some form of fuel concession and the Federal Government should do the same for fuel used solely on properties for agriculture. The State Government has made concessions for registration and the Commonwealth Government should do its share. Growers would welcome that.

I hope the Bill has a speedy passage through the House.

The motion was agreed to.

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

GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL

The debate (adjourned from the previous day) on the motion of the Hon. W. V. Houghton (Minister for Conservation) for the second reading of this Bill was resumed.

The Hon. D. E. KENT (Chelsea Province)—The state of the House reveals the unfortunate lack of interest in the Bill by members of the National Party.

The Hon. B. P. Dunn—Rubbish!

The Hon. D. E. KENT—I note that Mr Dunn has returned. It is hard to understand the purpose of the Bill. There has been no explanation given of why the Government should seek to establish three new grain handling authorities because one would assume that it would be within the capacity of the Grain Elevators Board, which, over the years, has so efficiently conducted its operations, to continue to be responsible not only for the handling of grain but also for the construction of the facilities.

The Grain Elevators Board has had three chairmen in its history. The first was Mr Harold Glowery, a former member of the Legislative Assembly; the second was Mr Keith Turnbull, a former Minister of Lands, and the current chairman, Mr Ken Gross, a former member of this House, who, during his stay here, made many valuable contributions to debates on the wheat industry.

During the short term in which Mr Gross has held the position of chairman, he has demonstrated his capacity to handle most effectively the responsibilities which he has and that is quite understandable because he has a grasp of the industry in which he practised for so long.

It was deplorable that, for cheap political purposes, there was a vicious campaign aimed at challenging his right and the right of the Government to appoint him to that position. The only justification could be that he represented the Liberal Party whilst he was a member of this House.

Reference has been made to Mr Fletcher, chairman of the grains division of the Farmers and Graziers Association. Acting on behalf of his membership, Mr Fletcher challenged the eligibility of Mr Gross to occupy the position. That was a challenge to the Government's authority and the stability of the Grain Elevators Board which has carried out its duties in such an efficient manner.

Mr Fletcher is not only the chairman of the grains division of the Farmers and Graziers Association but he has also a long tradition of membership of what is now called the National Party. He lives in an area close to Mr Dunn and is himself a substantial grain grower.

Mr Dunn has demonstrated the way one should approach legislation and, following his lead, it is appropriate that one examines the history of these things. I will provide a genuine history, not just the story provided by Mr Dunn, of wheat marketing.

Wheat has been grown in many areas over many years. Victoria was not as advanced as some other States in the handling of grain in the early days. It was not until the late 1930s that bulk handling of grain was introduced into Victoria. Mr Dunn may not be aware that the area which, I hope, he represents was one of the most advanced grain growing areas in the State and produced substantial harvests. The railways system which exists today has been in existence there for a long while. However, many farmers had to cart their wheat long distances by horse and wagon.

Frequently the average horse team consisted of about eight horses carrying a load, depending upon the distance, of approximately 80 to 100 three-bushel bags of wheat. In those days the harvest extended over a long time. It began by the harvesting of oats with a reaper and binder. Substantial areas of 100 to 150 acres of land were needed to grow the feed to provide the energy for the horses which pulled the harvesting equipment and transported the grain to the railway stations.

The handling of hay from which chaff was cut during the year to feed the horses took several weeks and began in the Wimmera, which Mr Dunn claims to know so well, about mid-November and extended for a few weeks after the wheat harvest began.

Up to the 1930s harvesting was performed by horse teams pulling a harvester which measured about 8 feet wide and the process was very slow and it extended over many weeks. Naturally, it did provide employment for many people over several months, quite apart from the farmers and their families.

Mr Dunn would not be aware of the experiences and struggles involved. Harvesting the wheat took a month or so and, after that, probably towards the end of January, most of the wheat was put into bags which had to be sewn and loaded onto wagons and pulled by horses for up to 12 to 14 miles. That took several weeks after the completion of the harvest. That period of harvest extended from approximately mid-November until late January or even later.

The situation has changed dramatically and there are complaints because the Grain Elevators Board and VicRail are not able to shift the huge volumes of wheat which are harvested in a short period. The same people who complain about that are reluctant to seek public funds allocated to meet other needs. However, they do believe that all of the resources of the transport system should be made available to transport their product as rapidly as they choose to harvest and deliver it.

The Grain Elevators Board is undoubtedly doing a magnificent job. Last season it dealt with a record amount of wheat. There are complaints, but that is the nature of farmers, especially wheat growers. If those farmers are capable of a reasoned and objective point of view, they will acknowledge that the Grain Elevators Board has done and continues to do a splendid job.

The Grain Elevators Board has been responsible for the facilities through which it handles the grain crop. Therefore, it is surprising that the Govern-

ment, in establishing bodies, is establishing another three statutory authorities which, contrary to what the Government proclaims, increases the number of Government authorities. The Government claims to be in favour of fewer authorities, yet the Bill establishes three more statutory authorities.

My party does not oppose the Bill. However, I fail to see the justification for authorities which have this specific role. One is to be established at Portland, one at Geelong and the other is called the Country Grain Handling Improvement Authority. Its function is to establish facilities in the north-eastern part of the State.

The composition of the authorities varies. The Portland and Geelong authorities are fairly similar in their composition. The Country Grain Handling Improvement Authority will consist of five members whereas each of the others will have four members. There is nothing to indicate whence the chairman of the authority will come or what attributes he will possess. The National Party has no doubt that the appropriate attributes for the chairman include membership of a particular organization. One member of the Country Grain Handling Improvement Authority shall be the chairman, one shall be nominated by the Grain Elevators Board, one by the Victorian Railways Board, one shall be an officer of the Victorian Department of Agriculture, and one shall be from a panel of three names submitted by the Victorian Farmers and Graziers Association. The Minister should make it clear that the Government will appoint that member. The Government will select that member from a panel of names submitted by the Victorian Farmers and Graziers Association. The responsibility for the composition of each of these authorities will rest entirely on the Government.

They are not marketing authorities. They are authorities to be set up to improve grain handling. No doubt the Minister will explain the significance of one member being an officer of the Department of Agriculture.

Although the Portland Grain Handling Improvement Authority will have one member nominated by the Country Roads Board, the Country Grain Handling Improvement Authority will have no member nominated by the Country Roads Board. One might have thought the Country Roads Board, along with other transport authorities, would be interested in any country grain handling authority.

Because it is the season of goodwill, I have shown charity towards Mr Dunn. It was my intention to give him a history lesson. However, I indicate that, although members of the Opposition find it difficult to understand the justification for these authorities, they do not oppose the Bill.

The Hon. B. P. DUNN (North Western Province)—The authorities are being set up because it is necessary to increase the borrowing powers of the Grain Elevators Board and that can be achieved only by establishing three new authorities within the one authority. That is my understanding of the situation. I do not know whether Mr Kent realized that fact; I suspect he did not.

The Hon. D. E. Kent—Can you explain why it is necessary to set up the authorities?

The Hon. B. P. DUNN—To increase the limited borrowing powers of the existing authority. Members of the National Party believe the move is fair enough. We are concerned that these authorities may become over-burdened with senior personnel and their own administrative structures. That matter will have to be watched carefully by the Grain Elevators Board and the growers. I would not like three new structures to be established, each costing a considerable amount for administration. If anything, the administrative costs must be cut and more dollars must be got through to the physical requirements of the industry for the improvement of facilities. The National Party will be watching that carefully. It is growers' money that the Grain Elevators Board handles and it is their money which has provided the storage and handling facilities in the State. Any extra costs will be

met by the grain growers of the State through increased handling charges. Last season the handling charge for wheat was $6.80 per tonne and that has increased slightly for this season's harvest.

Various suggestions have been put forward on how to obtain money to improve the system. The Chairman of the Grain Elevators Board floated a suggestion prior to the State election of a $100 million plan to improve handling facilities in Victoria. He did not say where the money was to come from. About August, that plan was shelved and then there was talk of the Grain Elevators Board imposing a levy of $2 per tonne on this season's harvest to meet some of its financial needs. For an average grower delivering, say, 500 tonnes, that is a significant sum. That scheme, too, has been discontinued and now the Government presents a proposal to give these three proposed authorities extra borrowing powers to improve facilities at ports and in north-eastern Victoria.

The grain handling system needs improvement. For some time Victoria commended itself on having the best grain handling facilities in the southern hemisphere, but time has passed the handling authority by and in the mid-1970s, particularly in the last two or three years, the system has rapidly become outdated and is now inadequate to meet the growing needs of the industry. It requires substantial improvements in all sections. Not only the Grain Elevators Board but also the Victorian Railways failed to keep pace with the growing needs of the industry. The fleets of railway transportation available and the wheat lines themselves deteriorated. Clearly, the handling and transport facilities are inadequate to meet the needs of the wheat-growing industry today.

At this time, when a record harvest is being received, the pitfalls and inadequacies of the rail system are being clearly demonstrated. At one silo, at any one time 47 to 50 trucks, if not more, are waiting to be emptied. The queues are so long that growers can deliver only two loads a day into the system. Some silos are even slower than that. A grower may have an estimated 400-tonne harvest, so if he can deliver only 20 tonnes a day it will take a long time to complete delivery. Much of the system is outdated and requires improvement.

As a grain grower and one who is interested in the industry, I believe it is far more economic to build storages at the seaboard and at the point of delivery than for individual growers to provide their own storage. It is much more equitable because, if it were to be suggested that on-farm storage should be dramatically expanded, some farmers would improve their storage—perhaps 30, 40 or 50 per cent—but the rest who would not make those improvements would reap the advantage from those who did. It is far better that every grower should contribute to provide storages which will benefit all.

Even if growers have to pay more to improve the handling facilities, improvements should be made. The improvements are particularly needed at some of the ports. The Parliamentary National Party visited Geelong recently and inspected the grain handling terminal there. The facilities at that terminal are being well managed by the Grain Elevators Board personnel there, but substantial improvements are needed, especially in the ability to unload and turn around rail trucks from country areas. That is a slow operation in many cases and it has been made slower by the inadequacies of the type of rail trucks in service.

Portland has a big advantage as a handling and shipping area for grain. At that port, the biggest grain ships in the world can be loaded and be back in the shipping lanes in a matter of hours. The largest bulk handling ships cannot be loaded at Geelong. They have to be topped up at Portland. The Wheat Board is directing far larger quantities of wheat through Portland and expansion must be continued there, having regard to the suitability of that port.

It is also essential to build up the railway fleet of grain-handling trucks. The inadequacies of the fleet put pressure on the railways and the Grain Elevators

Board in attempting to clear the system or to keep ahead of deliveries. Investment in the future of that system is essential. It assists greatly in storage, even though it is storage on the move.

The present board has made significant changes in its operations, and some of those changes have been to the betterment of the grain handling industry. I have had extensive discussions with Mr Gross, Mr Stoney and other members of the board, and the board has dealt courteously with the matters I have raised. I thank them for that and I commend them for their attitude.

A communication gap between the Grain Elevators Board and the growers developed at a time when members of the board were appointed by the Minister of Agriculture rather than being elected by the growers. It would have required only a minor change in the legislation to have allowed growers to elect their own representatives on the Grain Elevators Board. The communication gap and grower-board antagonism would not have occurred if that had been done. One simple amendment would have achieved that result. The appointment of grower representatives to the board by the Minister of Agriculture clearly got the present board and its administration off on the wrong foot and gave it a difficult future. Firstly, it had to try to gain the confidence of the grain growers, which I believe it still has not gained to this day.

The Hon. D. G. Crozier—You would have to agree that its administrative track record is good.

The Hon. B. P. DUNN—I said before that administratively and managerially there have been improvements. There are still shortcomings, but the board is now prepared to listen. I know Mr Stoney, the general manager, is prepared to listen to the growers, but the communication gap which was caused following the change in the legislation could easily have been avoided. I still cannot understand to this day why the Government did not make the change. I think it was simply that the Government at that time was caught in a trap and it did not want to lose face by backing off.

The Hon. W. V. Houghton—It was the attitude of the grower.

The Hon. B. P. DUNN—It was not, and the Minister knows that as well as I do. The growers want their own elected representatives on the board and eventually they should be entitled to that. Those representatives should not be appointed by the Minister of Agriculture.

The Hon. B. A. Chamberlain—Surely you want the best people on the board.

The Hon. B. P. DUNN—It is not the board of the Minister of Agriculture. The growers' money keeps the board operating and the board spends that money, not the money of the Minister or of the Government.

The Hon. R. J. Long—How do the growers elect the best man? How do they know who is the best man?

The Hon. B. P. DUNN—How does the Minister of Agriculture know who is the best man?

The Hon. B. A. Chamberlain—By your own words, you have admitted he has done a good job.

The Hon. B. P. DUNN—I am talking about the administration of the board and it would be improved further by elected grower representatives, but that is not part of the Bill.

The Hon. Glyn Jenkins—That is right, lose the argument and switch off.

The Hon. B. P. DUNN—It is not a matter of losing the argument. The subject has been argued many times in the House and there are irreconcilable differences. Honorable members will not agree on this issue.

The Hon. H. M. Hamilton—The track record of the grower dominated boards is not so good.

The Hon. B. P. DUNN—Mr Hamilton trots out the usual garbage about the track record of grower elected boards. It the track records of some of the boards involved in primary industry are examined, it will be found that that is not the case. The Grain Elevators Board clearly faced a significant test last season and this season which produced the

two greatest crops on record. Last year the board performed well, as did the railways. The railways should be complimented for the part they played last season and throughout this year. They have done an outstanding job and provided excellent service to the wheat industry, but this year there is a new set of circumstances and grower difficulties. Clearly, we have got off to a much worse start this year than last year and we will face greater problems during the course of the harvest, largely because, for two or three weeks and even until now, rail transportation and clearing of the silos has not got into full swing.

Members of the National Party support the Bill and trust that it will assist further the development of the grain handling system and that the board will watch closely the administration costs of these authorities so that improvements will be made in their operations without imposing unreasonable costs on the grain industry.

The Hon. GLYN JENKINS (Geelong Province)—I welcome the introduction of the measure. As Mr Dunn mentioned, the real reason for the measure is to give these three grain handling authorities additional power to borrow each year under the Australian Loan Council programme. One of the inhibiting factors is that the Loan Council restricts individual authorities to borrowing $1·2 million a year.

The magnitude of the grain handling situation and the problem of handling grain this year is enormous. Some figures from the Grain Elevators Board and the railways indicate that some 4·4 million tonnes of grain will be handled during the coming season, which will be an all-time record. Of that, some 3·7 million tonnes will be wheat, 450 000 tonnes will be barley, and 255 000 tonnes will be oats. A contributing factor to the additional quantity will be that increasing quantities of grain are coming to Victoria from southern New South Wales. Of the total harvest, some 4·4 million tonnes, or about 90 per cent, will be handled by VicRail.

The other significant factor is that some 2·6 million tonnes can be held in country storages and 1·7 million must overflow during the general wheat harvesting period and must be moved. This is even allowing for the 30 new bunkers which will be constructed by the Grain Elevators Board. Over that ten-week period, some 82 000 wagons of wheat will be moved to Portland and Geelong and to mills in Victoria. The general run of the mill rate will be of the order of 6000 GY trucks a week and at the peak of the harvest something approaching 11 000 trucks of wheat will be moved and unloaded in one week. Therefore, it can be seen that it will not take much to upset that sort of programme.

Mr Dunn mentioned the port of Portland and honorable members should not overlook the facilities that have been erected there and also the substantial investment that has been made in Geelong over many years. It should also be said that those Geelong facilities handle wheat quickly and economically. I know that Portland will need to be extended, but the over-all cost of handling wheat through Portland will be significantly higher than through Geelong. Even with the present plants, Geelong has the capacity to handle 700 GY wagons every 24 hours.

In every 24 hours, Portland can handle only 400; Marmalake, one of the major country silos, 300; Dunolly, 200; Sunshine 200, which is a total of 1900 trucks in a 24-hour period, and the mills will take another 70. So almost 2000 wagons a day can be handled in the peak of the season and more than one-third of that will go through the Geelong terminal.

The other interesting matter that was mentioned in an earlier debate today is that 400 hopper wagons have been developed from old GY trucks, mainly through the enthusiasm of Mr Alf Nicholson, and these trucks will be arranged in blocks. This will increase the turn around of wheat trucks by a quarter.

In my younger days, I had something to do with handling wheat. I do not claim to be a wheat farmer, as other honorable members can, but for some years I was secretary-manager of the flour mill in Geelong. The mill handled

large quantities of wheat, and when I was much younger, for many Saturdays, I unloaded wheat at the Geelong terminal, which at that time was a very dusty and dirty undertaking. We had to scrape the wheat out by hand in virtually shocking conditions during the height of the summer. That was a slow, laborious and expensive process.

One of the real benefits of the setting up of the Geelong Grain Handling Improvement Authority will be that it will enable the Grain Elevators Board, the Geelong Harbor Trust and the railways, in conjunction, to build a loop line and the block trains will be able to move slowly through the terminal to be unloaded and within minutes be on their way again. Under the present system, they have to be shunted through, emptied, held on the other side and moved back through the terminal and back through the yard. That is a very slow, expensive and time-consuming operation.

The handling of wheat has always presented difficulties. Over the years we have been committed to handling fair average quality wheat. Although this year the situation will be much better than normal, comprehensive facilities are not available throughout Victoria to segregate and market wheat properly. I hope, by setting up these authorities, it will be possible to do much more in that field because overseas purchasers require wheat of particular standards and quality. The new facilities should enable far more segregation to take place.

Mr Dunn also mentioned the ability of the port of Portland to handle very large ships. When the campaign was on to have wheat and grain handling facilities extended at Portland, much was made of the fact that very large ships could enter the port whereas they could not get into Port Phillip Bay. That is true, but the other factor is that only a relatively small percentage of the total wheat shipped throughout the world is moved in very large tankers. The ports that actually receive the wheat in most cases cannot take very large tankers.

A lot of off-loading takes place and, as I mentioned before, the facilities in Geelong have been constructed over many years and, despite the present problems, they can still handle wheat efficiently and economically. I believe there will be a continuing place for the Geelong terminal in the over-all plans.

I do not deny Portland's development. I am prepared to look far enough ahead to see that the western half of the State will develop and that 50 or 100 years from now the port of Portland will be vital, and that is only right. I do not know whether it will be viable, but it certainly will be vital, which is a completely different matter, because at present the port is being subsidized by well in excess of $1 million a year. I acknowledge and appreciate that, but if facilities are to be provided to handle the exports from this State and southern New South Wales, two grain ports are needed and I see Geelong and Portland as those ports.

An increasing quantity of wheat and grain will come from southern New South Wales. One of the interesting things that has arisen from the new plan is that, even though Portland will take only about one-sixth of the total Victorian crop, I hope that will be more than made up with wheat and grain from southern New South Wales. Therefore, I see a great future for the authorities that this Bill sets up, the one in Geelong, the one in Portland and the other in central Victoria. It is unfortunate that, because of Loan Council restrictions, these authorities must be set up, but they will be basically construction authorities, erecting facilities on behalf of the boards and authorities that I mentioned and I cannot foresee that they will have either a large staff or large overhead operating costs. I support the Bill.

The Hon. K. I. WRIGHT (North Western Province)—I support the remarks of my Leader, Mr Dunn, and say at the outset that I believe the bulk handling of grain and the use of the tractor have revolutionized the handling and harvesting of wheat in Australia. It is interesting that 80 per cent of the wheat grown in Victoria is grown in North Western Province which is represented by Mr Dunn and myself.

The formation of the Grain Elevators Board was an innovation that has had a significant effect. Mr Kent mentioned two of the former chairmen, Mr Glowery, who came from Ouyen, and Mr Keith Turnbull. Under the régimes of those chairmen and their administrations strict financial controls were placed on the board, with the result that the equipment and facilities were not as modern as they might have been. Mr Gross is the new chairman of the board, and it is a pity Mr Kent is not here at present because I am critical of the remarks he made about Mr Ian Fletcher, the chairman of the grains division of the growers' organization, concerning the litigation that took place over the appointment of Mr Gross. In the opinion of the National Party that litigation was entirely justified. Members of the National Party believe the appointment of Mr Gross was blatantly political.

The Hon. Glyn Jenkins—But you concede he is doing a good job now?

The Hon. K. I. WRIGHT—I will come to that. The court case was lost only because of the loose drafting of the legislation. Members of the National Party must take some blame for allowing the legislation to be passed.

In fairness to Mr Gross, I must say that I have nothing but praise for the manner in which he is doing his job at present. He is extremely active and is working hard. He will examine all grain terminals in the State during the coming harvest. He is approachable, as is Mr Ian Stoney, the general manager of the board. Mr Gross made some mistakes earlier when addressing large meetings of growers and perhaps he would now tackle them differently. That is all history.

I place on record the National Party's agreement with the view expressed by the grower organization that it is essential that the board should be elected by growers. When that happens Victoria will have a better Grain Elevators Board. It is agreed that the Government of the day should have the right to select the chairman from one of the elected members, but members of the National Party are four-square behind the idea of a grower-elected board.

The arrangements provided for under the Bill will improve the handling of the next harvest. It appears certain that the answer to the problems is not the provision of more wagons; it is the better handling and turn-around of the existing wagons. That will be achieved when the Bill is passed and the necessary measures are implemented, particularly the upgrading of the ports of Geelong and Portland. As Mr Dunn has already said, members of the National Party visited Geelong and inspected the facilities there. We have also been to Portland. It is expected that the capacity of the port of Portland will be increased from 800 tonnes to 1500 tonnes an hour, which will be a vast improvement.

Mr Jenkins mentioned that large ships have to go from Geelong to Portland for topping up, and Portland will be able to take 2 million tonnes of grain a year, which is approximately half the Victorian harvest. The improvements are important because last year there was a record harvest and this year it appears that the harvest will break that record.

An enormous flow of wheat is coming from the southern part of New South Wales north of Mildura. Balranald is providing 60 000 tonnes this year, compared with 20 000 tonnes last year, and there is also a tremendous flow from the area north of Yelta. One grower will have a $1 million harvest. That is an enormous amount of money, but extremely high expenses are incurred by the grower and next year he may not have any harvest because growing wheat is a chancy business in that area.

I pay tribute to both VicRail and the Grain Elevators Board for the way in which they handled last year's harvest. There will be more difficulties this year and one of the reasons for that is that there is central control of the operation by VicRail, and apparently 1000 or 2000 wagons are not in the system and nobody knows why they are missing. Numerous bunkers are being constructed, taking up to

10 000 tonnes, and each day Mr Stoney of the Grain Elevators Board is agreeing to the construction of more. It should be noted that the idea for the improvement of the wagons, which has been attributed to Mr Alf Nicholson, is probably a refinement of an idea of Mr Cahir Doherty of the Grain Elevators Board.

Another problem is that barley is occupying many of the bins, some of which contain only 400 or 500 tonnes. The bins will take 5000 tonnes and the growers are themselves emptying several bins to fill one with barley to allow for greater quantities of wheat to be placed in the emptied bins. It is a pity that, after Mr Stoney agreed to the use of road transport to clear up the problem in various areas, especially Ouyen, when road transport was arranged to take the barley to Wycheproof, an officer of the Transport Regulation Board was in the area to watch the people doing the job. One Government department was issuing instructions to improve the situation but another, the Transport Regulation Board, was making things more difficult.

As Mr Dunn mentioned, the National Party has had discussions with Mr Stoney. I do not think it has been mentioned before, but it appears that the Grain Elevators Board has a computer which details where the full and empty wagons are. The fault with the system is that at any given time the computer should be able to advise how many full wagons are available and where they are, and the number of empty wagons and where they are, but the computer will not do that, and the system will not be effective until that is attended to because there are too many unknown quantities.

As Mr Jenkins mentioned, the Geelong loop will be of great assistance. Trains will be able to enter the loop and will not have to be dismantled. Both the trains and the wagons will be able to do more than three return trips to country terminals each week, whereas at present they can do only 1·2 trips.

The cost of handling the grain is escalating and that is creating difficulties for the growers. Growers in southern New South Wales north of Mildura, pay $7 a tonne for handling, $18 a tonne for freight and $6 a tonne to have the wheat carted from their properties to Yelta. It is probable that for little more than $20 a tonne, if permission were granted, the wheat could be carried by road transport directly from the farms to Geelong or Portland. The problem would be the wear and tear on the roads.

I sound a note of warning to the Government and the authorities in connection with clauses 12, 13 and 14, which deal with the appointment of the members of the new authorities that are to be established. There are to be full-time chairmen, as well as other board members. The full-time chairmen will receive salaries of $25 000 a year as well as allowances, cars and so on. The costs of the authority will eventually have to be met by the growers and, with three authorities, those costs might get out of hand.

I again indicate my support for the measure and give fair notice that when the first opportunity arises the National Party will endeavour to change the structure of the Grain Elevators Board.

The Hon. R. A. MACKENZIE (Geelong Province)—Although the Bill is pleasing, particularly to a representative of the people of Geelong because it will mean a lot to them, I am concerned that three more statutory authorities will be established. Other authorities were established yesterday and it is strange that in times of constraint, when it is imposing staff ceilings in schools and endeavouring to cut down expenditure everywhere, the Government should be establishing so many new statutory authorities. That can only result in overlapping.

I take up the note on which Mr Wright concluded his remarks. The salaries to be paid and the running costs of the authorities may get out of hand. I cannot see the logic behind the Government's reasoning. There must have

been a better way of achieving the Government's objective. Mr Jenkins pointed out that under the regulations the authorities will not be able to raise more than a certain figure, but there must be a more economic way of providing the services than by creating those additional statutory bodies.

Despite the warnings about the growth of statutory bodies, it is a fact of life that they do grow and become little empires and they seem to drift out of Government control. It is easy to say, "That will not happen with this board," but it is happening all over the State. Statutory bodies are dictating policies to the Government.

Clause 9 stipulates that staff employed by the authorities will not be subject to the Public Service Act. That is not good. The people who work for the bodies should have the protection of the Public Service Act.

The Hon. W. V. Houghton—They will not be paid from the public purse.

The Hon. R. A. MACKENZIE—Many of them could transfer from the Public Service and they should be able to retain their membership of the Public Service and their superannuation and promotion rights.

Mr Jenkins explained the facilities of the port of Geelong and their capabilities. The timing of the Bill is excellent because Geelong has only recently embarked on an ambitious programme to improve the port. Additional container ship handling facilities are to be provided and the Geelong Harbor Trust plans to improve its grain handling operations. That will work well in conjunction with what is contemplated by the Bill. As Mr Jenkins said, a rail loop can now be installed and, instead of the trucks having to back in and out, they will be able to use the loop. The crane facilities will also be improved so that loading will be easier. When the facilities are improved, four ships will be able to be loaded at the one time. The Geelong Harbor Trust is to be commended on undertaking that ambitious programme. The improved handling will mean that there will not be as much emphasis on the need to obtain additional storage. It will be possible to unload the trucks quickly and they will not have to back out; it will be a continuing process. Because four ships can be loaded at one time, the immense quantities of wheat and other grains will be kept on the move without the need for extensive storage.

The Bill is an important one, although I regret that the authorities are being set up as they are. But they will provide funds for the development of the three grain handling authorities.

I make another couple of points which I am surprised that the National Party did not raise. I refer to the different composition of the three boards. The composition of two of the boards is similar: The Geelong Grain Handling Improvement Authority consists of four members appointed by the Governor in Council, and they include nominees of the Grain Elevators Board, the Geelong Harbor Trust and the Victorian Railways Board. I wonder why the Victorian Farmers and Graziers Association was not given a guernsey on the authority, because producers and consumers should have a say in these matters.

The Opposition supports the Bill. It is pleased that the Government is taking this step, especially because it will benefit Geelong. Although Mr Dunn expressed doubt that the port of Geelong would be capable of taking some of the larger vessels, in the 1978 annual report of the Geelong Harbor Trust—the 1979 report is not yet completed—the chairman states that the trust is aware of the need for more dredging work to be done because of the increased size of vessels, that plans are being made for that to be done, and that the trust is looking ahead in that regard.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 7 were agreed to.

Clause 8 (Accident insurance of members)

The Hon. W. V. HOUGHTON (Minister for Conservation)—I move:

That it be a suggestion to the Assembly that they make the following amendment in the Bill:

Clause 8, lines 18 and 19, omit "make all payments of the premiums on" and insert "take out".

Clause 8 provides that an authority may with the approval of the Minister make all payments of the premiums on a policy. This would be done from loan funds, and it is not in accordance with financial practice to make payments for such purposes out of loan funds. Therefore the clause needs to be amended. Later I shall move a consequential amendment to add another clause.

The suggested amendment was agreed to, and the clause was postponed.

Clauses 9 to 11 were agreed to.

Clause 12 (Membership of Geelong Grain Handling Improvement Authority)

The Hon. K. I. WRIGHT (North Western Province)—The proposed Geelong Grain Handling Improvement Authority is to consist of four members. No nominee of the Victorian Farmers and Graziers Association, which is the growers' organization, is to be represented on the authority. Another clause of the Bill provides for a representative of the Victorian Farmers and Graziers Association to be appointed to the Country Grain Handling Improvement Authority, so I ask the Minister to consider allowing a member of the association to be appointed to the Geelong Grain Handling Improvement Authority.

The Hon. B. A. CHAMBERLAIN (Western Province)—The principle I wish to enunciate also arises in respect of clauses 13 and 14 and I refer to the tradition in relation to a quorum. Clause 12 provides that the Geelong Grain Handling Improvement Authority shall consist of four members, and sub-clause (8) provides that a quorum shall consist of four members. This is the first time of which I am aware when the required number for a quorum is equivalent to the actual number of members of the body. Usually the quorum is a lower number and the body is still able to act legally.

The definition of "quorum" in volume 4 of *Words and Phrases Legally Defined,* by John B. Saunders, is:

The word "quorum", in its ordinary signification, has reference to the existence of a complete body of persons, of whom a certain specified number are competent to transact the business of the whole.

In this case there are to be four members of the authority, and the quorum is to be four, although for the other two proposed authorities the quorum is five.

The Bill provides that a deputy member is to be appointed, but I am worried that because of sickness at short notice or perhaps a boycott of a meeting, the Geelong Grain Handling Improvement Authority would not be able to transact its business and would have to adjourn until another meeting was arranged. I had proposed to move an amendment to make the quorum one less than the actual number of members on the authority. However, I discussed the matter with the Minister of Agriculture and he indicated that to overcome the problem he would undertake to arrange for the Ministers concerned to give a direction to the constituent bodies in each case to make sure they attend those meetings. I can see a potentially unworkable situation occurring.

The Hon. V. T. Hauser—The members might be ill.

The Hon. B. A. CHAMBERLAIN—Someone might be ill, which would mean the authority could not meet, or one of the constituent bodies may get its nose out of joint and say, "We won't be in that", and the authority would become unworkable.

I take up the indication of the Minister of Agriculture that Ministerial direction will be given to those bodies to ensure that the representatives attend the meetings, but I do not like the principle because the concept of a quorum is that it should be a number less than the whole number of members of the body.

I shall watch this provision carefully, and if it does not work I will put a submission to the Minister to have the Act amended at the appropriate time.

The Hon. W. V. HOUGHTON (Minister for Conservation)—I note the matters raised by Mr Chamberlain. He has referred the matter to the Minister of Agriculture, and no doubt it will be carefully noted. The Minister has the authority to appoint a person to act on the authority during the absence of another member. There is, of course, the possibility of unavoidable non-attendance because of illness or accident, and that would create a problem.

The Government does not intend to add the terms of Mr Wright's suggestion to the constitution of the grain handling authorities for Portland and Geelong, because a member of the Victorian Farmers and Graziers Association is to be represented on the Country Grain Handling Improvement Authority. These are development and construction authorities; they will not meet many times a year or spend much money, as was implied by some speakers who indicated during the debate that they would expect the chairman to receive a salary of something like $30 000 a year. That is not intended to be the case for these groups.

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

New clause

The Hon. W. V. HOUGHTON (Minister for Conservation)—I move:

That it be a suggestion to the Assembly that they insert the following new clause to follow clause 8:

(AA) The premium on any policy of accident insurance effected pursuant to section 8 and any remuneration and travelling expenses payable to the members of an Authority shall be paid by the Grain Elevators Board out of the funds of the Board.

The addition of the new clause is consequential on the previous suggested amendment.

The suggested new clause was agreed to.

Progress was reported, and the suggested amendments were reported to the House and adopted.

It was ordered that the Bill be returned to the Assembly with a message intimating the decision of the House.

LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL

The Hon. D. G. CROZIER (Minister for Local Government), by leave, moved for leave to bring in a Bill to amend the Local Government Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

That this Bill be now read a second time.

This is the annual Bill to make general amendments to the Local Government Act 1958 and the normal practice will be followed in that it will be allowed to stand over until the autumn sessional period to permit ample time for comment and criticism by all interested parties.

Some honorable members may wonder whether it may not be possible to stop, at least for a few years, the annual procession of amendments to this Act, but I think it unlikely.

The original Local Government Act of 1874 was a union of the Boroughs and Shires Statutes of 1869 with some changes. Consolidations were effected in 1890 and 1903, the latter being the result of inquiry into local government law by a Royal Commission. Further consolidations were made in 1915, 1928, 1946 and 1958. Along the way the Act acquired such additional material as provision for private street construction schemes in 1891, municipal supervision of land subdivisions in 1914, unimproved capital value rating in 1922 and preferential voting in 1935. The changes continued in the post-war period. Part II. dealing with

changes in municipal boundaries was re-enacted in a new form in 1965 and the rating provisions, Parts X. and XI., were replaced in 1969. More recently the very large and very much out of date Fifteenth Schedule was repealed, as were the equally out of date provisions for the borrowing of money by the sale of debentures. Additions to the Act included provision for regional refuse disposal groups and schemes for drainage, flood mitigation and river management.

These are just a few items, by way of illustration from the many hundreds of changes made over the years. Currently in preparation is a Building Control Act, which will take Part XXXXIX. out of the Act. Similar treatment will be afforded to the subdivisional provisions when the proposals of the Building and Development Approvals Committee are put into effect. We may also anticipate that the report of the Board of Review of the Role, Structure and Administration of Local Government will provide a basis for further significant evolutionary change.

The present Bill, of course, is part of this general pattern. Notes on the clauses have been printed with the Bill and, at this stage, I do not propose to make any further comments. 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 the next day of meeting.

SUPERANNUATION (AMENDMENT) BILL

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

That this Bill be now read a second time.

The purpose of this measure is to amend the Superannuation Act, 1958 and 1975 and the Pensions Supplementation Act 1966, to give effect to policy undertakings by the Government to introduce half-yearly indexation of pensions and to adjust the unit entitlement of railway contributors who have elected not to be full contributors to the fund.

At the same time, opportunity has been taken to include in the Bill amendments proposed by the superannuation board to correct anomalies now existing and to improve administrative arrangements.

Clauses 12 to 15 of the Bill implement the undertaking given by the Government to introduce half-yearly indexation of pensions in the current financial year. The first half-yearly adjustment will be made in June 1980.

The Government has undertaken to retain parity between those railway employees who have elected to restrict their unit entitlement under the State superannuation scheme to receive service grants and those who are eligible to receive retiring gratuities. In order to do this the Bill increases from 10 to 11 the unit entitlement of the former group.

Clause 4 of the Bill amends the statutory period during which a married woman may elect not to contribute to the superannuation fund. At present an election must be made within six months of becoming a permanent officer. However, there have been a number of occasions when, due to administrative procedures within the employing authority, neither the board nor the contributor have been made aware of the appointment until the statutory period had elapsed. The Ombudsman, following investigation of some cases, recommended appropriate changes to the Act. To implement his recommendations it is proposed that the contributor will have six months from the date on which the first deduction is made from her salary to lodge an election not to contribute to the fund. Clause 4 (2) makes the provision retrospective to allow present contributors to exercise the right if in the past the contributor considered she had suffered an injustice.

At present the superannuation board is empowered to employ staff to manage the board's investment in property, and,

subject to the approval of the Treasurer, may meet the costs of managing property out of the superannuation fund. Clause 6 of the Bill relates to the appointment of officers, under the Public Service Act, to assist the board in managing its investment programme in the field of mortgages and housing loans. The effect of this clause will be that staff may be employed to cope with the administration of housing and mortgage loans and, with the approval of the Treasurer, the costs involved may be met from the superannuation fund from charges and interest earnings at no additional cost to the Consolidated Fund.

Another purpose of the Bill is to rectify an anomaly which exists in determining benefits payable to limited contributors on retiring on the grounds of ill-health. The benefit provisions of section 12AA are presently excluded from applying to contributors to the revised scheme. Clause 7 is a machinery amendment requested by the board to overcome this anomaly.

It is also proposed to define the four-year period of service in respect of which a limited contributor must both serve and contribute before being eligible to receive a pension benefit on retirement on the grounds of ill-health, by not including any period of leave without pay. However, if an employing authority consents to a period of leave without pay so that the contributor can engage in paid employment, the period of leave without pay shall be included as service for the purposes of the section.

Difficulties have arisen in the re-employment of pensioners in the public sector in cases where they have been found fit by the superannuation board to perform suitable duties. Clause 8 of the Bill extends the authority of the board to obtain their re-employment.

Under current legislation, if a pensioner who is in receipt of pension supplementation is recalled to duty, and shortly thereafter is again retired on the grounds of ill-health, loss of income may occur as his right to supplementation under the Pensions Supplementation Act 1966 ceases at the time he resumes duty. Clause 16 of the Bill provides that, in these circumstances, the pensioner's right to supplementation will be preserved. 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 the next day of meeting.

EDUCATION (AMENDMENT) BILL

The debate (adjourned from earlier this day) on the motion of the Hon. A. J. Hunt (Minister of Education) for the second reading of this Bill was resumed.

The Hon. H. A. THOMAS (Melbourne West Province)—This Bill provides for the appointment of an Assistant Minister of Education and covers the administration of not only special education but also building and planning. The Opposition does not oppose it.

The Hon. B. P. DUNN (North Western Province)—The Bill provides for the appointment of an Assistant Minister of Education. It also clarifies the legality of arrangements undertaken by school councils on behalf of other school councils, and a number of other matters which basically stem from the aim of the department to encourage joint school council and community ownership and development of facilities. The National Party believes this approach has been of benefit in many country towns.

I am familiar with quite a few in the electorate I represent. Educational facilities have been built with local government support, Ministry of Youth, Sport and Recreation support and with an Education Department component. That is the direction in which we should be heading.

Legislation was passed by this Parliament in 1978, according to the Minister's second-reading speech, that gave power for this joint development. The provision relating to school councils is a good one and has the support of members of the National Party.

We also agree with the Minister's contention that the Minister of Special Education had a difficult position to fill within the department. The responsibilities in the special education field have not diminished and I hope this measure will not diminish them further. There is a definite need to extend the special services of education much more than is occurring at present in Victoria, particularly to ensure that special services in speech therapy and a whole range of other fields are available in country areas as well as in the city. In other words, there should be an equal opportunity of receiving this specialized assistance, guidance and advice. The National Party supports the Bill.

The Hon. N. F. STACEY (Chelsea Province)—This is a small Bill, but it is important to make the distinction that was made by Mr Dunn. It establishes the positions of Assistant Minister of Education and Minister of Education, and with Mr Hunt, the present Minister of Education, and Mr Lacy, the Assistant Minister of Education, operating as a team, each with separate and definite responsibilities, it will be an effective way of taking on the very large responsibilities of this important part of education.

Mr Dunn mentioned special schools. It can be said that the proof of the pudding is in the eating. There has been no lessening of the importance placed on the whole field of special education. Up to 48 special schools have been taken into the department over the past few years. In the field of special development new appointments have been made, and the whole area of special education is proceeding with emphasis on special needs in the over-all gamut of education.

This Bill gives the Minister additional powers, particularly in the development of joint projects with municipal councils, and that is to be desired. It will allow more freedom of operation on joint projects of various kinds. I wholeheartedly support the Bill.

The motion was agreed to.

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

TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL

The debate (adjourned from the previous day) on the motion of the Hon. A. J. Hunt (Minister of Education) for the second reading of this Bill was resumed.

The Hon. E. H. WALKER (Melbourne Province)—This important Bill amends the complex and important Town and Country Planning Act. The work on the Bill started a year ago when the present Leader of the House was the relevant Minister. At that time much work was done, and since then I believe much work has also been done, including the incorporation of some of the BADAC planning recommendations. The provisions of the Bill have been widely canvassed and many submissions have been made. Municipalities are extremely interested in the many and varied amendments. I do not intend to canvass all issues but simply to make a few comments and move a number of amendments during the Committee stage.

The Labor Party commends the Government on several of the provisions of the Bill, including the important provision for local development schemes. I shall move an amendment in relation to that, but it does not change the general intent of the provision.

The Labor Party also appreciates the intent of trying to establish one-stop-shop planning permits. In the past, it has been difficult for developers, who have been forced to obtain two types of planning permits. It is intended to streamline the process, and I applaud that.

The Bill also envisages the establishment of an appeal board to replace the Town Planning Appeals Tribunal, the arbitrator and the Environment Protection Appeal Board. That will be of some assistance, although I will move a minor amendment during the Committee stage.

During the second-reading debate the Minister made a number of comments about Melbourne and Metropolitan Board of Works alternative strategies for the planning of Melbourne. I do not wish to canvass that issue at large, but

I was not impressed with the approach taken on the four strategies suggested. I am not keen on the notion of incremental planning. It appears that the board is headed towards what can be described as an incremental approach to planning. A vital society such as ours requires intervention by Government in planning initiatives from time to time. I give some credit to the previous Minister for Planning, the now Leader of the House. It was within his nature from time to time to take bold initiatives. I applaud that approach.

If the planning is to be effective, there must be confidence in one's approach. That does not mean an autocratic approach, but a creative, consultative process, after which decisions can be made and implemented. That is not a description of incremental planning. The approach that the board is taking in its recent publication should be reviewed. I hope that honorable members will have another opportunity of debating that issue because the manner in which Melbourne's growth is administered is vital. Several members of this House could contribute to that debate, not the least of whom would be the former Minister for Planning. I do not hold with the market approach to planning—just taking the lead that the market gives. I believe the Government should intervene.

The Bill contains several good initiatives. The notion of negotiated planning is worth while. It has received some coverage in the newspapers in recent days.

The Hon. A. J. Hunt—It has received some quite misplaced criticism.

The Hon. E. H. WALKER—I am referring to some comments by the shadow Minister for Planning in another place who made constructive comments about the prospect of its being proper under certain conditions for developers to make contributions for the public good. He clearly indicated that methods could be established for doing that, and I think the Government does not disagree. When there is that kind of consensus, some real progress can be made.

The Bill tidies up certain provisions with regard to permits for demolition in the city. When demolition is to occur, the group wishing to carry out the work must first indicate its intention. That is desirable.

In the general sense the Bill provides that where planning schemes are put together a statement of objectives should exist. That is a good approach. I will not take up the time of the House with a long diatribe on planning. The Labor Party does not oppose the measure generally, but during the Committee stage will move a number of amendments. At that time I will make appropriate comments. I do not want it to be thought that the Labor Party opposes the measure. It will simply make detailed comments as each clause is dealt with.

The Hon. K. I. WRIGHT (North Western Province)—The National Party supports the Bill, which will streamline the planning process. A number of improvements suggested by members of the National Party and others have been included, for which we are thankful. This matter has been well and truly canvassed by my colleague in another place.

The Hon. R. J. LONG (Gippsland Province)—I am pleased to have the opportunity of supporting this Bill, which is essentially a measure that should be dealt with in Committee because it makes many amendments to unrelated clauses.

As Mr Walker pointed out, it will be necessary for planning policy statements to be made and those statements must be laid before both Houses of Parliament to give honorable members an opportunity of debating what is entailed in the policies.

An extremely important amendment deals with the omission of the word "objection" in its relation to planning schemes and the insertion in its place of "a submission". On many occasions people might agree with a planning policy but be unable to support it. Through this amendment they will be able to make a submission and support the proposed policy.

The delegation of authority is vital. The one-stop shop idea will mean that only one permit will need to be obtained to carry out a particular function.

The declaration of mineral fuel resource areas has aroused some criticism in the area that I represent. Local municipalities believe this will do away with the consulting process. However, it is important to bear in mind that mineral fuels must be protected in this State as the world is energy hungry at present. At times Governments must take some bold steps to protect mineral sources. For some time I have believed it is unfortunate to use the planning process to protect those mineral fuel sources. Planning is blamed, when really the people of Victoria receive the benefit.

Before a mineral fuel resource area can be proclaimed by the Governor in Council there must be much consultation within the Government. The Minister for Planning, the Treasurer, the Minister for Minerals and Energy, and the State Co-ordination Council are all involved before the Governor in Council can make an order gazetting a mineral fuel area. There is a certain amount of protection there, and it is hoped that the order will also specify by whom the compensation is payable. That is an important provision, which I hope will obviate many problems in the future.

Proposed new section 18BA (1) as contained in clause 9 (*a*) of the Bill provides:

> Regulations made under this Act may require that notice be given or published of all or any class or classes of applications for permits to use or develop land and such regulations may prescribe the manner of giving or publishing notice of any such application or class of application.

I hope one of the first regulations which will be made under this provision will deal with negotiated planning, which again was a matter raised by Mr Walker. I agree in principle with negotiated planning, but I have some reservations about it. For instance, a small country council may be confronted with a proposition by a developer to build a new town hall. It may well mean that the considerations which ought to apply to the permit application would be completely overlooked or overshadowed by the prospect of obtaining a new town hall. To me, that would be a regrettable position.

Consequently, I hope the regulations will prescribe that any application for a permit in these circumstances will be fully and widely publicized so that the community will know what it is getting for the negotiated planning. That is already provided for in the regulations, which will come forth under clause 9, so the principle may be covered. To me, clause 9 is important and I hope the Minister will not waste any time in promulgating regulations dealing with negotiated planning. I support the Bill wholeheartedly.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 4 were agreed to.

Clause 5 (Amendment of No. 6849 s. 9 (2))

The Hon. E. H. WALKER (Melbourne Province)—I hastily indicate that the Opposition does not oppose this clause which is important. There has been a problem with demolition, especially in the city in recent times. I refer particularly to the Robbs building case concerning which the words "use and development" led to an interesting argument over whether the phrase included demolition.

I know the provision fills the gap in that responsible authorities will be able to control demolition by permit, whereas previously they had no control over it. I point out to the Committee that it may make a difference in administrative procedures because cases of this type are becoming far more numerous and in recent times demolition has been occurring more and more because we are recycling buildings, which is a good idea.

The clause will allow local authorities to exercise more control over the situation whereas demolition, in the past, has been occurring without such control. I do not blame developers who want to get on with the demolition quickly because it is with this type of work that they have the most trouble. There have

been many fights over demolition in Collins Street. In my view this provision will sort out many of those difficulties, and I commend the Government for including the provision in the Bill.

The clause was agreed to.

Clause 6 (Amendment of No. 6849)

The Hon. E. H. WALKER (Melbourne Province)—I propose a number of amendments that have been circulated in my name, and as they are cognate amendments, I shall move them *in globo*. I move:

Clause 6, line 34, after "(1)" insert "Subject to sub-section (9),".

Clause 6, lines 35 and 36, omit "or an officer of the authority".

Clause 6, page 6, line 34, omit "an officer or" and insert "a".

Clause 6, page 6, line 37, omit "officer or".

Clause 6, page 6, after sub-clause (1) insert—

"(9) A responsible authority shall not delegate under this section any function or power to a committee of the authority consisting of less than three members and a committe may only perform a function or exercise as power delegated under this section if the committee determines unanimously to perform that function or exercise that power."

The effect of the amendments would be to restrict the delegation, which is referred to, to a sub-committee. The amendments provide that the delegation shall be to a sub-committee of the authority comprising not fewer than three members and that that sub-committee would exercise its function only if it were unanimous in its decision to perform that function or exercise that power.

The Opposition is not particularly happy with the delegation of authority to an individual. It would prefer, as the amendments provide, delegation to a sub-committee. I do not believe that lengthens the process but it includes certain safeguards. The effect of the amendments would mean that where there was a refusal by the sub-committee or an objection by any one member of the sub-committee to consent to the granting of a permit, the application would be referred to the authority. The Opposition objects to any other person having a delegated authority and believes in all cases that there ought to be a reference to the responsible authority and not to an individual.

The Opposition holds the view that these matters ought not to be decided by officers of the authority without reference to the elected representatives. I commend to the Committee the notion of these matters being dealt with by a sub-committee comprising elected representatives rather than delegation to an individual.

The Hon. A. J. HUNT (Minister of Education)—I can understand the objection raised by Mr Walker and appreciate his view, which the Government shares, that a power of delegation on decisions made by a representative body ought to be exercised sparingly. The clause, as drafted, seeks to do just that. There is a range of powers which cannot be delegated but which must remain the prerogative of the responsible authority itself.

However, I am sure that Mr Walker would be the first to admit that once a representative body has formulated its broad general policy to a whole range of issues, say, with respect to a particular zoning, it is merely clogging up the works for those applications to be referred back to the authority itself or even to a sub-committee of that authority.

The real role of representative bodies is in the field of policy-making and not administration, and when officers are carrying out that policy, administration could and should be left to them. It has been one of the bugbears of planning that despite the fact that an application is clearly in order and complies with the policy that has been set it must frequently be delayed until another formal meeting of the authority which, at this time of the year, may not be until next February. When this occurs, everybody must wait. The delegation is intended to get over this pettyfogging and delaying process, which brings planning into disrepute.

I make it clear that the authority, when granting delegations, can set special conditions. For instance, where an officer is intending to refuse an application in the exercise of a discretion, the authority can provide that he

cannot do so and must refer the application back to the authority for its refusal. The authority may, if it so desires, ask for a specific matter to be referred to it, or indeed, someone else may ask for a matter to go to the full authority.

The Government suggests that there is an ample range of safeguards in the clause, as drafted. It is seeking to speed up the process. Although I can understand the arguments raised by Mr Walker, his amendments would cut across that very desirable process.

The Hon K. I. WRIGHT (North Western Province)—I listened carefully to the arguments proposed by Mr Walker in favour of his amendments and also to the powerful defence of the clause by the Minister. However, on balance, the National Party intends to support the amendments.

The Hon. E. H. WALKER (Melbourne Province)—I appreciate the reference by the Minister of Education to efficiency and I did not intend to interrupt that efficiency. The Opposition is worried that when an individual is involved in exercising a delegated authority, there is every prospect, particularly where large sums of money are involved in a development, of some misuse of that authority. Members of the Opposition are a little more pessimistic than the Minister and I am sure that in the majority of cases there will be no misuse of the delegated authority. However, individual cases of misuse could occur, and the Opposition is looking for a safeguard.

The Hon. A. J. HUNT (Minister of Education)—If there were any such danger, I would be the first to agree with Mr Walker. However, we are dealing with cases where the policy of the authority has been laid down and where a decision, in most cases, would be a matter of rote and should be perfectly predictable from past patterns. Any departure from those patterns would immediately raise a suspicion, so a safeguard already exists.

The CHAIRMAN (the Hon. W. M. Campbell)—Order! To test the feeling of the Committee, I shall put the first amendment. If it is negatived, there will be no need for the Committee to vote on Mr Walker's other amendments.

The amendment was negatived, and the clause was agreed to, as was clause 7.

Clause 8 (Amendment of No. 6849 S.18)

The Hon. E. H. WALKER (Melbourne Province)—I move:

> Clause 8, page 8, line 37, after "re-development" insert "and a bond concerned with the carrying out of such re-development and in such terms and conditions as the responsible authority may reasonably require has been lodged with the responsible authority by the applicant for the permit".

Clause 8 seeks to require the production of plans, specifications and contract documents regarding a redevelopment prior to the issue of a permit for demolition. That is all very fine, but the question which arises is how can this provision be enforced and that is what concerns the Opposition. The amendment suggests one method of assisting that enforcement.

As I have indicated, the amendment would require the lodgement of a bond under such terms and conditions as may be required. The Opposition regards the amendment as a necessary safeguard and an improvement to an already worth-while clause. I commend the amendment to the Committee.

The Hon. A. J. HUNT (Minister of Education)—Again, I can understand the reason for the amendment being moved. I hope Mr Walker will not treat my remarks as in any way intending to be patronizing when I say that his amendment is well-intended but unnecessary. It is unnecessary because a bond can already be required as part of the terms or conditions of the permit. That could be one of the conditions of the permit.

The Hon. E. H. Walker—The Opposition feels it should be mandatory.

The Hon. A. J. HUNT—Mr Walker goes too far and seeks to impose a bond in all cases, irrespective of whether it is necessary. The requirement should not be made mandatory.

There is no necessity to adopt the amendment as there is ample provision in the clause to enable a responsible authority to impose a condition requiring a bond if, in its view, it is necessary. Let us assume that a responsible authority makes a judgment that no bond is necessary and does not require one as a condition of the permit. There is still a safeguard, as a permit may be revoked for non-performance.

A man who spent a lot of money on a project but has failed to carry out all of the conditions of the permit stands to lose a lot if the permit is revoked for non-performance. That is the best possible sanction. It covers the sort of situation a bond is likely to cover. Thus, the Government believes this amendment is unnecessary, that it goes too far and is likely to gum up the works.

In addition to the threat of revocation for non-performance, there are also penalties for a breach of the conditions of a permit and those penalties are no longer as small or insignificant as they once were.

The Hon. K. I. WRIGHT (North Western Province)—The National Party agrees with the Minister, that such an amendment regarding redevelopment is onerous to apply in all cases, although there is merit in the case put forward by Mr Walker.

The amendment was negatived, and the clause was agreed to, as was clause 9.

Clause 10 (Amendment of No. 6849)

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 10, line 12, after "charge" insert "and copies of all relevant plans and applications together with particulars of all relevant submissions and determinations shall, upon request by any person be made available for inspection free of charge during those hours".

This amendment seeks to ensure that the documents that we have been talking about will be made available to all persons who may be interested. There is no point in saying that people may participate in planning decisions unless there is ready access to the plans and documents lodged by applicants.

The Opposition suggests that there should be a bound chronological register and loose-leaf document setting out information under street names. This is proposed in the interests of having a truly public and properly constituted register of documents so that the public, or at least those who are interested, can participate. I have had the experience of having endeavoured to see documents that have been lodged in the past and not having received access.

The Opposition amendment does not deny the intent of the clause but extends it in a way the Government intended in the first instance.

The Hon. A. J. HUNT (Minister of Education)—A similar amendment was dealt with and negatived in another place. The Minister took the view that a good step forward was being made by ensuring that the material to which the clause relates was readily available for inspection, and he would rather see how this operates before extending a right of examination.

It may well be that confidential information is included in an application by an applicant—material which he would not be prepared to disclose publicly and which may affect his finances or those of his family. The application may involve a church which is promoting a retirement village and the documents may include the names of those who have indicated a wish to participate, details of contributions and cash flow that are basically intended to be of a confidential nature.

If an appeal were lodged the applicant could elect to make the information public. This amendment would deprive applicants of that right of election, and it is considered it would go too far at this stage. The Minister indicated that after a trial period he would review the matter.

I thank Mr Walker for his further suggestions regarding a register. I will draw that suggestion to the attention of the Minister who can consider it or refer it to the responsible authority for consideration at administrative level.

The Hon. E. H. WALKER (Melbourne Province)—I understand the response of the Minister and I believe a certain discretion would be necessary in regard to the release of information on documents that have been deposited. I appreciate that. The personal judgment of the officer concerned would be necessary. I think the Minister understands that the intent would be responsible intent, that it is important when a development is to occur that proper involvement in that development by someone who may wish to support it is made possible by access to the normal documents, not necessarily privileged documents or documents involving the private life of any person.

I would have been happier about developments in the city had documents been available to show what was proposed by the developer. A confrontationist style has built up between those who are interested in conservation and developers. In recent years developers have become secretive about building plans because when they are published they receive a hostile response. In that sense it is important to know what is intended. Hence the amendment aimed at making the documents available to interested parties and discretion could be exercised by the relevant authority.

The Hon. A. J. HUNT (Minister of Education)—Mr Walker has come back towards a compromise position and, having regard to what he has said, he would concede that the amendment as drafted goes too far in requiring that everything lodged be made available. I could go the other way and say that in these days of emphasis upon public participation in planning the developer who does not adequately make his plans available to the public is a fool who attracts criticism and opposition. I am hopeful that in this knowledge the plans and documents Mr Walker wants to be made available will become much more readily available than they have been in the past.

The Hon. K. I. WRIGHT (North Western Province)—The National Party recognizes the reasons for Mr Walker's amendment. However, it is felt that this would be an unnecessary expenditure for the council. I can speak from experience of twelve years as a member of the Mildura City Council of the trials and tribulations in that city relating to planning matters.

The amendment was negatived, and the clause was agreed to, as were clauses 11 and 12.

Clause 13 (Amendment of No. 6849 s. 24)

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 13, page 9, lines 40 and 41, page 10, lines 1-6, omit all words and expressions on these lines.

In this instance the amendment would simplify the situation. Clause 13 (1B) states:

> Except where the former authority has ceased to exist, the current authority shall not give any notice required by sub-section (1) unless—
>
> (*a*) in a case where it appears to the current authority that the permit should be revoked or modified on a ground referred to in paragraph (*a*) or (*c*) of sub-section (1), it has obtained the consent of the former authority to the revocation or modification;
>
> (*b*) in a case where it appears to the current authority that the permit should be revoked or modified on a ground referred to in paragraph (*b*) or (*d*) of sub-section (1), it has consulted with the former authority.

The Opposition believes those conditions are restrictive and unnecessary. The amendment would require the current authority to do no more than consult with the former authority, which would be sufficient safeguard.

The Hon. A. J. HUNT (Minister of Education)—There are four instances in which a permit may be revoked, namely, where it was obtained by a substantial misstatement or concealment of fact; where there has been a substantial failure of compliance with the conditions; where there was a substantial mistake of fact at the time of granting the permit; or where there has been a material change in circumstances since the date of the permit.

Two of those four circumstances are the question of concealment or misstatement of fact at the time, and the question of mistake of fact vitally concerns the authority which granted the

permit. It was the body that was involved and it knows, in retrospect, whether it was misled or whether there was a mistake, so if a new authority were seeking to cancel the permit on the grounds that there had been a mistake or a misstatement or concealment of facts, consent of the old authority should be sought. A new authority ought not to be able to say, "Those fellows were misled" or "Those fellows made a mistake." Where the old authority exists the new authority must go back to the old and obtain its consent on that basis.

Where non-compliance arises or there are changed circumstances subsequent to the granting of the permit it is a matter for the authority currently administering the scheme and hence the permit issued under it. As a matter of courtesy, the new authority ought to consult the old authority if it is still in existence but its consent is not necessary.

Mr Walker's amendment confines the question to consultation. I have tried to illustrate that there are two different circumstances which, accordingly, are provided for in different ways.

The amendment was negatived, and the clause was agreed to.

Clause 14 (Amendment No. 6849 section 28)

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 14, page 11, lines 18–45; page 12, lines 1–43; page 13, lines 1–44; page 14, lines 1–7; omit all words and expressions on these lines and insert:

'(1c) The responsible authority shall give a reasonable opportunity of being heard by it to any person who has stated in a submission that he wishes to be heard with respect thereto unless the responsible authority determines in respect of any submission after consideration by it of that submission to modify or alter the scheme to include all variations requested in the submission.

(1d) Notwithstanding anything in sub-section (1) where a planning scheme is made for an area in respect of which a statement of planning policy has been approved the responsible authority shall submit the scheme to the Board for certification in writing that the scheme in the opinion of the Board is consistent with the statement of planning policy and shall obtain such certification before carrying out the procedures referred to in sub-section (1).

(1e) Where a planning scheme is submitted to the Board under sub-section (1d) the Board shall within three months—

(*a*) certify the scheme under that sub-section; or

(*b*) specify the provisions of the scheme which it considers are inconsistent with a statement of planning policy.

(1f) If the Board fails to comply with the provisions of sub-section (1e) within three months of submission of the scheme to the Board for certification the scheme shall be deemed to have been certified by the Board and the responsible authority may thereupon carry out the procedures under sub-section (1).

(1g) Where the responsible authority (not being a rating authority within the meaning of the Valuation of Land Act 1960) is required under this section or section 30(3) to send or deliver notices to persons appearing from its rate records to be the owner or occupier of any land the municipal council in whose municipal district the land is situated shall provide the responsible authority with a certified copy of relevant parts of the rate-book and any information obtained from such certified copy shall be deemed to have been obtained from the rate records of the authority.";

(c) In sub-section (3) for the expression "sub-section (1)" there shall be substituted the expression "the provisions of this section"; and'.

This amendment rejects the concept of the panels to be appointed to consider submissions and provides for the consideration of submissions by the responsible authority. This would be a simpler approach and consequential steps could be taken when those submissions have been made.

The argument against the panels suggested by the Bill is that they will add more cost, legalism and complexity to the system. This amendment is an attempt to simplify the situation. It appears that in an earlier amendment the Opposition was looking for a panel of three to take responsibility from one delegation, but in this instance it is not believed that panels are necessary as they would add complexity. Panels introduce another tier of dispute and become a mini-appeal authority within the planning structure, and the Opposition believes that it is asking for trouble.

The Hon. A. J. HUNT (Minister of Education)—Clause 14 of the Bill, which the amendment seeks to modify, deals with the mechanism through which people can object to a planning scheme amendment, interim development order, or amendment to an interim development order.

As Mr Walker would be well aware, these are often issues of bitter local controversy. They are often divisive in a local community. Frequently, tempers are aroused on the basis of inadequate information or misinformation deliberately peddled by one interest or another.

The issue of people feeling that they have had a fair go when their objections to a planning scheme or an amendment are heard is crucial to the credibility of planning. For example, on the Mornington Peninsula the objectors to the conservation plan would never have accepted a decision made by the local responsible authority, whom they blame for all their evils. They regarded that as an appeal from Caesar unto Caesar.

Mr Hayes, during his term as Minister, devised the concept of an independent panel which comes afresh to hear those objections and to make a recommendation to the Minister. Since the days of Mr Hayes, that has been somewhat modified in that, if the responsible authority agrees with the objection made, there is no need for the panel but, where it does not agree, the objection goes to the panel.

There is a further modification in that one member of the responsible authority will be a member of the panel, the other members of which will be independent. Having had experience with the sort of community issues that can be raised and the way people feel about them, the Government believes that the new provision gives a valuable safeguard which will help to maintain confidence in the planning system. Indeed, on the several occasions in which it has already been used in an informal way without legislative provision, that is what the result has been. It has been well worth while.

I concede that it costs more and I agree that it is something added to the process. However, it is something which gives the public, who feel concerned, added confidence. The public is being treated with equity and, therefore, the Government must, as a matter of policy, insist on the clause as it stands and reject the amendment.

The Hon. R. J. LONG (Gippsland Province)—The amendment is important. Up to date, Mr Walker has been providing some reasoned bases for his amendments but he lost reasoning when he came to this one.

What the Minister says is perfectly true. It is important that objectors to a planning scheme have a fair hearing of their objection. I have seen cases in which the responsible authority is pursuing objectives which it aims to achieve and frequently objections are put to that authority. It does not matter how reasoned those objections are, the authority wants to pursue the objectives. That leads to the stage where it is not prepared to, and does not, listen to the objections, and that creates all sorts of problems.

I know of objections that were put to a responsible authority where the whole of the responsible authority sat mute and did not say one word, despite the fact that Queen's Counsel were involved in that hearing. The Bill provides that an impartial panel would hear the objections and give a proper and fair decision so that the objector feels that he or she has had a fair hearing.

The amendment was negatived, and the clause was agreed to, as was clause 15.

Clause 16 (Submission of planning scheme)

The Hon. E. H. WALKER (Melbourne Province)—The amendments that stand in my name to clause 16 are all consequential and, because the previous issues have been determined, I do not intend to move those amendments as such. On page 2 there are a number of amendments which are consequential to amendments to clause 16, and I do not intend to move them.

The clause was agreed to, as were clauses 17 to 20.

Clause 21 (Preparation of local development schemes)

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 21, page 20, after line 38, insert—

; and

(*e*) shall incorporate all the provisions of any other scheme or any interim development order in force in the area to which the local development scheme relates.

Clause 21 sets out a number of provisions relating to the proposed local development schemes. In my second-reading speech, I commented that the Labor Party is generally pleased with that initiative. In this instance the amendment moved does not run counter to the principle at all. However, the amendment proposed makes it clear that all of the provisions that are adopted as a result of schemes of this kind shall be incorporated into one document. It is simply a comprehensive clause to bring things together. It may be argued that in other parts of the Bill that is accounted for. However, it should be made clear that a local development scheme shall incorporate all the provisions of any scheme or interim development order in force in the area to which it relates.

The Hon. A. J. HUNT (Minister of Education)—The Government is of the opinion that the amendment moved by Mr Walker would go too far. It makes it mandatory to incorporate all the provisions of the other scheme, and that means every one of them. It may well be that there are good reasons for not incorporating every provision in the parent or regional scheme. There is a safeguard, however, in the clause as it is already drafted, in that prior to approval, a local scheme must be submitted to the Melbourne and Metropolitan Board of Works for certification in writing that it is consistent with the Melbourne and Metropolitan Planning Scheme.

Therefore, consistency is obtained by the provision as drafted but it does not go as far as requiring everything in the parent scheme to be incorporated in the local scheme. The amendment ought to be rejected.

The amendment was negatived.

The Hon. E. H. WALKER (Melbourne Province)—I move:

Clause 21, page 29, after sub-clause (8) insert the following:

(9) After section 12 (13) of the Principal Act there shall be inserted the following sub-section:

(14) Notwithstanding anything in this Act the provisions of sections 59AA to 59AE shall apply with such adaptations and modifications as are necessary to and in relation to a regional planning authority, the preparation and submission for approval of any local development scheme by the council of any municipality and the enforcement and carrying out of any such scheme in relation to the area or any part of the area in respect of which the regional planning authority was established as if every reference in those sections to the "Board of Works" were a reference to the regional planning authority, every reference to the "metropolitan area" were a reference to the area in respect of which the regional planning authority was established and every reference to the "Melbourne Metropolitan Planning Scheme" were a reference to any planning scheme or interim development order of the regional planning authority.

(10) After section 14 (4) of the Geelong Regional Commission Act 1977 there shall be inserted the following sub-section:

(4A) Notwithstanding anything in this Act or the Town and Country Planning Act 1961 the provisions of sections 59AA to 59AE of that Act shall apply with such adaptations and modifications as are necessary to and in relation to the Commission, the preparation and submission for approval of any local development scheme by the council of any municipality and the enforcement and carrying out of any such scheme in relation to the Geelong region as if every reference in those sections to the "Board of Works" were a reference to the Commission, every reference to the "metropolitan area" were a reference to the Geelong region and every reference to the "Melbourne Metropolitan Planning Scheme" were a reference to any planning scheme or interim development order of the Commission.

The provision relates to the Geelong Regional Commission Act and simply provides that the local development schemes may be pursued in non-metropolitan areas. Honorable members should realize that the intent of the Act is simply to allow for local development schemes in metropolitan areas. If that has merit, and the Labor Party believes

it has, the schemes ought not to be restricted to the metropolitan area as presently contemplated by the Government.

The Hon. A. J. HUNT (Minister of Education)—In the spring session last year fairly urgent legislation was passed to enable local authorities to readily incorporate into their own schemes, where applicable, the provision of regional schemes. Hence, to that extent, this is catered for. That was done successfully to the peninsula conservation plan, the relevant portions of which were incorporated into the planning scheme of the shires of Flinders and Mornington. The objectives of the Labor Party's amendment can be achieved.

However, the local development scheme envisaged in this clause for the metropolitan area goes somewhat further. It is intended to try it out for the metropolitan area in the first instance. That is as far as the Minister has sought to go. That was as far as I sought to go when the Bill was originally presented last year. The Government wants the opportunity to try out a somewhat unique technique in the metropolitan area where a fairly sophisticated planning scheme exists at regional level.

If, as the Government confidently expects, it proves a success, the Government would certainly be prepared to consider its extension to other areas. The Government rejects the amendment.

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

New clause A

The Hon. E. H. WALKER (Melbourne Province)—I move:

Insert the following new clause to follow clause 10:

A. In section 19A of the Principal Act after sub-section (6) there shall be inserted the following sub-sections:

"(6A) Where the hearing of any proceedings has been commenced or completed by a division of the tribunal but, before the appeal has been determined one of the members of the division ceases to be a member of the tribunal or ceases to be available for the purposes of the proceedings—

(*a*) where the parties so agree, the hearing and determination may be completed by the remaining member or members of a division; and

(*b*) where the parties do not so agree, the proceedings shall be re-heard by a division of the tribunal.

(6B) Where a division of the tribunal constituted by two members (neither of whom is the chairman) completes the hearing of a matter but does not decide the matter because the members do not agree on the decision, the proceedings shall be re-heard by a division of the tribunal.

(6C) Where proceedings are re-heard by a division of the tribunal the division may, for the purposes of those proceedings, have regard to any record of the earlier proceedings."

The Labor Party has gone back to the original Bill and picked out the excellent clauses that should be in the Bill but were, for some reason, withdrawn.

The new clause picks up from last year the provisions I mentioned. It simply enables the parties to a hearing to accept or adopt by agreement as much of a previous hearing as they wish in the event of a member of a tribunal ceasing to be available. It increases the efficiency immeasurably and the Minister would have to agree because he proposed the approach himself.

I cannot see why this provision was withdrawn. I expect that the Minister will have to do a little fancy footwork to indicate why he does not think it should be included.

The Hon. A. J. HUNT (Minister of Education)—Those who have read the Assembly Notice Paper for today would notice that Order of the Day No. 2, Government Business, is the Planning Appeals Board Bill, second reading. I am unable to say whether it has been read or not, although I would certainly imagine so. But I am able to assure Mr Walker that that Bill includes the provisions which he has recommended be inserted in this Bill. It was thought, as the Minister was producing a Bill to deal separately with the planning appeals board, that was the proper place for the provision rather than including it in this Bill.

The CHAIRMAN (the Hon. W. M. Campbell)—Does Mr Walker wish to pursue the matter?

The Hon. E. H. WALKER (Melbourne Province)—I should like the amendment to be put.

The new clause was negatived.

New clause B

The Hon. E. H. WALKER (Melbourne Province)—I move:

Insert the following new clause to follow clause 10:

'B. In section 21 of the Principal Act after sub-section (6) there shall be inserted the following sub-section:

"(7) The provisions of sections 14, 15, 16, 20 and 20A of the Evidence Act 1958 and of the rules and orders made under section 20 (4) of that Act shall, subject to the rules, apply to and in relation to the Tribunal and proceedings of the Tribunal as if the Tribunal were a board appointed by the Governor in Council and as if the chairman of a division of the Tribunal were the chairman of such a board."'

This is a sensible provision which existed in the original Bill. The Labor Party submits that this kind of power is necessary to entrench the authority and independence of the tribunal. Instances have occurred where the tribunal has been unable, except with great difficulty, to bring before it the evidence it desired. The Labor Party believes the Bill and the powers of the tribunal would be enhanced by the inclusion of certain sections of the Evidence Act, and so I move for the inclusion of new clause B.

The Hon. A. J. HUNT (Minister of Education)—Mr Walker again seeks to hoist me with my own petard of a year ago by pointing out that these matters were included in the Bill I presented then. Honorable members who were present at the time may recall that I indicated that the Bill was presented for public comment. Much public comment was received. Councils in particular deplored the trend towards legalism, deplored the fact that their officers could be subpoenaed, whether or not they had anything to add, and certain departments, for reasons which they considered very good, took a similar view. Since the presentation of that Bill, the BADAC final report has been published and that report again made clear the importance of keeping proceedings informal and simple.

These proposed new clauses envisage that the tribunal should be able to subpoena witnesses, call evidence on oath and do anything that a board of inquiry could do. The Government took the view that, in the light of the BADAC report and in the light of the substantial community opposition which emerged and which criticized the growing trend to legalism, the clauses should be dropped.

In any event, the Planning Appeals Board Bill is now before another place and that is the appropriate place for this matter to be considered rather than in relation to this Bill. However, I hasten to add that, for the reasons I have just given, the clause does not appear in that Bill. That Bill is to lie on the table of another place and Mr Walker may well muster support for reinclusion of these provisions if he so desires. Meanwhile, the Government does not accept the amendment.

The new clause was negatived.

New clause C

The Hon. E. H. WALKER (Melbourne Province)—I move:

Insert the following new clause to follow clause 13:

'C. (1) In section 26 after sub-section (2) there shall be inserted the following sub-sections:

"(3) The Secretary for Planning shall keep a register of—

(*a*) all applications made under sub-section (1) for the revocation of the whole or any part of an interim development order; and

(*b*) all applications made under sub-section (1) for the amendment or variation of an interim development order—

and where such application has led to the revocation of the whole or part of the interim development order or the amendment or variation of the order, a reference to the notice of revocation amendment or variation thereof published in the *Government Gazette*.

(4) The register shall be open for inspection by the public during ordinary office hours free of charge."'

This is a provision which was included in the earlier Bill, a brainchild of the Minister. I agree with it and the Labor

Party agrees with it, but I am sure that the Minister's fancy footwork will continue for one more clause.

The provision requires that the Secretary for Planning shall keep a register of applications for revocation. It is a self-evident provision which should be included in the Bill and I shall be interested to hear how the Minister moves around it.

The Hon. A. J. HUNT (Minister of Education)—I assure Mr Walker that I agree with the notion of keeping a register, and I am authorized to give an undertaking that such a register will be kept by administrative means without the requirement of legislation. The provision was dropped from the earlier Bill because, as Mr Walker is well aware, amalgamation of the Ministry and substantial segments of the Town and Country Planning Board is currently under way and, in the face of that impending action, the Government should not be stipulating who shall keep the register; but a register will be kept in any event, so the objective is achieved without the amendment, and the Government does not accept the new clause.

The new clause was negatived.

The Hon. E. H. WALKER (Melbourne Province)—The next new clause I propose to move is consequential and is similar to the proposed new clause C. Having heard the "Minister for Fred Astaire Dancing" do such a good job, I shall not pursue the matter.

The Bill was reported to the House without amendment, and the report was adopted.

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a third time.

The Hon. E. H. WALKER (Melbourne Province)—The Labor Party has done a lot of work on the Bill and, as I stated in my second-reading speech, does not oppose the Bill. Opposition members believed they had a number of constructive comments to make on the proposed new clauses. They believed the proposed new clauses contained some creative suggestions which should be included in the Bill and they are disappointed that none has been accepted.

I accept much of the explanation given by the Minister. However, some of what he said was, in my view, simply fancy footwork. As a symbol of the Labor Party's opposition to the treatment these new clauses have received, we oppose the third reading of the Bill.

The House divided on the motion (the Hon. F. S. Grimwade in the chair).

Ayes	27
Noes	11
Majority for the motion	16

AYES

Mr Baxter	Dr Howard
Mrs Baylor	Mr Hunt
Mr Block	Mr Jenkins
Mr Bubb	Mr Long
Mr Campbell	Mr Radford
Mr Chamberlain	Mr Reid
Mr Dunn	Mr Saltmarsh
Mr Evans	Mr Storey
Dr Foley	Mr Taylor
Mr Granter	Mr Ward
Mr Guest	Mr Wright
Mr Hamilton	*Tellers:*
Mr Hauser	Mr Knowles
Mr Hayward	Mr Lawson

NOES

Mr Butler	Mr Walker
Mrs Coxsedge	Mr Walton
Mr Kent	Mr White
Mr Landeryou	*Tellers:*
Mr Mackenzie	Mr Eddy
Mr Thomas	Mr Kennedy

PAIRS

Mr Crozier	Mr Trayling
Mr Stacey	Mr Sgro

The Bill was read a third time.

The sitting was suspended at 6.16 *p.m. until* 8.3 *p.m.*

EDUCATIONAL GRANTS (CONTINUATION) BILL

The debate (adjourned from earlier this day) on the motion of the Hon. A. J. Hunt (Minister of Education) for the second reading of this Bill was resumed.

The Hon. D. R. WHITE (Doutta Galla Province)—I shall relate my remarks on the Bill to the Ministerial statement

made yesterday outlining the aims and objectives of education in Victoria. At page 8 of that statement the Minister said that as part of the aims of education:

> Through these experiences they will have the fullest opportunity to develop to their highest level of intellectual, emotional and social competence.

The Minister is there talking about students who enter either State or private education institutions. On page 9 of the document, the Minister said that it was the intention of the Government:

> to develop a more co-operative, caring and democratic community concerned with the welfare and optimum growth of all its members.

Later on the same page, in respect of educational opportunity, the Minister said:

> The objectives are to provide equality of opportunity for all students by catering as far as possible for individual differences.

The statement is important because it will become the benchmark by which the Government's performance will be judged and by which the performance of the educational institutions in both the private and public sectors will be measured. It is in that context that I shall examine the Bill.

Through the Bill, the Government intends substantially to increase *per capita* grants to private schools. The original figure, which was set in 1974, was $62 for each primary student and $104 for each secondary student. The Government plans to increase those amounts to $233 for primary students and $387 for secondary students in 1980. I understand that is in accordance with a formula through which private schools were to receive *per capita* grants of approximately 20 per cent of the cost of educating students in the State system and in furtherance of a promise made by the Government to increase that proportion over a period of years from 20 per cent to 25 per cent.

I point out that the cake is of a certain size and, during this period of austerity, the share for the State sector will be reduced. The Opposition is concerned that the objectives I have mentioned cannot possibly be met if that policy is proceeded with. On page 9 of the statement, the Minister said that there would be equality of opportunity. A comparison of the State schools in the northern, western and inner-suburban areas with the private institutions in other areas makes it obvious that the adoption of a policy to increase *per capita* grants to private institutions will mean that an imbalance will be created in that certain schools that already possess substantial resources will improve their situations at the expense of schools that are significantly deprived.

It is fair to say that the change in the formula is justified for Catholic parish schools, but that could not be said of other schools of a different religious denomination.

The Hon. P. D. Block—Would you discriminate on the basis of religion?

The Hon. D. R. WHITE—No, I would discriminate on the basis of need. It is either on the basis of need or on a *per capita* basis or on the basis of some other formula, such as $1 for $1 funding.

The Hon. H. M. Hamilton—You are assuming that all the children attending private schools come from wealthy families.

The Hon. D. R. WHITE—That is not the criterion I am using. I am examining the resources available to each of the schools before the provision of the *per capita* grants. If assistance is to be given on a needs basis, it is necessary to examine the institutions that will benefit from the provision of the funds.

The Hon. H. M. Hamilton—That criterion will benefit the lazy schools that do not try to improve their situations.

The Hon. D. R. WHITE—With respect, I am not talking about a formula based on $1 for $1 funding, which is the measure Mr Hamilton would wish to use. The Opposition is looking at a formula that operates on the basis of either *per capita* grants or the meeting of needs.

The Hon. H. M. Hamilton—There are plenty of schools in the southern and eastern suburbs that are just as deprived, but the parents have banded together and tried to contribute.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! Mr White should be heard without interruption.

The Hon. D. R. WHITE—I benefit from Mr Hamilton's interjections because they help to elaborate on the main issue of the debate and extend honorable members' understanding of it. I understand the point he is making. He is saying that parents who have made a contribution on behalf of their children deserve to be rewarded, and I have some sympathy with that point of view. However, other needs must be met. For example, the first generation of migrant families do not possess the resources—in many cases both parents are working and can contribute little either financially or physically towards the needs of schools—to allow them to make similar contributions. As a result of the parents' inability to contribute, the children should not be deprived of the fullest opportunities the State can provide.

Moreover, there is, unfortunately, an increasing number of single-parent families and, especially in cases where a woman is the sole adult in the family, it is important that the children of those families should not be deprived of equality of opportunity.

Under the present formula, I do not believe it will be possible to achieve the objectives laid down in the Ministerial statement. The Minister said the Government's objective was to provide equality of opportunity, and that equality of opportunity must be provided for students when they first enter the school system. The formula will not assist in bringing about equality of opportunity.

The Government has not provided sufficient information to enable honorable members to be sure that the formula is an honest interpretation of the principle that schools in the private sector are to be paid the equivalent of approximately 20 per cent of the cost of educating a student in the public sector, because the information in the Budget Papers does not make clear the manner in which that figure was arrived at.

Over the past six years, the figure has quadrupled for primary students and almost quadrupled for secondary students. In the 1990s or at the turn of the century I believe, from my experience in the inner and western suburbs, the State education system will be as run down as the public transport system and the railways. There is no doubt that the State education system has run down over the past four years, partly as a result of new federalism, which the Government strongly endorsed, and partly as a result of a deliberate policy, illustrated by the formula, to give preferential treatment to some schools in the private sector that obviously do not need it.

For the benefit of the Minister for Conservation, who is discussing swimming pools with Mr Mackenzie, State grants have been used to build rowing pools in schools such as Carey Grammar, which already have indoor swimming pools. If that is being done on the basis of needs, I should like to know where the rowing pools are in the State sector.

It is also important to realize that once the taxpayers' dollar has been expended, the community has a right to accountability. Private schools of all denominations that benefit from public funds should be expected to provide audited accounts of their finances in each financial year.

It was an initiative of the Whitlam Labor Government that brought about the introduction of a formula for providing aid to all schools on a needs basis. It was by far the most equitable formula. There is no way in which the Government can come close to achieving its stated objectives if the formula embodied in the Bill is maintained.

Not only will it provide a caste system of education, but it will also encourage the growth of a caste system with two standards of education. Increasingly parents from all sectors of the community will have to consider sending their children to private schools, which are often second-rate, because the Government has embarked on a programme of deliberately running down the State sector.

There is no doubt that the Minister of Education is unable to name any State schools that match the academic

achievement of Melbourne Grammar School. He cannot name any State schools beyond Melbourne High School, MacRobertson Girls High School and perhaps University High School that match the academic performance of the major private schools that were part of the six original associated public schools.

That does not mean that all the private schools fit into the category of high academic achievements; many of them are barely second rate. It is not true that they offer a form of diversity. In most cases they do not offer a quality of education that is more diverse, better than or preferable to that which could be offered by the State sector if it were given sufficient funds.

Most schools in the private sector are discriminatory; they reduce the experience to which the students are subjected. Most private schools discriminate on the grounds of religion, income, race or sex.

I shall give a number of specific examples. I had the opportunity of attending schools in the State sector, and one of the first schools I went to, after King Street Primary School, was Princes Hill Central School, as it then was. That school, like a number of schools in the inner suburbs, had features that many private schools do not have. It had students of both sexes in fairly even numbers; a wide range of religions—about one-third of the students at the time were of Jewish extraction—and a wide range of nationalities, far more than existed at schools attended by my contemporaries, such as Scotch College or Wesley College.

When I attended University High School there were even numbers of both sexes; a wide range of nationalities and religious denominations were represented at the school, and it was an extremely diverse background in which to obtain an education. That practice does not apply in many of the schools in the private sector which are now receiving contributions from the taxpayers. Most of those schools discriminate on religious grounds. Many of my contemporaries went to schools such as Wesley College, but the proportion of students at Wesley College who were of Jewish or Catholic extraction was only nominal, as was the number of students of Greek or Italian origin.

The Government has always maintained that the advantage of a private school education is that it offers something different and more diverse. I maintain that it reinforces cultural mores and it is an extremely narrow experience.

The Hon. B. A. Chamberlain—Would you eliminate the private school?

The Hon. D. R. WHITE—We are talking about the extent to which the State should support the private school system.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I am having difficulty hearing Mr White. Interjections from both sides of the House are disorderly.

The Hon. D. R. WHITE—For a long time the Government endeavoured to justify its formula for aid to private schools on the basis that it produced a setting with a more diverse experience for the students who benefit from that education. The setting in which it is conducted is very narrow, and that is why we end up with institutions like the members' rooms at the Melbourne City Council and the Melbourne Cricket Ground, and the Victoria Racing Club with its discrimination on the grounds of sex. That is a result of the reinforcement and cultural experience that students who attend private schools receive.

There is no way in which any private school can condone discrimination on the ground of sex. In addition to that, if any private school of any denomination, whether it be Wesley College, Melbourne Grammar School, Scotch College or Xavier College, allows or condones the development of a setting in which there is only a nominal proportion of students of the opposite sex or from another religion, or another race or from a poor income group, it does not reflect the diverse

multi-cultural society in which we live. It is not surprising that it produces a reinforcement of outdated mores and values among those students and a degree of conservatism that is out of touch.

Moreover, the current formula of the Government is not based on needs, and is not a reflection of the Ministerial statement produced yesterday which talks about the equality of educational opportunity, but a reinforcement of the traditional nineteenth century values of education. I understand how Mrs Baylor, who is interjecting, would react to the nineteenth century, because her mentor was Queen Victoria, who lived for only one year into the twentieth century, so Mrs Baylor has no hope of leaving it.

The Hon. H. M. Hamilton—I would rather live in the nineteenth century than in the narrow confines in which Mr White lives.

The Hon. D. R. WHITE—I know Mr Hamilton looks forward to reaching the nineteenth century, but he is still living somewhere with Edmund Burke in the late eighteenth century!

The Opposition is most concerned that this measure will have the effect of reducing the quality of education provided in the State sector because it was an election promise, and it is one aspect of the Government's mandate that it is bringing into effect. The Minister has a responsibility to the State sector to promote scholastic achievement. I want him, when he is elaborating on these objectives, to tell the House about schools where he can show, as a result of the investment he has put into the State sector this year, the rewards that will result in improved scholastic achievement. I want him to name schools in the State sector, not so much at the primary level, but at the secondary level, which can be measured fairly readily by the higher school certificate results, which will have improved scholastic achievement by the students as a result of the Minister's term as Minister of Education, the implementation of his aims and objectives and the introduction of this measure. I am concerned that scholastic achievement at the major State secondary schools has been allowed to decline in this decade as a result of the deliberate policies of the Government which are designed to run down the State sector.

The Minister is responsible not only to the private sector but also to the State sector. The Government has inherited a number of schools which were of some stature. It has increased in quantity the number of schools, but I am talking about the quality of education offered in the State secondary schools. I ask the Minister what improvements he can point to today when elaborating on the objectives that he outlined yesterday. I want him to inform the House where he believes improvements will be made.

The formula that was introduced in 1974 and which has been developed today is grotesque. If the Government is serious and honest about the aims and objectives it referred to yesterday, it should revert to providing grants on a needs basis.

Accordingly, I move, as an amendment:

That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for the establishment of a Needs Commission to examine and determine the needs of schools and students in Government and non-Government education and to recommend to the Government of Victoria on a continuous public basis the level of expenditure necessary to meet the requirements of Victoria's school children on the basis of needs and priorities, educational experimentation and regionalization."

The Hon. B. P. DUNN (North Western Province)—Bills similar to this over a number of years have stimulated great debate and a certain amount of division in Parliament. As time has gone by perhaps some of the heat has gone out of the issue. More people have realized that the registered schools in Victoria play a significant and important role in the total State system. However, I do not believe all of the criticisms that Mr White levelled at the Bill were justified and can be substantiated.

The Government must accept some responsibility and provide support for the number of students who are educated in registered schools. The Minister said that there are more than 212 000 students in registered schools throughout Victoria compared with 614 000 students in the State school system. What is alarming in Victoria is the increasing trend towards education being undertaken in registered or private schools.

The answer provided by the Minister of Education to a question asked by my colleague, Mr Evans, showed that a significant increase had occurred in the number of students attending private secondary and technical schools in Victoria. There was a corresponding fall in the number of students attending State secondary and technical schools.

Although some people claim that this may be due to an increased degree of affluence—it has been suggested in country areas that more country people are seeking private school education for their children—I do not believe that that is the most significant factor. The quality of education that is being provided in State schools is leading towards this trend.

There is a deliberate policy to run down the State sector. Obviously the Government must concentrate on the quality of the State system. That point has been severely overlooked in past years by this Government. During the 1970s there was a period of physical growth in buildings, and growth in numbers of teachers, but the Government did not concentrate significantly on the quality of the education that was being provided in the schools, in the class-rooms, and that is where it faces the big challenge of today, a challenge to look at the quality of education and make necessary changes.

I was a little disappointed in the Minister's statement to the House on the objectives of Victoria. That document had a lot of unnecessary words and could have been more concise and meaningful. As the Minister said, his objective is broad and he will make future statements that will define more clearly where education is going. I hope that is the case. We will be waiting for that with a great deal of interest. I do not think the statement meant a great deal to the people interested in changing the direction of education in Victoria. The Minister has shown an awareness of coming to grips with the State system, and for that the National Party commends him. It is hoped he will achieve some of the objectives he sets out to achieve.

It is important that this commitment extends to teachers and to people within the education system. One alarming factor in the development of registered schools is their growth in many country towns and cities. There is a division of educational opportunities and facilities in many of our towns because of the establishment of registered schools in those towns.

If a group, or a body, or a church, wishes to establish a registered school, it has this right and will be supported and receive some funds for it. But private schools do have a significant effect on high schools and technical schools in a town. It splits class sizes and, therefore, reduces the ultimate local opportunities, particularly in the senior levels of higher school certificate and so on. If there are a limited number of students in a smaller town, any reduction in a class size will mean a reduction in the number of subjects and opportunities that can be offered to them.

The National Party believes it is a fair objective to seek an increase, over five years, from 20 per cent to 25 per cent as outlined by the Minister. This Bill increases the percentage of the subsidy by 1 per cent, from 20 per cent to 21 per cent.

The National Party supports the Bill. It believes registered schools have a significant role to play, but the Government needs to concentrate much more on the quality of the education it provides if it is to retain its students.

The Hon. P. D. BLOCK (Nunawading Province)—I wish to take up some of the points made by Mr White. It

seems that we have had highlighted for us tonight one of the most fundamental differences in the philosophy that divides the two parties in this Chamber. On the one hand, Government members support diversity and wish to have the widest range of choice available to the people of this community in the education they offer their children. On the other hand, we have a narrowing down, a reduction, of the lowest denominator.

The Hon. Joan Coxsedge—Élitism.

The Hon. P. D. BLOCK—I do not mind Mrs Coxsedge throwing the word "élitism" at me. I happen to be a product of both systems. I went to a private school for my education, and completed it in Sydney at the age of fifteen, at an intermediate high school.

The Hon. Joan Coxsedge—What went wrong?

The Hon. P. D. BLOCK—Nothing went wrong. My family did not have enough money to keep supporting me.

The Hon. Joan Coxsedge—You should be with us over here.

The Hon. P. D. BLOCK—The Labor Party thinks that Government members are élitist, privileged and born with silver spoons in our mouths. That is absolutely outrageous nonsense. Most of the members of the Government party share my belief in the freedom of the individual, and the freedom of choice. If the State of Victoria abandoned subsidizing to a degree some of the private school systems in giving people a diversity of choice, the State school system would be swamped, and become unmanageable and financially uncontrollable.

If Mr White had said, "We accept the need to raise the subsidy for some of the parents"—such as myself—"who struggle to educate their children at a private school," I would have agreed with him. I am a parent who has done that. My son has just completed his education at Wesley College. I struggled to put him through that school. I sent him there not for religious reasons, but because it offered him a range of choice in his education. It was a sacrifice on my part, and many parents make this choice. Mr White would have had my complete sympathy if he had said, "Give a subsidy to the Catholic schools, the Methodist schools, or just a good school of a private nature, because if parents do not send their children to those schools, I will have to pay 80 per cent more to educate my children at a State school. Now, Mr Minister, you said recently that there is going to be less need for teachers in the community, and there is going to be a reduction in the numbers enrolling at the schools. So why do you not take the money that is going to be saved because of that, and apply it on a needs basis to the schools in the western and northern suburbs?"

I stood for an inner suburban seat in 1969. In fact I was Arthur Calwell's last opponent, but during that time I had a good chance to look at some of the schools in the inner suburbs. I share Mr White's attitude; I think the Government should do something to upgrade their facilities, but not at the cost of not offering diversity in the community, of not offering support to the private school system, which is one of the most valuable systems that we can possibly have.

I did not send my son to Wesley College on religious grounds, as I am the only acknowledged agnostic in the Liberal Party. I sent him there because that was my choice and I wanted to provide him with a diversity of educational possibilities that Wesley College offered him. Many parents do this. Wesley College is opening a junior school for girls at Syndal, and there is a gradual progression towards that. I believe in evolution, not revolution. The evolution process of mixing the sexes in private schools is a good thing.

The Hon. D. R. White—How many Turks go to Wesley?

The Hon. P. D. BLOCK—There are a few. It is because the parents do not choose to send them there. There are quite a few children of Jewish parents.

The Hon. D. R. White—How many Vietnamese?

The Hon. P. D. BLOCK—This is a ridiculous conversation. Mr White will go through the United Nations and find some country that does not have a child at Wesley and say, "Ah, I have made the point". As has been pointed out by Mr Chamberlain, 25 per cent of those who attend Catholic schools are non-Catholics. For a while, in my somewhat mixed education, I attended the convent at Fern Tree Gully. I was there only a month. I even learnt how to recite a Hail Mary. I do not think that school has ever recovered.

As is evidenced by what I am saying, my education was in one or two areas, but I had a vigorous and diverse education and I welcome the fact that I attended both private and State schools. It is a great system. It works.

I support Mr White in saying to the Minister, "Let us find more funds to upgrade the needier schools in the poorer suburbs where parents are struggling to put the contribution into the school where in some of the wealthier areas this is more possible." But do not do it at the cost of our private schools. It is one of the finest systems in the world and let us underpin that and find funds to upgrade some of our needier schools. I support the Bill.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I had no intention of entering this discussion, but Mr Block does manage to strike a chord occasionally with the Opposition. I was rather interested in his experience in the convent. I am sure the first time he had a shower he was asked to leave.

One understands the argument that Mr Block was putting, and that is the fundamental difference in the philosophical approach between the Opposition and the Government. It simply is, while it can be argued that there is a freedom of choice for parents to have their children participate in the diversity Mr Block was talking about in Victoria, that diversity is confined to the bank balance and the asset backing of those parents. When one talks about private and State school systems, Mr Block would want to have all children confined to the asset-backing of parents. Just as the people in my electorate have a freedom of choice, they can buy a Rolls Royce, a Mercedes, or a late model car every year, or a large house, or alternatively, they can use the almost non-existent public transport system, or join the 20 000 on the waiting list for Housing Commission accommodation; send their children to some of the high priced schools within this State, or make use of the State system. The unfortunate reality for most of the people that the Opposition represents, and that is a substantial slice of the community—far more than the Liberal Party in terms of vote—is that they do not have a choice. They cannot afford to make the sort of choice Mr Block speaks of.

In diversity of education, my party has led the way, and some of the points that have been made by members of the Opposition in this House, and in another place by my shadow spokesman, are now somewhat belatedly encompassed in the statement that the Minister made yesterday. It is fair to comment that the Opposition would support the concept of diversity, but what we put is that education from the Government in terms of funds should be based on need, and that is the principle in which we strongly believe.

It is certainly true, and I think my Deputy Leader made the point in the debate on the Presbyterian schools, that there are schools in my electorate where the school councils have more than a running battle with the people who own the building, but no Bill is rushed in here to give those school councils control over the assets they are to manage on behalf of the school community. It really is a question of priorities. If one looks at the November issue of *School Bell*, one finds that a telling point is made on behalf of the State school system that although the State Government's provision for expenditure on the educational system has been increased by 7·3 per cent it represents

a reduction in real terms of 1 per cent. The article then explains how that figure was arrived at. It then continues:

> At the same time financial support for private schools has been increased by 1 per cent in real terms, as the first instalment of a promised 5 per cent increase over the next five years.

I realize that members of the Government party often have difficulty in grasping the points made by Mr White until the police or a Royal Commissioner make them change their minds. Mr White has been trying to make members of the Government party understand that the Government is transferring money away from needy schools to schools which are less deserving. That is not an argument against the existence of those schools but about priorities.

In the latter part of the twentieth century, government will be about priorities. As Mr Block has indicated, members of the Liberal Party attach some priority to élitist schools. I do not believe those who use the public purse to benefit those whose need is the least can be called anything but élitist. There has been an erosion from deserving schools. The parents of the children who attend those schools are too poor to elect which schools their children will attend. They are regulated and even told which State school their children must attend. A bureaucrat decides that, just as the Liberal Party's henchmen draw up the boundaries for this place.

The Hon. P. D. Block—That remark is unworthy of you.

The Hon. W. A. LANDERYOU—I have taken sympathy with Mr Block in his poor state of health. Tonight he was well below par in performance and would hardly have registered on a barometer from 1 to 100. All that my colleague, Mr White, was putting was that once again funds have been taken away from a school system which is badly in need—the State school system.

If one approached the problem on the principle of attending to needs first and then considering the wealthy schools, one would have to question seriously the Minister's intentions. I know they will be defended, as Mr Block has defended the case, but the people of Victoria will realize that the education system in Victoria is using schools which, if they were part of private industry, would be declared unfit. If Mr Block visited Doutta Galla Province he would see working class children—I use that term deliberately —who have no choice in an economic sense and are compelled to go to schools in which Mr Block would not live, let alone send his children. It has taken a school situated fairly close to my home a considerable time to get rid of a toilet complex into which Mr Block would not go, but which my children must use.

It could be said that the salaries of honorable members are high and therefore we can make a choice about which schools our children attend. I believe my children are part of the community and should attend community schools. I will fight within the school council, within the parents' club, within this Parliament and within the community for a better deal for children who attend poor schools.

Across the road and outside the boundary of that school is another school. The parents of children who attend that school are in a higher salary bracket than the ones I have mentioned. The school has amenities which the other school has not. This has resulted from the fact that the parents of the students are almost all middle class and are interested in the school and have raised money over a considerable time. However, even the children who attend that school have no choice in the matter.

Across the road even further, and still not far away, is Essendon Grammar School which is superior to both of the schools I have mentioned. I believe none of the parents to whom I have spoken whose children attend the school which my children attend have the resources to send their children to Essendon Grammar. I accept that many parents make great

financial sacrifies to send their children not only to the parochial school system but to the élitist school system. A large number of parents in that situation also believe they have no choice because the State school system is so run down and inadequate in preparing children for the life ahead. People like Mr Block who take an immediate reaction to what Mr White has said should realize that the State system is regarded as being so bad that many people prefer to send their children to private schools when they would prefer to send them to community schools.

Many members of the Labor Party share my philosophy but are petrified about the damage that can be done to their children in their tender years by an education system which is ill prepared and hopelessly underequipped to deal with the problems of the real world.

The Hon. H. M. HAMILTON (Higinbotham Province)—The course of this debate has been most illuminating and extremely interesting. This measure is one of a group of Bills that have come out of the Budget and are mostly based on promises made by the Liberal Party at the election at which the party was given a mandate. I do not generally believe in talking about mandates and I would rather talk about the fact that this is a Budget Bill.

Over the past few years honorable members have repeatedly heard from the Opposition about its complete abhorrence of the idea that an Upper House of any Parliament should have the temerity to oppose a Budget Bill. I understand this to be an article of faith with the Labor Party. I understood this to be the whole basis on which that party argued against the powers of the Senate and the powers of this House. Members of the Labor Party have even gone to the extent of introducing private members' Bills to restrict the powers of this House to do anything to Budget Bills. The sheer hypocrisy of that claim is illustrated tonight as well as it ever could be. Honorable members should look at the other four Budget Bills opposed by the Labor Party in this House. That party has departed from its express principles. From that it must be concluded that it does not believe in those professed principles or that it is purely a matter of expediency.

The Hon. W. A. Landeryou—Both.

The Hon. H. M. HAMILTON—Both. It stands quite incontrovertibly that no member of the Labor Party can talk to me again about the power of the Upper House to deal with Budget Bills.

The Hon. E. H. Walker—One cannot talk to you about anything.

The Hon. H. M. HAMILTON—You have tried often enough. I have been interested in Mr White's statements which were expressed in a different form by the Leader of the Opposition. They were that the academic standards of the Government school system have been falling, which has given cause for alarm. Yet, if one measures the standard in terms of the capital equipment available today, one finds that even in the most depressed of the schools, compared with the capital equipment available a generation ago, the increase is astonishing.

The Hon. R. J. Eddy—Come out to the northern suburbs.

The Hon. H. M. HAMILTON—I lived in one of the so-called Labor provinces for many years, and I am well aware of the standards of many of the schools of a generation ago and the increased standards of today. I will agree that many of them still have a long way to go and many of the depressed schools which have a long way to go are in areas that, according to the Opposition's canons, accommodate the more affluent part of society.

Within the province that I represent there are schools which are 100 years old or more and which have been deprived in the real sense for many years. The parents of the children attending those schools have pitched in to improve the standards and even if the money was not available, they formed working bees to restore small areas of playground and make them fit for children to a standard which was unheard of in my day and age.

I remind the House that I spent most of my school life in the State school system in schools which by today's standards were totally and completely deprived. Yet members of the Opposition talk about falling standards. I believe the fall in standards is in inverse proportion to the number of teachers who go on strike at the drop of a hat. Members of the Labor Party should check and they will find that this is so. The vast majority of dedicated, honest and hard-working teachers are appalled at the behaviour of this minority. Many of them will say that, under no circumstances, will they send their children to the school where they teach or have taught.

Mr White, who is interjecting, has already spoken from the point of view of blind prejudice and will not admit anything other than what he wants to see. If one goes into new schools, irrespective of whether they are in the western, northern or southern suburbs, one will find that the facilities are much better than in many of the so-called private wealthy schools. I have not been into a private school that has a library and resource centre of the standard being built in many State schools.

Mr Landeryou, in the course of his dissertation, took a back-hander at the integrity of the electoral commissioners. That was rather irrelevant to the debate, but his remarks should be highlighted because he referred to the commissioners as the henchmen of the Liberal Party, which was an unfounded and unfair comment. I emphasize again, although it is somewhat irrelevant to the debate, that they were independent commissioners.

Rather than prolong the debate, I point out to members of the Opposition that, firstly, as Mr Landeryou finally admitted, a large proportion of people who choose to send their children to private schools do so because they believe they receive a much better education; it is not because of the capital equipment available but because of the standard of teaching, the integrity of the teachers and the principles for which they stand. I realize that my comments raise the hackles of members of the Opposition, but I suggest that they take off their blinkers and have a good look and, if they are honest they will withdraw the amendment and support the principle that Budget Bills should never be interfered with in this House.

The House divided on the question that the words proposed by Mr White to be omitted stand part of the motion (the Hon. F. S. Grimwade in the chair)—

Ayes	23
Noes	10
Majority against the amendment	13

AYES

Mr Baxter	Mr Houghton
Mrs Baylor	Dr Howard
Mr Block	Mr Hunt
Mr Bubb	Mr Knowles
Mr Campbell	Mr Lawson
Mr Crozier	Mr Reid
Mr Dunn	Mr Storey
Mr Evans	Mr Ward
Mr Guest	Mr Wright
Mr Hamilton	*Tellers:*
Mr Hauser	Dr Foley
Mr Hayward	Mr Long

NOES

Mrs Coxsedge	Mr Walton
Mr Eddy	Mr White
Mr Kennedy	
Mr Landeryou	*Tellers:*
Mr Thomas	Mr Kent
Mr Walker	Mr Mackenzie

PAIRS

Mr Saltmarsh	Mr Sgro
Mr Stacey	Mr Trayling
Mr Taylor	Mr Butler

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 8495 s. 2)

The Hon. A. J. HUNT (Minister of Education)—I have been somewhat disappointed by the tone of the debate. Our friends in the Opposition, who claim to believe in a pluralistic society, show their opposition to it on measures like this and in fact indicate that they are suffering from an inverted form of snobbery. As high a proportion of members on the Government side of the Chamber went to State schools as did

on the Opposition side. I attended six separate State schools before attending a private school, not at a cost to my parents.

I certainly have visited State schools throughout the State since becoming Minister of Education. I am delighted by the dedication of the vast majority of teachers in those schools. I am delighted also by the way those schools are, in the main, equipped, although in the older areas there are many which are run down but it is only a matter of time before the Government can bring them up to par.

The buildings and equipment in many of the State schools are equal to or better than the average currently found in private schools. Apparently, the Opposition's argument is that the State should pay the whole cost of education of those who attend State schools but no part whatsoever of the cost of those who go to other schools. That is the reasoning behind some of the speeches by members of the Opposition. The Government does not accept that contention. As has been shown in the past, the Government believes it is fair that it should pay a small contribution which, until now, has been in the region of 20 per cent of the cost of educating a child in the State school system.

It is a very small contribution towards the cost of educating children who attend non-State schools, but it substantially relieves the State system of an added burden. It is a pretty small payment to make to parents towards the amount paid in their taxes for education. Those parents choose to send their children to registered school outside the State system and the Government does not begrudge the payment to them and believes it is sound economics for the State.

It is also helping to keep afloat many of the registered schools which could not otherwise continue to function without this assistance. I reject absolutely the arguments put forward by members of the Opposition that this measure is running down the State schools system and reducing the available funds. I shall deal with those two branches of what is basically a cognate argument. There has certainly been no running down of the kind alleged. On the contrary, the standard of equipment is becoming better every year and the provision of services is continually growing.

The Hon. D. E. Kent—Better than what? What are you comparing it with?

The Hon. A. J. HUNT—I am comparing the present with the past; I am comparing the State system with what it was. It has been alleged that the State system has been allowed to run down, but what I am saying is that the contrary is the case.

On the question of the provision of teachers, honorable members should consider what I have previously stated in the House, that over the past three years, despite a decline of 12 000 in enrolments in the State school system, the number of teachers has risen by 4000.

Is that running down the State system? On the contrary, it indicates that there has been an ever-increasing provision of teachers in proportion to the number of students in the system. At the secondary school level, which is used most often as an example, there is not the slightest doubt that Victoria is not only up with other countries in the Western World but in the forefront.

It is not true to say that the provision of assistance to private schools uses funds that would otherwise be available to the State system. That is not how the Budget works. These funds are in addition to any other funds obtained from the State esystem, and an advance of 21 per cent of the cost of educating high school children in the Budget and given effect to it in the Bill was obtained as an extra that would not otherwise have been available. It took nothing from the State school system but was extra money provided by the Treasurer to meet a specific election and Budget promise. There was no loss of funds to the State system.

The problem in the State secondary schools system is not one of provision of teachers or of the standard of facilities, but one of morale. I am sorry to

say that morale in the secondary school system is low. Mr Dunn interjects that confidence in it by parents is also low and I must accept that. The loss of morale has been created not by a failure of the Government to provide teachers or facilities but by the union organizations leading the teachers to believe they are badly treated. The facts indicate that they are very well treated.

I know that the House has been shocked by the facts I have given in relation to many secondary schools that are having a claim for special needs on a working week of 26 hours, but only 17·5 hours to 17 hours 50 minutes of that time is teaching time. Yesterday Mr Trayling raised a question about Elwood High School. The investigation regarding teaching hours at that school shows that the average is 15·1 hours. Who is depriving the children?

The fact is that the working week is not a fair week's work for a fair week's pay, and militant unions cause strikes. Many branches want to work fewer and fewer hours, wrongly believing they are being harshly treated when their conditions are the best in the world.

One of the objectives of my colleague, the Assistant Minister of Education, and I is to give heart to the dedicated teachers who form the great majority of the teaching strength. We will do our best to restore confidence in the State school system, which has a capacity to deliver the goods. We will appeal to the majority of teachers who care for children to assist us in that task. All we ask is a fair day's work for a fair day's pay. We ask for an honest effort on the part of all, which we already get from the majority of teachers.

The philosophy behind the Bill is that we live in a pluralistic society and have a dual educational system which the State has an obligation to support to the best of its ability.

The clause was agreed to.

Clause 3 (Amendment of No. 8495 s. 3)

The Hon. D. R. WHITE (Doutta Galla Province)—This clause proposes to increase the *per capita* grants to schools in the private sector based on the formula outlined by the Minister. I shall make two points in that context. The first is that the Minister indicated that expenditure on State schools has increased in size and the provision of an additional 1 per cent to the private sector is not at the expense of the public sector. The total expenditure on State schools this year has increased from $1041 million to $1125 million, an increase of $84 million. That increase in funds available to the State school sector is less than the inflation rate, so the allocation has decreased in real terms. It is also true that expenditure on capital works is even worse, but that is not a major point I raise.

During the debate I indicated that I wished to receive an answer from the Minister concerning his aims and objectives on education and the current level of scholastic achievement in the major State secondary schools. How does it compare with the scholastic achievement in the major private sectors, what are his functions over the next five to ten years, and what does he believe the level of achievement of the Government will be in the State secondary system? The effect of this clause will be to bring about a downturn in the State sector to the benefit of the private sector. The Opposition would like from the Minister a reassurance about the current level of scholastic achievement in secondary schools and an indication of what he believes will be the level in the near future.

The Hon. A. J. HUNT (Minister of Education)—When morale suffers, so do results. No doubt results have suffered along with morale. No one really knows at the moment the extent to which this has occurred. Teacher unions have virtually forced inspectors out of the class-rooms. There is no adequate current monitoring of achievement and no accountability of what is being done. The Government hopes there will be a move back towards accountability. Victoria led the way at the recent Ministerial conferences by bringing about the adoption of a national system of monitoring of standards. Victoria intends to supplement that national monitoring system in this State with a view

not only of assessing what the standards are but of seeing what they ought to be and then adopting measures to ensure that those standards are achieved.

If Mr White studies the Ministerial statement, he will see that the same concept is envisaged for determination of desirable standards and measures to ensure that they are achieved. Those are part of the steps we hope to take and the precise policies and strategies ought to be spelt out in stages 2 and 3 of the current review.

The Hon. D. R. WHITE (Doutta Galla Province)—In view of the implementation of the policy of the Government in respect to clause 3, by which it intends to increase *per capita* grants to the private sector, is the Minister prepared during the autumn sessional period to make a Ministerial statement, as he has done on other major issues, to reassure honorable members and the community on the question of scholastic achievement in the private and secondary school system at year 12 as it is at the moment and how he believes it will be over the next three to five years? Does the Minister and the Government have a programme and an objective on scholastic achievement?

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

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

GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL

This Bill was returned from the Assembly intimating that they had made the amendments suggested by the Council on consideration of the Bill in Committee.

The message was referred to the Committee on the Bill.

Postponed clause 8, including the amendment suggested by the Council and made by the Assembly, was agreed to.

New clause AA, as suggested by the Council and inserted by the Assembly, was agreed to.

The Bill, including the amendments suggested by the Council as made by the Assembly, was reported to the House without amendment, and passed through its remaining stages.

ADJOURNMENT

Matthew Flinders Girls High School—Textile industries—Dental health services for schools—Correspondence schools — Broadmeadows police station

The Hon. A. J. HUNT (Minister of Education)—I move:

That the Council, at its rising, adjourn until tomorrow, at two o'clock.

The motion was agreed to.

The Hon. A. J. HUNT (Minister of Education)—I move:

That the House do now adjourn.

The Hon. R. A. MACKENZIE (Geelong Province)—I wish to raise with the Minister of Education a matter relating to the Matthew Flinders Girls High School in Geelong. The Education Department, on behalf of the school, has been negotiating for two years to purchase two properties across the road which belong to the Presbyterian Church of Australia. Until agreement can be reached the school must pay $100 a week rent for the two properties which it is putting to good use.

During that time, the Education Department has carried out considerable structural alterations; it has constructed shelves and shifted sinks from one room to another, without first obtaining the permission of the owners of the properties. No agreement was reached with the Education Department concerning the purchase of the schools until August this year when the department sent the school a letter saying that it did not intend to purchase the properties.

The Presbyterian Church, which owns the properties, decided that because there had not been a rent increase since 1977 it would raise the rent to $120 a week. The Education Department instructed valuers to visit

the properties and they arrived at a figure of $114.98. An unreal situation exists because the landlord, the Presbyterian Church, has applied a rental price which the Education Department says is too high. It is strange that the Education Department as a tenant has been carrying out structural alterations, and, when the rent goes up, it refuses to pay, saying that the rent is too high.

Will the Minister of Education examine this ridiculous situation? Will the Minister inquire as to whether rent will be paid and, if rent is not paid, will the Education Department purchase the properties? If the Education Department does not do either, will it withdraw from the situation and allow the church to sell the property, as it desires?

The Hon. D. M. EVANS (North Eastern Province)—I refer to a substantial concern expressed in the north-east of Victoria by the textile industry about the recommendations of the Industries Assistance Commission. I recognize that the Industries Assistance Commission is a Commonwealth Government body. I ask the Minister representing the Minister for State Development Decentralization and Tourism whether representations about that issue can be raised with the Commonwealth Government. The textile industry is under threat because of recommendations made by the Industries Assistance Commission. The textile industry is a substantial employer.

Owing to concern expressed by the textile industry in the north-east of Victoria, a meeting was held in Wangaratta some weeks ago involving municipalities, the industries concerned, local members of Parliament and other interested people. A case was prepared for forwarding to the Industries Assistance Commission inquiry, and evidence was subsequently given before that inquiry by representatives of the industries and some of the municipalities concerned. The case was prepared with the valuable assistance of officers of the Albury-Wodonga Development Corporation.

I request that the full weight of the assistance of the State Government, especially the Minister for State Development Decentralization and Tourism, be thrown behind the industries concerned and the councils in attempting to make certain that any effects of the Industries Assistance Commission recommendations on these valuable industries are minimized and that employment opportunities are maintained and supported by the State Government.

The Hon. C. J. KENNEDY (Waverley Province)—I raise a matter of some urgency with the Minister representing the Minister of Health. It concerns the somewhat pre-emptory ending of the dental health services run by the municipal councils of Oakleigh, Springvale, Moorabbin, Waverley and Caulfield. Those councils, which are gravely concerned about the ending of the dental health services, have asked me to request the Minister of Health to think again on the matter and restore the system to what it was before.

The Hon. B. P. DUNN (North Western Province)—I raise the matter of correspondence schools and their importance in the total education scene. Because of inadequate classes and, therefore, the inability to justify teachers in certain subjects, many smaller country schools seek courses for some of the senior forms and achieve that through correspondence schools.

I asked the Minister of Education a question on this matter some weeks ago and he indicated that he would be making some decisions and would arrive at a finalization as to the existence of correspondence schools. I have been advised by four organizations that they have made joint representations with regard to the establishment of correspondence schools. Those organizations are the Victorian Teachers Union, the Victorian Secondary Teachers Association, the Technical Teachers Association and the Victorian Council of School Organizations.

Can the Minister inform the House what proposals there are concerning the future of correspondence schools

to ensure their operation next year? Can the Minister announce details of any proposed changes? If the Minister cannot give the House that information, would he indicate when it will be available? Will the Minister meet with the organizations concerned before finalizing any decisions?

The Hon. R. J. EDDY (Thomastown Province)—I direct my remarks to the Attorney-General who represents the Minister for Police and Emergency Services. I refer to the understaffing of the Broadmeadows police station. The station is not manned for 24 hours a day. I refer to an incident last Saturday night when three policemen from that station were seriously injured in a brawl and there were only six policemen and a watchhouse keeper on duty. It is a serious situation because the station is understaffed. The reason is that the Government has taken too long to make up its mind about the pay rise for the Police Force.

I ask the Minister to refer the matter to the Minister for Police and Emergency Services for urgent action otherwise policemen will have no alternative but to take strike action.

The Hon. A. J. HUNT (Minister of Education)—Mr Mackenzie raised a question on the property side of the Matthew Flinders Girls High School. That affects the portfolio of the Assistant Minister of Education and I will refer the matter to him.

Mr Dunn raised questions about correspondence schools. At the time of the last deputation on the matter, I was informed by officers of the department that by the end of November they would have an analysis of all the submissions received on this matter. I am unable to say whether the analysis has been completed; it has not yet come before me. I am not in the habit of postponing dealing with reports when they come before me. I hope to deal with the report promptly when I receive it. Deputations have been received from the whole range of interests and submissions have been made. The time has come now to think things through and make decisions rather than starting a further round of deputations which will serve only to further delay and confuse the issue. That is how I propose to approach the matter and I shall deal with it in a way that is sympathetic to the needs of those who utilize the service of the Correspondence School and who often have no other means of getting an education at all or in the subjects of their choice. I assure the honorable member that the role of the Correspondence School will not be weakened.

The Hon. HADDON STOREY (Attorney-General)—Mr Eddy raised a matter concerning the Broadmeadows police station. I understand his concern and I will refer the matter to the Minister for Police and Emergency Services. In his peroration, the honorable member made reference to the Government delaying making up its mind about the claim for increased pay and better conditions for policemen. It must be apparent to the honorable member that that claim was heard by an independent tribunal. That tribunal spent many weeks or months listening to submissions and it is for the tribunal to introduce its findings. It is certainly not a question of the Government taking time to make up its mind.

The Hon. R. J. Eddy—The case has been finished for twelve months.

The Hon. HADDON STOREY—That is just not so.

The Hon. D. G. CROZIER (Minister for Local Government)—Mr Evans has expressed concern about the possible impact of an IAC report on textile industries in his electorate. It is not a new situation, as Mr Evans would know. Indeed, one of my first tasks on becoming Minister for State Development Decentralization and Tourism in 1976 was to accompany the Premier on the very sort of mission that Mr Evans is advocating, a mission to the then Federal Minister of Industry and Commerce, Senator Cotton, in Canberra, to make a case for a branch

of this industry. It is an historic fact that Victoria has the largest concentration of the textile industry in Australia. It is also a fact that, because of its nature, the textile industry is peculiarly vulnerable to policy changes in the tariff and quota area; and it is also a fact that the textile and footwear industries constitute an important component of Victoria's decentralized industries.

I can assure the honorable gentleman that, although I am personally unaware of any preparations the Department of State Development Decentralization and Tourism might have made in this instance, it has considerable experience in the preparation of submissions to the IAC and would no doubt participate in this one. However, I shall bring his concern to the attention of the Premier.

The Hon. W. V. HOUGHTON (Minister for Conservation)—Mr Kennedy raised a matter of health programmes. I am not clear whether he was talking about dental health or community health.

The Hon. C. J. Kennedy—Dental.

The Hon. W. V. HOUGHTON—I am not familiar with the current programme of dental health schemes, but I shall undertake to see that the Minister of Health provides Mr Kennedy with the answer.

The motion was agreed to.

The House adjourned at 9.49 *p.m.*

QUESTIONS ON NOTICE

ENVIRONMENT REPORTS AND STATEMENTS

(Question No. 266)

The Hon. E. H. WALKER (Melbourne Province) asked the Minister for Conservation:

(*a*) Since the proclamation of the Environment Effects Act 1978, how many preliminary environment reports and environment effects statements have been required under the Act, and to what projects did these apply?

(*b*) How many of those projects involved public work and private developments, respectively?

(*c*) In which cases were projects modified or discontinued as a result of environment assessment procedures?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The answer is:

(*a*) A total of 26 environment effects statements and one preliminary environment report have come within the provisions of the Environment Effects Act since its proclamation in October 1978.

These applied to the following projects:

1. Country Roads Board—Euroa By-Pass Construction.

2. Country Roads Board—Banksia Street-Bell Street connection, Heidelberg.

3. Country Roads Board—Omeo Highway.

4. Country Roads Board—E6 Route, Kew.

5. Road Planning Liaison Committee—Outer Ring Road Study, Diamond Creek/Ringwood.

6. Gas and Fuel Corporation—Outer Ring Gas Pipeline.

7. State Rivers and Water Supply Commission—Lake Tyrrell Scheme, Stage 1.

8. State Electricity Commission—500 kV Transmission Line Melbourne-Geelong.

9. State Electricity Commission—500 kV Transmission Line Moorabool-Portland.

10. State Electricity Commission—500 kV Transmission Line Newport-Fishermen's Bend.

11. State Electricity Commission—66 kV Sub-Transmission Line Colac-Lorne.

12. Public Works Department—Marine Science Laboratories, Queenscliff.

13. Public Works Department—Hazardous Waste Disposal Site.

14. Joint Airport Committee—Portland Airport Relocation.

15. Geelong Regional Commission—Geelong Regional Airport.

16. Shire of Upper Yarra—Upper Yarra Sewerage Scheme.

17. Mallacoota Waterworks Trust—Mallacoota Sewerage Scheme.

18. Broadford Waterworks Trust—Sunday Creek Dam.

19. Launching Place-Woori Yallock Waterworks Trust—Don River Dam.

20. Alcoa Ltd—Aluminium Smelter, Portland.

21. Australian Portland Cement Ltd—Moorabool River Diversion.

22. Hillview Quarries Ltd—Quarry Development Officer.

23. Grawin Pty Ltd—Portarlington Resort proposal.

24. ICI Ltd—Point Wilson Development.

25. Brighton Marina—Additional boat pens.

26. Mount Baw Baw Ski Lift.

27. Barrys Beach—Marina proposal (Preliminary Environment Report).

(*b*) Nineteen projects involved public works and eight projects involved private developments.

(c) In almost every case projects were modified to take account of environmental aspects. The proposal to construct a connecting road between Union Road and Warrigal Road at Surrey Hills was discontinued as a result of environment assessment procedures.

The small number of preliminary environment reports is attributed to the systematic reviews now being undertaken for forward works programmes. This is proving to be a more effective means of identifying at an early stage those works which could have significant environmental effects. The review process also provides a means of resolving some environmental aspects at the design stage.

PUBLIC LIABILITY INSURANCE COVER FOR MUNICIPALITIES

(Question No. 271)

The Hon. K. I. WRIGHT (North Western Province) asked the Minister for Local Government:

What action does he intend to take to ensure that no Victorian municipality is forced to levy additional household rates to meet damages awarded by courts, in excess of public liability insurance cover, as recently did the New South Wales Shire Council of Warringah?

The Hon. D. G. CROZIER (Minister for Local Government)—The answer is:

The recent damages award involving the Warringah Shire Council has been discussed with officers of the Municipal Association of Victoria. I am informed that the association has acquainted all councils with the extent of this award and has suggested that each council review the level of the current limit of indemnity under public risk policies.

In determining what cover should be obtained, it would be prudent for each council to take into consideration the likely effect of the escalation in awards of damages and the time lapse between incidents giving rise to claims and the settlement of those claims.

Legislative Assembly

Thursday, 13 December 1979

The SPEAKER (the Hon. S. J. Plowman) took the chair at 10.6 a.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

TREASURER'S ACCOUNT

Mr WILKES (Leader of the Opposition)—In view of the massive increase of $7 million in the value of transactions that the Auditor-General was unable to certify as having been properly expended in relation to the Treasurer's account, will the Treasurer table a complete list of all the suspect transactions that were associated with the $7 million, and if he cannot do that, can he give a reason why?

Mr THOMPSON (Treasurer)—This is a technical matter relating largely to the checking of salary payments in the last section of the financial year. Those payments included $4 million in the Mental Hygiene Branch, $354 000 in the Department of Community Welfare Services, $640 000 in the Education Department, $552 000 in the State Rivers and Water Supply Commission and $559 000 in the Lands Department. The Government will have discussions with the Auditor-General to devise a more effective way of setting payments in the final section of the financial year. The problem arises from the practice of withholding approval of a whole pay-roll where there may be queries relating to one or two salary payments. In view of that rise this year the Government will be having discussions to try to obtain a more effective way of making provision for checking salary payments in the final months of the financial year.

TEXTILE AND FOOTWEAR TARIFFS

Mr ROSS-EDWARDS (Leader of the National Party)—I refer to a statement by the Premier with regard to the protection of the textile and footwear industries. Is it the Government's intention to make representations to the Industries Assistance Commission advocating a different tariff protection for the textile and footwear industries? If so, has the Premier any view on the level of protection?

Mr HAMER (Premier)—The Industries Assistance Commission has handed down a draft report on the textile, clothing and footwear industries, recommending in effect that the current protection by means of a quota on imports should be changed to tariff protection. That is the gist of what the Industries Assistance Commission proposes. It is interesting to note that there was formerly tariff protection, and a quota form

of protection was later adopted as being a more effective way of providing protection for Australian industries against imports from low wage countries.

The Victorian Government has made a submission to the Industries Assistance Commission on all three matters and, if the honorable member would like a copy of those submissions, I would be glad to hand him one. The gist of the submissions is that it is the very strong view of the Government that the best way of protecting Australian industry against excessive imports is by a quota system of protection to ensure that Australian industry has a fair share of the local market and that there is provision for imports at certain levels, those levels varying according to the goods in question and the industry which could be subject to variation.

The main matter which has been argued is the form of protection that should be instituted. The Government is of the view that a quota system gives the best form of protection although it does have some imperfections and there are some difficulties with it. Nevertheless, it is far better than tariff protection, which is subject to fluctuations in exchange rates and is also affected by fluctuating inflation rates in other countries and generally provides a very uncertain form of protection which makes it difficult for our local industries to plan ahead.

As the Government pointed out, our local industries have increased productivity by 6 per cent a year through the use of machinery and so on, but industry cannot be expected to make that form of investment unless it has a certain future.

It is for those reasons that the Government prefers the certainty provided by a quota system of protection rather than the uncertainty provided by tariff protection. The Government strongly holds that view and if the Industries Assistance Commission, in its final report, still adheres to the view that we should have a tariff form of protection, the Government will take up the matter at a political level and try to ensure that the Federal Government does not adopt the final recommendation.

FATAL ACCIDENT AT WAURN PONDS

Mr AUREL SMITH (South Barwon)—Is the Minister for Police and Emergency Services aware that on Tuesday of this week the fifth fatal accident in six years occurred at the intersection of the Anglesea and Colac roads, Waurn Ponds, near Geelong, when two people were killed and a third person was seriously injured? Will the Minister take the appropriate action to have this serious traffic hazard eliminated as soon as possible?

Mr THOMPSON (Minister for Police and Emergency Services)—The honorable member has discussed this problem with me and I am aware of the particular intersection. The Road Safety and Traffic Authority has examined the pattern of fatal and personal injury accidents which have occurred at this intersection over the past eight to ten years and it does appear that there is something wrong with the intersection, with the signalling or the warning signs, which contribute to the unusually large number of accidents. The Road Safety and Traffic Authority proposes to raise the matter with the Country Roads Board, as the responsible authority, with a view to having remedial measures taken.

STABLE GOVERNMENT

Mr FORDHAM (Footscray)—I direct my question to the Premier. In view of the continued failure of the Government to be able to sustain an official majority in the House, as evidenced by the dozens of divisions during this session at sittings which have required a casting vote from either you, Mr Speaker, or the Chairman of Committees, will the Government give the Victorian public a chance to have a stable Government to govern this State in the 1980s by electing a new Government, which I believe would be a Labor Government? A Labor Government would ensure that the State had a stable Government going into the

1980s and one able to meet the challenges which lie ahead.

The SPEAKER (the Hon. S. J. Plowman)—Order! I rule the question out of order as being frivolous.

ANSETT TRANSPORT INDUSTRIES

Mr WHITING (Mildura)—I ask the Premier whether, in view of the fact that his predecessor saw fit to appoint a take-over committee some years ago when a foreign registered company endeavoured to take over Ansett Transport Industries, and in view of the news released this morning that a similar take-over of that company was to be made, he will give consideration to appointing another committee to investigate all aspects of this case.

Mr HAMER (Premier)—There is already a Company Take-overs Committee established under an Act of Parliament, but, as I am sure the honorable member is aware, it is not empowered to deal with situations in which control or semi-control of a company is gained by the purchase of a block of shares by private treaty. In the situation to which the honorable member refers there was no take-over bid as defined in the Companies Act. The effect has been achieved by the purchase of a block of shares by News Ltd from Ampol Petroleum Ltd.

I have already indicated publicly that the Government is considering the investigation of the acquisition of control of the media by various means, which is a matter of great concern. The Government is also concerned about the position of the small shareholder, who may own a few hundred or a few thousand shares, when there are transactions between large holders of shares. In some cases the holders of large share parcels are acting as nominees for a group of people, but they still exercise enormous voting power. I reiterate that the Company Take-overs Committee is not empowered by Parliament at present to investigate this type of acquisition of control.

TEACHING CHILDREN TO SWIM

Mr COLLINS (Noble Park)—In 1976 the Minister for Youth, Sport and Recreation authorized an investigation of the teaching of swimming to young children and appointed a panel to undertake the task. The Minister has now received the report of the panel. As there are a substantial number of important recommendations in the report and as we are now entering the summer season, when children are away from school for long periods and possibly away from their parents, can the Minister advise what steps he is prepared to take to publicize the report and implement the recommendations contained in it?

Mr DIXON (Minister for Youth, Sport and Recreation)—It is no doubt a coincidence that the honorable member for Noble Park chaired the panel. I believe all honorable members will want to take advantage of the report on the teaching of young children to swim, because it makes important recommendations.

One of those recommendations is that the formal teaching of swimming should be offered only to children who are ready to accept formal education in other areas—that is, to children of more than four and a half years of age. I make it perfectly clear that that recommendation is not meant to discourage parents from undertaking water safety and familiarization activities with younger children. It suggests that professional swimming coaching ought not to begin before a child has reached the age of four and a half years. That is a significant recommendation and no doubt it will cause some controversy in the community. The report ought to be released and it will be released today—in fact, it has been released—so that the community will be able to comment to the Government before the Government decides on other important recommendations contained in the report.

The other major recommendations include the establishment of a registration board so that standards for coaches can be maintained and standards of education and the approval of courses for the

training of swimming teachers can be maintained. The report also recommends that all pools, private or public, at which swimming training is undertaken should be required to register with municipal authorities and that the Health Commission should investigate the health effects of water activities. It is a significant report and I look forward to receiving the response of the community to it.

GOVERNMENT DEPARTMENT AUDITS

Mr JOLLY (Dandenong)—In view of the Auditor-General's comments that a significant number of State Government departments have no effective internal audit and that this represents an important lack of financial control, will the Treasurer give an assurance that this financial year all Government departments will be subject to effective internal audits in order to reduce the deficiencies in financial control?

Mr THOMPSON (Treasurer)—This is one of the first matters that will be investigated as a result of the Auditor-General's report. One of the practical difficulties that is faced in the area of school councils is that school councils are assuming greater responsibilities. This is one illustration of where expanding responsibilities are being undertaken. Because of this, there is a greater need for a careful check on expenditure. School councils are handling larger sums of money, and this is one area where discussions have already taken place with the Auditor-General.

The Government will go through the other departments mentioned systematically to determine whether it is more effective to have an internal auditor who is a member of the Government department or the Government service or to make greater use of the facilities of outside auditors in this area.

Previous analyses and discussions have indicated that the financial outlay may well be greater by appointing some hundreds of auditors for the sake of checking the expenditure of relatively small amounts or to stop the misappropriation of relatively small amounts. It is to be assessed on a department by department basis to ensure that by employing large numbers of additional staff there is some likely saving for the public purse. Nevertheless, the Government will go through its departments and examine the criticisms of audit procedures and the lack of sufficient auditing staff to see what action may be necessary. One area the Government will be looking at is that of corporate affairs, to which specific reference is made in the Auditor-General's report.

YOUTH ACCOMMODATION SERVICES PROGRAMME

Mr McARTHUR (Ringwood)—I direct a question to the Minister for Community Welfare Services. It relates to the Youth Accommodation Services Programme and the great need for emergency accommodation. I ask whether any funds are pending for this service. If so, what will the time scale be?

Mr JONA (Minister for Community Welfare Services)—I should mention first that Victoria is the only State in the Commonwealth which has taken up the offer from the Commonwealth Government to enter into a 50–50 financial arrangement for the provision of emergency accommodation for youth under the Youth Accommodation Services Programme. Victoria has committed itself to a 50 per cent financial contribution to a total financial provision over the three-year period of the programme of $1·578 million to which the Commonwealth and State contributions will be $526 000 a year.

Applications for participation in this programme were called by my department in August or September of this year. Little short of three dozen applications were made for claims amounting to $1·2 million. The committee which was established to process these applications has completed its recommendations to me and I in turn have made recommendations to Senator Guilfoyle, the Federal Minister for Social Security, who has almost completed her consideration of Victoria's recommendations. I am confident that a joint announcement by Senator Guilfoyle and me will be made next week to enable

the participating groups to operate as from 1 January 1980. I also emphasize that the funds which have been made available have been made retrospectively to 1 July for any projects to which they apply, so that all successful applicants will receive the full benefit of the 1979–80 financial year.

McAULEY REPORT

Mr ROPER (Brunswick)—I ask the Premier whether, prior to July 1978 and possibly as early as 1976, he was made aware of the existence of the McAuley report on the Silberg transaction in Carlton by the then Minister of Housing, Mr Hayes. If so, what action did the Premier take? If he was not aware of the report then, did he subsequently become aware of it, and, if so, which Minister informed him, and what action did he take?

Mr HAMER (Premier)—To the best of my recollection, the answer to the first part of the question is, "No". With regard to the second part of the question, I will make investigations through the files. I cannot answer it off-hand.

HOUSING COMMISSION PURCHASE AT WURRUK

Mr McINNES (Gippsland South)—Can the Minister of Housing advise the House of the outcome of negotiations between the Sale City Council and the Housing Commission on land at Wurruk?

Mr DIXON (Minister of Housing)—Honorable members will know that for some time negotiations have been continuing over land at Wurruk which was bought by the Housing Commission and that no development had taken place on any part of that land. As a result of negotiations between the City of Sale and the Housing Commission I am now in a position to announce that a joint development will take place between the Housing Commission and the City of Sale on most of that land, as an industrial estate.

Some 30 or so acres will be retained by the Housing Commission and will be developed as a residential estate. The feasibility study which has been completed indicates that the cost of the land per acre will be about $26 500, including the land that has direct access to the rail siding, and the cost will be about $17 200 per acre for land which does not have direct access to the siding.

About ten industrialists have already said that they would be interested in taking up the land, and it is confidently expected by both the City of Sale and the Housing Commission that all of that land will be sold. If, however, all of the land is not sold, the City of Sale will take the land at the cost price, and I confidently expect that the Housing Commission will break even or might possibly make a small profit.

HEALTH COMMISSION DOCUMENT

Mr COLEMAN (Syndal)—Is the Assistant Minister of Health aware of the apparent theft from the Health Commission of a document relating to air pollution? If he is, can he advise the House urgently of the contents of the document, whether it has been recovered and what action the Government has taken in the matter?

Mr LIEBERMAN (Assistant Minister of Health)—I believe the honorable member for Syndal is referring to a report which appeared in the *Age* newspaper this morning about a statement made by the Honorable Evan Walker concerning an allegation that the Victorian Health Commission was apparently seeking to water down the new standards proposed for measuring the levels of lead in the atmosphere. I understand that Mr Walker said that that report which he had in his possession had been sent to him anonymously.

The honorable member of another place should—I intend to take the matter up with him—make available to the Government details of how the report came into his possession. This may well be another example of documents being stolen—it is not clear at this stage. It is incumbent on all honorable members of this Parliament, including the Honorable Evan Walker, to make those details available.

In any event, I welcome the question because the comments made and the report in the newspaper really put quite

out of context and proportion the true role of the Health Commission in this most important area. Contrary to the suggestion that the Health Commission was endeavouring to water down the standards, quite the reverse applies. The Health Commission recognizes that the problem of lead is occurring in the atmosphere. Two of the main sources of lead in the body are air and food. I am informed that the contribution is of the order of 20 per cent from air and about 80 per cent from food.

The Health Commission is the leader in the field of research into the establishment of standards. The National Health and Medical Research Council resolution embraced by the Health Commission's resolution set what it regarded as the permissible level of lead in the air. The Health Commission is working to have that level adopted in Victoria.

The matter referred to by the Honorable Mr Walker in another place dealt with the comments made in a draft environmental protection policy statement of the various matters relevant to the issue prepared so that the Health Commission could examine the issue and put its view forward as to the final policies that should be adopted.

It is regrettable that the report, at least so far as the newspaper was concerned, attempts to cause concern in the community at the standards adopted by the Health Commission. The situation is quite the reverse, the Health Commission should be commended for being the pacemaker and for tackling the problem so that the community will know that its health, especially that of children in the metropolitan area may be susceptible to lead poisoning, will be protected.

PUBLIC EXPENDITURE REVIEW COMMITTEE

Mr ROWE (Essendon)—In the light of the report by the Auditor-General which strongly criticized the Public Accounts and Stores Regulations and stated that there ought to be an immediate review of the Audit Act, what steps has the Treasurer taken to initiate such a review? Because it is a matter of urgent public importance, will the Treasurer refer the issue to the proposed Public Accounts and Expenditure Review Committee?

Mr THOMPSON (Treasurer)—That is a possibility. I have not had the opportunity of examining the report in detail. Certain measures have already been taken. For example, an amendment to the Education Act has already been passed to clarify the position in relation to school council contracts. School councils are obliged to observe Public Accounts and Stores Regulations where payments are made by the Education Department for a school contract direct to the contractor as distinct from moneys made available to school councils to pay contractors. That is a highly technical matter which has already been overcome by legislation passed by the House.

The same approach will be adopted in the case of all other criticisms or doubts raised by the Auditor-General following receipt of expert advice. Specific legislation was initiated as the result of advice received from the Solicitor-General to remedy a possible ambiguity in the current act.

INQUIRY INTO LIQUOR CONTROL ACT

Mr SKEGGS (Ivanhoe)—Is the Minister of Labour and Industry able to advise the House on progress of the Government's review of recommendations arising from the report on the Liquor Control Act 1968 by Mr Davies, QC.

Mr RAMSAY (Minister of Labour and Industry)—Since the tabling of the Davies report, the time has been well spent with a close analysis of the impact of the various recommendations not only on the liquor industry but also on the total community. I strongly anticipate that the Government will be ready early in the next sessional period of Parliament to bring forward some carefully considered amendments to the Liquor Control Act.

VICRAIL PIPELINES PTY LTD

Mr CRABB (Knox)—In view of the fact that some $3 million of public money has been provided to a company called VicRail Pipelines Pty Ltd, and in view of the fact that the Auditor-General has disclosed that neither he nor any other auditor has called for the auditing of the accounts of that company, will the Treasurer take steps to ensure that the proper auditing of that company's accounts is carried out and will the honorable gentleman inform Parliament of the results of that audit?

Mr THOMPSON (Treasurer)—I am not familiar with all of the details but in relation to the first part of the question I will ensure that the accounts are properly audited and will make a statement at the appropriate time.

VIETNAMESE REFUGEES

Mr McGRATH (Lowan)—Is the Minister of Transport aware that country communities and service clubs are inviting Vietnamese refugees from various areas of Melbourne to visit country areas to familiarize themselves with those areas? If so, will the Minister be prepared to make concessional fares available to those Vietnamese refugees to visit country areas?

Mr MACLELLAN (Minister of Transport)—The short answer to the question is, "No", but the Treasurer is known for his generosity and if the honorable member would like to direct his question to the Premier, he will probably receive the answer, "Yes".

PETITION

Women's refuges

Mr ROWE (Essendon) presented a petition from certain citizens of Victoria praying that the House take action as it deems appropriate to ensure the continuing effectiveness of the women's refuge programme and, in particular, that the addresses of refuges remain confidential, that there be no requirement that refuges be open to inspections by officers of Government departments and that existing accountability procedures be considered sufficient. He stated that the petition was respectfully worded, in order, and bore 402 signatures.

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

LIBRARY COMMITTEE

Mr McINNES (Gippsland South) presented a report from the Library Committee, together with appendices.

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

PAPER

The following paper, pursuant to the direction of an Act of Parliament, was laid on the table by the Clerk:

Trade Unions—Reports of the Government Statist for the years 1977 and 1978.

APPROPRIATION MESSAGE

The SPEAKER (the Hon. S. J. Plowman) announced that he had received a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Fund for the purposes of the State Employees Retirement Benefits Bill.

APPOINTMENT OF FULL-TIME MINISTERS

Mr CATHIE (Carrum)—I move:

That this House views with concern the non-appointment of a full-time Minister for each important area of responsibility and requests the Premier to take steps to appoint a Minister with the sole responsibility for housing in view of the current crisis in housing and the building and construction industry.

Recently one of the frequent public relations exercises of the Minister of Housing was reported in the *Age* under the headline, "Dixon shakes up Ministry". The article read, *inter alia*:

Brian Dixon says he wants to do much more than get his picture in the papers while he is Minister for Housing.

He wants to pull together the strands of the State's housing policy and create a better co-ordinated, forward-looking Ministry which can reflect and anticipate community needs.

Those are fine and important aims but they do not appear to have much substance at present. Members of the Opposition believe they cannot be achieved while the Minister spends so

much of his time in frequent trips overseas for community education purposes or to promote "Norm" and so forth.

Mr Dixon—That is rubbish and you know it!

Mr CATHIE—Has not the Minister been overseas, or is he not proposing to go overseas to do that? The Minister of Housing has added responsibilities as Chairman of the Victorian Employment Committee. He is also Minister for Youth, Sport and Recreation which includes an important responsibility over the whole racing industry of this State.

It would appear that the Minister has to face something like a four-way split and it is ludicrous to expect that any one individual could perform adequately when he has so many responsibilities and when he is wearing so many hats. This led the National Party only this week to call for a reshuffle of Ministerial portfolios. The Leader of the National Party was quoted in the *Sun* as saying:

> Quite frankly, Mr Dixon is not in a position to give the housing portfolio the time and attention it obviously needs.

To the Minister's responsibilities one must add the burdens created by the Royal Commission and the ever-widening circle of land deals and scandals in this State. Honorable members will realize the great need for the Ministry of Housing to have firm, informed and full-time leadership.

The many absences of the Minister from his department have led to a failure in leadership. They have resulted in contradictions in the development of housing policy in this State. The Minister had high hopes in relation to the development of the Green Paper and subsequently the White Paper and the formulation of Government policy. Honorable members now know that in at least two vital and important areas of decision which should be taken by the Government and for which White Papers should be presented, have been pre-empted by policy decisions of the Government and by decisions made in this House. The Minister appears to be rushing into policy decisions without adequate thought, resulting, in the case of Holmesglen Constructions, for example, in three entirely different propositions and three entirely different stories put by the Minister in as many months. Is it any wonder that in consultation with the unions and workers one finds the credibility of the Minister to be at an all-time low? One could consider the first time discussion paper produced on housing in Victoria by the secretariat and the task force on housing policy review.

On page 51, one of the questions asked is whether Victoria ought to be retaining Holmesglen Constructions as a building and construction arm of the Ministry of Housing. The following specific questions are asked:

> Should the Government be building? If it should build, then should the Ministry of Housing itself be a builder?

Mr Dixon—Where does it mention Holmesglen?

Mr CATHIE—How else would it be done? The Minister well knows that those options are already closed. Another example appears on page 49 of the discussion paper and it concerns the role of the Ministry of Housing. Under the sub-heading "Land Acquisition and Development", the following questions appear:

> Should Government intervene in the land development process? To what purpose?
>
> Assuming the validity of the Government's purpose, is direct participation in land acquisition and development the most effective way of pursuing its objectives?

Those are important questions, but the Minister well knows that that is another option that has already been closed because the House has already passed the Urban Land Authority Bill.

The Minister, having set off with his discussion paper, obviously has not had time to discover where it is leading or to formulate a concrete and coherent philosophy and outlook that will solve the housing problems of Victoria. There has been a muddled approach. The Minister has said one thing and done another and has then introduced measures revealing those contradictions to Parliament.

The Green Paper should be more than the purely academic exercise it appears to be. It is just like the Loan Council exercise of last week. Last Wednesday I asked the Premier, in a question without notice, whether he would seek an emergency grant for welfare housing in Victoria to relieve the plight of the 22 000 families at present on the waiting list for Housing Commission homes. I reminded the honorable gentleman that in only three years the Federal Government has managed to halve the funding provided for welfare housing under the Commonwealth-State Housing Agreement. What was his reply? The Premier said:

> Victoria will do its best and argue as strongly as it can for a resumption of funding through the Commonwealth-State Housing Agreement.

The Premier was simply whistling in the wind because he came back from the Loan Council with nothing for housing. He did not gain the additional Federal funds required for housing, and the policy of the Minister of Housing and the Government has been to reduce the State level of funding to housing.

They are only some of the reasons why the Opposition believes Victoria needs a full-time Minister of Housing. The main reason is the crisis in housing that is facing the State. Because there is such a crisis it must be the responsibility of a full-time Minister who can cope with and solve the mounting problems and the continued recession and downturn in the building and construction industry. Those problems ought to be of major concern to the Government, but what are its policies? What has it done? Absolutely nothing!

The housing problem in Australia, next to the problem of unemployment, is the most serious problem facing the nation. Unemployment and the failure of so many families to gain access to the housing they need are the two most serious problems facing the State. The Minister of Housing has to deal with both of them. He has to deal with unemployment as Chairman of the Victorian Employment Committee and with housing as the Minister of Housing.

To make matters worse, the Government's housing policies have created a large area of social distress. I shall illustrate my remarks with some relevant statistics to indicate the extent of the housing crisis in this country, particularly Victoria, at present and the sorts of problems that have been created for many families. The statistics were tabled in the House of Representatives on 15 November 1979 and their source is the Real Estate Institute of Australia. The table from which I shall quote gives the estimate for the five capital cities, but I shall deal only with Melbourne. The value of a house and land package in Melbourne is estimated as $47 500, but, after the deposit, the loan required—I admit it is slightly higher in Sydney, as the Premier well knows, but the costs of conveyancing and Government charges on the purchase of land are much higher in Melbourne than they are in Sydney—is $42 750 and the borrowing limit in most cases is $26 000. That figure is based on the average weekly earnings for the State for the June quarter of 1979.

That leaves a deposit gap of $16 750, which represents, as a proportion of the average weekly earnings required to service the necessary loan, the fantastic figure of 167 per cent. How can people get access to housing when that is the extent of the financial problems with which they are being faced?

The average first mortgage is $23 000 with repayments at 11 per cent amounting to $2790 a year over 25 years. That represents a payment by the family of $233 a month. A second mortgage of approximately $6000 is usually needed at an interest rate of, say, 15 per cent over ten years. That involves the payment of nearly $2000, which means an additional payment of $166 a month.

Mr HAMER (Premier)—On a point of order, I ask whether the honorable member will identify the document from which he is quoting and make it available to the House.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! Will the honorable member for Carrum do so?

Mr CATHIE (Carrum)—I will certainly do that. I indicated that the figures were tabled in the House of Representatives on 15 November and I will be happy to make them available.

The DEPUTY SPEAKER—Order! The point of order raised asked whether the honorable member for Carrum would table the document.

Mr CATHIE—Certainly. I said that before. I am quite happy to table the document.

Mr WILTON (Broadmeadows)—I raise a point of order. I should like to have the matter of the tabling of documents or making them available made clear. Mr Deputy Speaker, you asked the honorable member for Carrum whether he was prepared to table the document. Only yesterday morning I raised a point of order involving the Minister for Planning, who was quoting from a document. The honorable gentleman was not prepared to table the document. Honorable members are entitled to an explanation.

I am sure the honorable member for Carrum is happy to table the document and make it available to all honorable members, but for the benefit of the House I should like to ascertain the situation. I appreciate that when an honorable member quotes from a document he is obliged to identify it, but must it then be tabled and become the property of the Parliament or is the honorable member merely obliged to make it available? The matter ought to be cleared up.

Mr SIMMONDS (Reservoir)—Further to that point of order——

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! There is no need for a further point of order. I accept the point of order raised by the honorable member for Broadmeadows. The phrase I should have used is "make the document available".

Mr CATHIE (Carrum)—As I said, the source of my figures is the Real Estate Institute of Australia. There is a family commitment in the purchase of a house of $400 a month or $100 a week, which, after tax, represents more than 50 per cent of income for most families. That is necessary under a Government that claims to be a major supporter of home ownership. That is an impossible burden for many people and it shows that the Government has no genuine concern—and its colleagues in Canberra have no genuine concern—for the home ownership aspirations of Australian families. The problem has reached crisis proportions. No wonder there are something like 1500 homeless young people in Victoria.

Mr Dixon—Victoria is the only State that took up the Commonwealth grant. You just heard the Minister for Community Welfare Services tell you that.

Mr CATHIE—Nevertheless, it shows the extent of the problem and indicates that Victoria is facing a crisis, which is the point I am making. The Minister himself concedes it.

In Australia there are now some 250 000 people permanently living in caravans because of the crisis in housing. The waiting lists for public housing are getting longer and longer. Hundreds of tenants of private rental housing face eviction because they cannot afford to pay the ever-increasing rents they are being charged. The introduction of market related rents by the Government and the Minister has completely demolished the expectation of many people in the community of being able to purchase their own homes. That is the result of the policies being practised by the Minister.

The additional moneys being provided for housing by the Government of New South Wales and the value of new building approvals in that State—up as much as one-third, while the amount available in Victoria is going down—illustrate that the crisis is greater in this State than elsewhere. The crisis is so great it has led the Timber Promotion Council, which has a large responsibility for employment in the timber industry and the future of that industry, to claim that the drop in Government housing is now hindering the prospect of any economic recovery in Victoria. Its statistics show

that Government housing approvals are down from July 1978 by more than 55 per cent when compared with July 1979. That shows the extent of the problem.

The Minister well knows that the estimated number of Government homes to be provided by the Housing Commission this year will fall to only 1335, a decline of approximately 27 per cent. Instead of putting money into housing, instead of getting the housing and building industry going again, instead of providing houses for the people already on the long waiting lists of the Housing Commission and the increasing waiting lists with the co-operative housing societies, the Government is building fewer and fewer houses than ever before.

Despite the Treasurer's claim that there was a 9 per cent increase in State funds for housing this financial year, there has been an enormous reduction of 24 per cent in the level of State funds available for housing. The housing Estimates had to be revised almost within a month of the Minister of Public Works releasing them. They were revised in November and they confirm that there has been a huge reduction in the funds available for welfare housing this financial year. The revised Estimates show a fall from $159·7 million last financial year to only $137·2 million this financial year. That is a drop of $22·4 million at a time when the building and housing construction industry is facing a lean period.

A reduction of $22·4 million is a cutback of 14 per cent in money terms and if one allows for inflation at the rate of 10 per cent—which is the rate most experts predict—it represents a cutback of 24 per cent, almost one-quarter. Surely Victoria needs a full-time Minister to cope with the problems that the savage cutbacks imposed by the Treasurer will create for the people of Victoria.

It is a mockery for the Treasurer to claim that State funds for housing were increased by 9 per cent. It is a false figure and was arrived at by the inclusion of funds that have nothing to do with public and welfare housing. An amount of $6·3 million was included, but that amount is money to be borrowed by the State Electricity Commission to construct houses for its contractors building the Loy Yang project in the Latrobe Valley. None of that money will be available for public and welfare housing.

As I said earlier, more than 22 000 families are on the waiting lists for Housing Commission homes, but they will not benefit from that $6·3 million.

Mr Hamer—It is housing.

Mr CATHIE—It is housing, but it will be of no benefit to the people needing welfare housing. It will be of no benefit to the 22 000 or more families on the waiting list who will be facing more than a four-year waiting period.

One must add to that number another 12 500 applicants for terminating building society loans. The Government has again cut back considerably the funds for co-operative housing in Victoria.

In his speech when he brought down the Budget this year the Treasurer referred to the $55 million that was provided last year for co-operative housing and said that the figure this year was only $10 million. Those cutbacks in housing underline the need for a full-time Minister to have the responsibility of trying to obtain additional funds, trying to inject money into this industry and trying to help people to achieve the long-term Australian aspiration of purchasing and owning their own homes.

The House should give a lead to the people of this State, because Victoria needs and the Opposition is seeking far more positive action from the Minister and the Government to deal with the housing crisis which I have outlined to the House this morning. Therefore I urge the House to support this motion, which seeks the appointment of a full-time Minister of Housing.

Mr HAMER (Premier)—It is a pity that this debate degenerated so rapidly into a personal attack on the Minister of Housing and his policies. If there is

anything to be said for a motion like this, it should be said on the basis of work load and of competence.

Mr Ross-Edwards—And the problems of the Ministry.

Mr HAMER—Certainly; I accept those words. It is the task of the Leader of the Government to ensure that people who are given Ministerial portfolios are fitted in as best they can to do the job in the most competent way. What one expects of a Minister, naturally, is that he shall be competent, active, diligent, and, wherever possible, innovative. I do not believe any responsible member of this House would deny that all those attributes apply to the Minister of Housing. He is competent, and he reveals in answer to questions in the House, whether members of the Opposition like the answers or not, that he knows what is going on and has a firm grasp of the events in his department and of the issues with which he has to grapple and resolve. He is certainly diligent, and he is one of the most active Ministers in the Government.

Mr Simpson—But that is from jogging!

Mr HAMER—The Minister's physical activity is only part of it, as the honorable member for Niddrie would be well aware. He would certainly attribute great activity to the Minister. To make that point I will just touch on a few things that he has achieved in a very short time in the housing portfolio.

As I said, the Minister is certainly innovative. It is not possible without an enormous Ministry to have a single department for each Minister. The majority of Ministers have at least two departments for which they are responsible, and this is so in most Governments —in fact in every Government in Australia except, perhaps, the Federal Government. The majority of Ministers have at least two portfolios.

When the Minister of Housing first became a Minister he was made Minister for Youth, Sport and Recreation. He was the first and only Minister that that department has had, because it is a new Ministry, and he was also Assistant Minister of Education. From the beginning he showed a dedication and industry in that department which nobody can deny. In the second Ministry he still had the portfolio of youth, sport and recreation and also that of social welfare. From the beginning, the Department of Youth, Sport and Recreation has been a highly active department which has been successful in almost all respects, and has been full of innovative ideas.

As Minister for Social Welfare the Minister began a period of expansion; he began by issuing a Green Paper, which, in the extent to which it sought consultation from members of the public and brought in new ideas and expanded opportunities in social welfare, was a landmark. That was done under Mr Dixon's administration, and the Family and Community Services programme and many other programmes emanated from it.

In the present Ministry he still holds the portfolios of youth, sport and recreation and housing.

Mr Ross-Edwards—And youth employment.

Mr HAMER—I am coming to youth employment. At the moment he certainly has responsibility for youth employment, because the establishment of the Victorian Employment Committee arose directly out of the Work For Tomorrow conference last December, and it was a development from a group which the Minister had already formed in his youth, sport and recreation portfolio to deal with youth employment. The Victorian Employment Committee has grown from that beginning and the Minister has remained chairman of the committee. I entirely agree that as soon as this committee is operating to full satisfaction, he ought to give up the chairmanship, and it would be my expectation that he would do so.

It was quite logical for the Minister to chair the committee, as he had already developed a youth employment group and got the Victorian Employment Committee off the ground

extremely rapidly. He has a group of some 60 people, nearly all of whom are giving their own time and expertise in trying to deal with unemployment, and producing schemes and programmes which will lead to more employment and, above all, to better fitness for our young people for employment through special training and experience. That is a fine record.

I come now to what the Minister has achieved, since the whole thrust of the remarks of the honorable member for Carrum was to imply that the Minister had not achieved anything in the housing portfolio. I remind the House that the Minister has already got under way another Green Paper on housing, which will define housing policy for many years to come, and once again will involve input from the community generally, and that takes a considerable amount of activity and time. The Minister has also arranged, not before time, for the running sore, in a financial sense, of Holmesglen Constructions finally to be terminated so that more funds can be made available for housing, which was one of the objectives stated by the honorable member for Carrum. So long as the Government is losing $3 million a year maintaining Holmesglen Constructions, it is depriving itself of what that $3 million could provide for the very people about whom the honorable member for Carrum says he is so concerned. This was an innovation which was long overdue.

The Minister is also in the process of establishing the Urban Land Authority, again, to rationalize the handling and the disposal of land already purchased in large parcels in the past. This also is a long overdue arrangement which will bring back into the Housing Commission funds which it can then use for the building of houses.

Mr Cathie—You will lose money.

Mr HAMER—That is not so; the honorable member for Carrum should look at the record. The Urban Land Council has not lost money; it has, on the whole, made money.

Mr Cain—That has nothing to do with housing.

Mr HAMER—No, but it is to do with funds for housing, so that if the funds come back to the Housing Commission they can be used. So long as it is holding unused land, they will be dead funds. The Government wants to make them active funds. The means and the mechanism proposed and intended to bring that about and the action taken are to the credit of the Minister of Housing.

Finally, the innovative measures for which the Minister has been responsible in the short time that he has been Minister include the institution of the housing cost inquiry, and this will help the Government in the future to use its money in the most effective way. Nobody in the House could deny that this is an impressive record for a Minister who has held the portfolio of housing for just on six months. I pay him full credit for what he has done, and he has a most impressive record of which any Minister would be proud.

I make it clear that it is always necessary to review the work loads of Ministers from time to time, because they vary. Some Ministries increase in importance and activities, and others tend to become more sedate, but so long as the Minister is able to handle his duties in the way he has shown so far, it is an extremely satisfactory arrangement. We know the kind of dedication and energy which the Minister has shown in both the portfolios of youth, sport and recreation and housing. However, if the circumstances alter so that the burden becomes too heavy, I certainly would not hesitate to change it. I have already indicated that I believe the time has come for the Minister to cease to be Chairman of the Victorian Employment Committee, and that responsibility will be handed over, probably, to the Minister of Labour and Industry.

I shall deal with a couple of matters which the honorable member for Carrum raised in support of his claim that there was something wrong with the administration of the Ministry of Housing. The honorable member quoted some figures from Federal *Hansard* that were used during a debate on the Home Savings

Grant (Amendment) Bill, and referred to a table setting out the supposed deposit gap in the various capital cities in Australia. The honorable member read out the figures for Melbourne and I interjected and asked, "What are the figures for Sydney?", and he did not reply, but I am going to give them now because they illustrate that the problem in Sydney under a Labor administration is far greater than it is in Melbourne. Of course, I agree that there is a problem in Melbourne. According to this document, which was handed to me by the honorable member for Carrum and from which he quoted——

Mr CRABB (Knox)—On a point of order, I draw the attention of the House to the fact that the motion being discussed is related to the non-appointment of a full-time Minister and refers specifically to the current crisis in housing and the building and construction industry. That has nothing to do with the price of houses or the price of fish and chips or anything else in Sydney.

The DEPUTY SPEAKER (Mr A. T. Evans)—There is no point of order. The Premier is replying to a point made by the honorable member for Carrum, which was allowed by the Chair.

Mr CRABB—He did not comment on Sydney; that is the whole point.

Mr HAMER (Premier)—The value of a house and land in Melbourne—I presume this is an average figure—is $47 500, whereas in Sydney it is $58 900. The loan required to buy a house in Melbourne is $42 750, and in Sydney it is $53 000. The deposit gap to which the honorable member referred for Victorians wanting to own their own homes is $16 750, and in Sydney the equivalent gap is $27 000. The figure he quoted as the proportion of average weekly earnings required to service the loan was 167 per cent in Melbourne and it is 206 per cent in Sydney.

Mr Simpson—There is a real housing crisis. Housing needs one full-time Minister.

Mr HAMER—I believe a reply can properly be made to an argument based on these figures. The argument that this results from some lack of administration or some maladministration, or some want of perception or activity on the part of a Victorian Minister, does not hold water. The situation is far worse in our neighbouring State. That is not to say that I or anyone else in this Parliament welcomes the situation. Of course, there is a problem with the deposit gap, and I believe the Victorian Government has done more than any other State to try to overcome it.

I instance the Home Finance Trust, that does not have an equivalent anywhere else. I instance the fact that low-income earners, just above the Housing Commission level, operating through the co-operative housing movement, have their interest rates subsidized by the Government, to make it more possible to own their own homes. I also instance the plain fact, as evidenced by the last census, that home ownership in Victoria is still well ahead of any other State. At least Victoria, somehow or other, with all the means it has at its disposal, and with all its administration, is still ahead, and it intends to stay ahead.

All this is not the record of a Minister who neglects his department, or who has not sufficient time to administer it. On the contrary, it is a very fine record.

Mr Crabb—Six months.

Mr HAMER—Six months, yes. I have indicated to the honorable member for Knox exactly what the Minister has done in those six months, and it is a good record of which even the shadow Minister of Housing would be proud. For those reasons, this motion must be rejected. That is not to say that I under-estimate the importance of the housing portfolio. It is important. It is an important segment of industry, building and construction, but I believe the current Minister is handling his portfolio extremely well and I have the greatest confidence in him. The House should reject this motion.

Mr TREZISE (Geelong North)—I support the motion put forward by my colleague, the honorable member

for Carrum. It does not relate solely to the Minister of Housing, but to the appointment of Ministers in general. The first part of the motion reads:

> That this House views with concern the non-appointment of a full-time Minister for each important area of responsibility and requests the Premier to take steps.

I believe that not only the Minister for Youth, Sport and Recreation should be blamed in this debate, but also the Premier, who on many occasions has put a Minister in the wrong department.

Mr Dunstan—That is a matter of opinion.

Mr TREZISE—Yes, and it is the opinion of some members of the Liberal Party that your Premier should not be handling State development, decentralization and tourism.

Mr Dunstan—Who said that?

Mr TREZISE—The honorable member for Burwood, so the honorable member is wrong again. Perhaps he should be quiet. The motion stems from the continual Ministerial and departmental bunglings that have become the normal pattern over recent years. It is not only lowering the prestige of this Government, and this Parliament, but it has led to the scandalous waste of millions of dollars of taxpayers' money. No one can deny that, particularly with the Housing Commission land bunglings before this Minister was appointed.

The responsibility of Ministers in recent years has increased with the increased population in Victoria and the increase in finance. It is time that the Premier looked at the situation and realized that often one Minister cannot handle the responsibility of more than one major department.

Mr Dunstan—What do you want, a Cabinet of 30?

Mr TREZISE—One major department each. As I pointed out, this is not only the opinion of the Labor Party and the National Party, but also the opinion of members of the Liberal Party over in the corner. Therefore, without trying to be political, it is the general view of certain sections of parties in this House——

Mr Dunstan—Rubbish.

Mr TREZISE—The honorable member can argue with his colleagues in the Liberal Party.

Mr Dunstan—I have.

Mr TREZISE—We have another split in the Liberal Party. I am also concerned that the various subjects that should come under the control of one Minister are being split amongst various Ministers, and that includes the Premier, who handles different portfolios. This should be updated in 1979.

This motion refers to the present Minister of Housing, the Minister before him who was sacked, and the one before him who was sacked, and it has been created by the scandals that seem to be turning up day by day like unwelcome visitors—like my mother-in-law who does not turn up too often. In May the Premier assured the people of Victoria that there were no more land scandals in the Housing Commission, but as soon as another Minister was appointed, more and more land scandals have turned up week by week. No one can deny that. I personally do not solely blame the Minister of Housing for the present bunglings. He is one man who is prepared to work hard in his portfolios, but he has neglected those portfolios, both housing and youth, sport and recreation, because he serves them only on a part-time basis. Both those portfolios need more time from a Minister than what they are receiving at present.

I shall concentrate on the shambles of the Department of Youth, Sport and Recreation. The appointment of the Minister of Housing to the portfolio of Youth, Sport and Recreation should be reviewed by the Premier. How can the Premier justify that racing, betting and gambling should be divided between two or three different Ministers? How can Totalizator Agency Board betting be the responsibility of the Minister for Youth, Sport and Recreation, and bookmaking be the responsibility of the Minister for Police and

Emergency Services? The Minister of Housing is speaking next, and I hope he will jot that down and make a reply. It is time that gambling and racing were brought under the control of one Minister, the Minister for Youth, Sport and Recreation, or whatever term may be given to the portfolio.

All these industries, gambling and racing, pour thousands of millions of dollars into the State economy each year. These industries are in the hands of three inexperienced Ministers, who have little interest in them. This is a carry-on from the tradition of the Bolte-Rylah days when Sir Henry Bolte as Premier and Treasurer, handled a great deal of the racing interests, and Arthur Rylah, as Chief Secretary, also handled them. They have now gone, and their places have been taken by other individuals, who have little interest, experience or knowledge of betting and gambling and it is a different ball game altogether. I do not blame the Minister of Housing. I blame the Premier, because the Premier should review who are the right people to accept this responsibility.

Mr Dixon—You know the racing industry has gone from strength to strength.

Mr TREZISE—If the racing industry has gone from strength to strength, perhaps the Minister can explain why last year members of one leading racing association of this State wrote to the Premier and said that their confidence in the Minister was at its lowest ebb. The South-Western District Racing Association wrote to the Premier and to me, stating that opinion, and now the Minister is saying that the racing industry has gone from strength to strength. If he had listened to 3UZ last Saturday morning, he would have heard the leading race programme in this State, and a person saying, "Racing in Victoria is behind that in New South Wales, but what would one expect when you have the present Minister in control". What would you expect when, at a recent race meeting, the leading Liberals and leading officials in Victoria, told about twenty people in my presence that the Minister in charge of racing in this State was a phony? It was up to me, in all fairness, to defend the Minister. I told them that they cannot blame him as he has to handle housing, and he has so much on his plate that he cannot devote all his time to racing. The opinion of the Minister that racing is going from strength to strength is not shared by the racing industry.

The Minister is overworked in two portfolios. I believe in many cases he has been advised by people whom he appoints who do not have sufficient knowledge. Last year he appointed the Greyhound Racing Control Board to advise him, and appointed a retired gentleman of 70 years of age, Mr Len Griffin, to be Chairman of the Greyhound Racing Control Board. The first public statement made by the chairman after he was appointed was, "I know nothing about greyhound racing whatever." If the Minister appoints someone who knows nothing about greyhound racing, to advise a Minister who knows nothing, it is no wonder that greyhound racing is going further down the drain. At Ballarat last night, at the multi-million dog track, there were only two bookmakers, and one percentage bookmaker. It is not true to say that racing is going from strength to strength.

I refer to the Trotting Control Board. Honorable members know what that board has done. It did not tell the Minister that it did not get a valuation for the land at Keysborough. Honorable members are still waiting for the Valuer-General's report. The Minister said that he thinks the price of $1·5 million is justified.

Mr Dixon—I said that it was reasonable at the time.

Mr TREZISE—If it happens that the Valuer-General's valuation is below $1 million will it be reasonable then?

Mr Dixon—That is his opinion.

Mr TREZISE—The Minister knows as much as the Trotting Control Board. Until the Opposition raised the matter last week the Minister did not know

that the Trotting Control Board was supposed to produce an annual report to him by the end of October and he was to present it to Parliament by the end of November. When he was asked about the matter he was stunned and said he would look into the situation. If the Minister looked after the racing industry or sporting interests full-time he would know that that report should be tabled in Parliament, and the Trotting Control Board would not be running amok as it is now. I could go on with other sports, but I will not embarrass the Minister.

The DEPUTY SPEAKER (Mr A. T. Evans)—There has been too much crossfire between the Minister for Youth, Sport and Recreation and the honorable member for Geelong North. I ask the honorable member for Geelong North to address the Chair, and the Minister to cease interjecting.

Mr TREZISE—I will not mention the Totalizator Agency Board CRISP scandal. To be fair to the Minister for Youth, Sport and Recreation, he has done a good job concerning recreational activities, particularly with the Life: Be in It campaign. The Minister has set an example and shown people how to get fit and to use their time actively out of working hours. The Minister has shown a great deal of initiative and has received a lot of publicity. His public relations campaign, apart from jogging and recreational clubs, has not convinced anyone.

I believe the Minister tries hard. He cannot cope with the two portfolios because he is a human being trying to handle the housing portfolio which, from experience in the past four years, demands the attention of one single full-time Minister. Any fair-minded member would agree with that. For the Minister to handle racing two days a week, youth employment two days a week, recreational activities two days a week, and a multi-million racing portfolio is simply not possible. I do not blame the honorable gentleman. I blame the Premier, because of his haphazard allocation of portfolios, for the growing number of scandals that are taking place. When gambling is divided into different portfolios, it is no wonder there is a shambles.

The Bingo Board was set up two years ago to handle bingo for Victoria. It is the responsibility of the Minister for Police and Emergency Services. Three men were appointed to run it. At that time they had an average age of 74 years, with a chairman, Brigadier Sir William Hall, who probably had no experience in gambling. The average age of the board members is now almost 70 years, and although bingo supporters of Victoria are calling for changes because of different circumstances, no changes have taken place. It is about time the Premier brought the Ministers together and spoke to them to ensure that they can allocate their time and experience in handling their portfolios. If they cannot handle the time element, the people who advise them should have sufficient experience in the matter. The present haphazard allocation of portfolios is resulting in a growing number of scandals which are costing this State dearly. I hope the motion will persuade the Premier to review his thinking.

Mr DIXON (Minister of Housing)—Members of the Opposition should examine themselves. The shadow Ministry is as follows: Mr Wilkes—Premier and Treasurer. It is interesting to note that the Government separates those two functions. Mr Fordham—education and Federal affairs.

Mr Crabb—That is a hard job—Federal affairs.

Mr DIXON—It is. It is interesting to note that the Government regards education as having sufficient priority to be dealt with by a single Minister. Mr Bill Landeryou—Leader of the Opposition, local government and consumer affairs; Mr Walker—conservation; Mr Amos—minerals and energy; Mr Cain—Attorney-General and planning, which are two extremely significant portfolios; Mr Cathie, who has led this debate for the Opposition—housing, ethnic affairs and arts. If one wished to compare the responsibilities of the honorable member for Carrum and those which I have, and the budgets involved, one would find

that the approximate budgets are: $10 million for youth, sport and recreation and $50 million for the arts. When the responsibility of ethnic affairs is added, surely it is a case of the pot calling the kettle black when the honorable member for Carrum moves a motion such as the one before the House.

If the Opposition wishes to be serious about this motion, it should re-examine its shadow Ministries. This motion calls for the appointment of a full-time Minister for each important area of responsibility but the Opposition does not have the guts to say what are the important areas of responsibility, with the sole distinction of housing and racing. The sidekick, the honorable member for Geelong North, believes the portfolio of youth, sport and recreation should be a single Ministry. No doubt he finds it onerous to undertake a shadow ministry of youth, sport and recreation. However, I thank him for his complimentary remarks about the Life: Be in It campaign.

Mr Roper—That is the only thing you do well.

Mr DIXON—I should be pleased to have my fifteen years' record set out against that of any other honorable member for examination by this House. I have worked hard and as long as I possibly could. One should take into account in some respects the capacities of people and the quality they are prepared to put in. I am proud of my record in this regard and I should be pleased to have it examined in detail by any member of this House. I am not talking about modesty but about facts.

Mr Trezise—Do you think housing is a full-time portfolio?

Mr DIXON—Housing is a tremendously important portfolio. I am concerned about the state of housing construction in the community.

Mr Roper—That is why you are going away for two months.

Mr DIXON—That is exactly one of the reasons. The whole world is related. All the matters which occur in other countries have their effect on this country. Probably the single, most outstanding thing that ought to be done in this community in relation to housing and construction would be to lift the migrant intake targets.

Mr Cathie—You have not got the homes for them.

Mr DIXON—The honorable member does not understand that the question of construction is a matter of demand and supply, and demand at a price. There cannot be demand and supply without a relationship to the price and the cost of housing. All honorable members regret that the cost of finance, not only in Australia but world wide, has risen. If any honorable member suggests interest subsidization, I point out that that in turn is a matter of money. I have had discussions with many people in the housing and construction industry and am aware that the overwhelming problem is the demand for housing. If one were to go to Canberra one would be told by Federal officials that some 300 000 houses in Australia are vacant. People are not able, for a variety of reasons, to locate themselves in those homes.

Mr Cathie—They cannot afford to do so.

Mr DIXON—Exactly; many cannot do so. That is the result of the present state of the economy and international interest rates which reflect themselves in Australia. It is a joke when members of the Opposition say that, because a Minister goes overseas, it in some way means he is neglecting his duty at home. Most of the tasks that I will be undertaking while away have a direct bearing on housing and construction in Victoria, even to the extent that they are associated with youth, sport and recreation. In so far as my trip is dedicated to securing the Olympic Games for Melbourne in 1988——

Mr Remington—What has that got to do with housing?

Mr DIXON—A $100 million housing development is involved.

The DEPUTY SPEAKER (Mr A. T. Evans)—I will not appeal to the honorable member for Melbourne again. He not only makes interjections but also continually argues against the Minister

while the honorable gentleman is attempting to answer the first interjection.

Mr DIXON—The factors involved in an Olympic Games seem to escape the honorable member. One of the critical matters is strategy planning about where any housing developments ought to take place. Honorable members would be aware of the basic policy of containment announced by the Melbourne and Metropolitan Board of Works, and they would also be aware of the fact that people like Mr Leslie Perrett, a prominent planner around the town, says that notwithstanding the policies of the Melbourne and Metropolitan Board of Works, the people of Melbourne seem to be choosing still to create their developments on the urban fringe. This critical area needs to be fully investigated.

I shall deal with some of the relevant areas with which the Premier did not have adequate time to deal, in relation to what has occurred in the housing Ministry. The major areas have been covered by the Premier and I do not propose to go over them, suffice to say that the discussion paper adverted to by the honorable member for Carrum is a broadening document. It shows that the Government is concerned to seek out every possible idea and every possible input from the people of Victoria towards a broad framework. Once a broad framework has been established, it will be possible to narrow the options until policy arrangements and guidelines are established to carry Victoria to the next decade and give a better basis for housing and construction in this State.

The honorable member for Carrum refers to the pre-empting of options. To some extent he is correct, but only in the degree to which two decisions have been made. I have constantly said that in the setting up of a Green Paper and a White Paper team I would not use that as an excuse for inaction. One of the things said when the Green Paper was first mentioned, followed by the White Paper, was that the Minister would not now do anything; the matter would be handed over to researchers. Where action is really required I have said that the Government will undertake research to the best of its ability and announce the appropriate decisions.

There is no doubt in my mind that it is in the best interests of the people of Victoria that Holmesglen Constructions should be sold and shut down as a construction arm. Yet, the honorable member for Carrum has the temerity to say that the Housing Commission will no longer build homes. Nothing could be further from the truth. For many years the Housing Commission has followed the practice of putting particular homes up for tender by private industry and, the specifications of the Housing Commission, those homes have been built. In other words, the Housing Commission has been responsible for the building of homes. As usual, the honorable member for Carrum is never prepared to tell the exact truth; it is always a distortion of the truth. It is most unfortunate that the House must continue——

Mr Cathie—What are you doing now?

Mr DIXON—I do not distort; I try hard not to do so, but the honorable member for Carrum distorts. It was mentioned that the Urban Land Authority has been established. I am pleased that the Bill which provides for its establishment has now passed through both Houses of the Parliament. The authority will not purchase land, but the honorable member for Carrum neglected to take cognizance of the fact that the Housing Commission is able to purchase land, as indeed numerous instrumentalities throughout Victoria are able to purchase land for a variety of purposes. It is not true to say that in the broad areas of building or purchasing by the Housing Commission matters have been pre-empted in the Green Paper.

I come to some of the programmes currently being considered and on which I expect to make announcements in the near future. Firstly, there is the spot purchase programme which will enable a social mix policy to come about within Melbourne for low income clients of the Housing Commission to be mixed in a much more satisfactory way than before. I now come to the area which was first

drawn to my attention by the honorable member for Melbourne—the heating of Housing Commission homes. I am pleased to announce that 24-hour heating is now provided throughout the cold months.

An examination is now being conducted of the special needs of groups such as the homeless, elderly and so on, for boarding house accommodation. A home renovation service has been established to advise home owners. A home building advice service will be established to advise tenants on matters such as picture hanging and indoor plants. It is a home decorating service. What honorable members neglect——

Mr Ross-Edwards—They are laughing behind your back.

Mr DIXON—Maybe quite a lot of people are laughing behind my back and good luck to them. What people forget is the importance of what goes on within the confines of a home. I have visited many people throughout my constituency and talked to them about their individual problems. To people who are confined to their home, as are many of these elderly persons, a home decorating service is important. It is an important service and some people in the community believe the provision of a home decorating service is a means of overcoming their problems.

The Ministry has examined the possibility of single persons sharing high-rise accommodation which cannot be let to families. It is establishing joint projects involving Housing Commission home management staff and Department of Community Welfare Services people to enable officers employed in the Housing Commission estates to have greater autonomy than they have had before to control their own local affairs.

So far as Aborigines are concerned, the Ministry of Housing is also responsible for Aboriginal affairs within the State of Victoria. It has established an over-all co-ordinating body to cover all departments and services, including education, community welfare services, housing, youth, sport and recreation, indeed, all Government departments, together with representatives from the Commonwealth Department of Home Affairs. For the first time, there is a co-ordinating body for Aboriginal affairs in the State of Victoria.

The Ministry is instituting a cost-benefit review requirement for all major Housing Commission projects. Indeed, for the first time, the Housing Commission is undertaking project management. I shall have more to say about that at a later stage when I deal with the whole aspect of project management. The Ministry has lifted the income level necessary to participate in and receive public housing assistance. The figure has been raised by $15.50 to a maximum of $200 a week.

Mr Trezise—You are only there for two and a half days a week.

Mr DIXON—The honorable member is talking about two and a half days, but I have been speaking of 100 hours a week. The administration of the receipt of applications for assistance is to be examined. It ought to be remembered by honorable members that the waiting list, which has been referred to as being 22 000 with an additional number——

Mr Cathie—And more.

Mr DIXON—I will give the exact figure if you like.

Mr Cathie—That is the figure I have.

Mr DIXON—I have probably more recent figures than has the honorable member, but the waiting list of approximately 22 000 plus 12 000 people waiting for co-operative housing, includes many people whom I consider should not be applicants for Housing Commission accommodation because the criteria which applies to applicants, simply covers the income of the breadwinner and does not take into account the fact that there may be other members of the family who may be earning an additional $200 or $300 a week. Other members of a family may be earning additional income but the critical aspect is that low-cost housing should be made available on the basis of

meeting the needs of a family with a single breadwinner. Preference should be given to the single breadwinner upon whose income the whole family has to survive. It is important that these people are the first to be assisted, and the Ministry has almost completed an examination of the criteria which will enable it to provide a much better service for those people who are in need.

Representation to the Commonwealth Government has been consistently undertaken by the Ministry of Housing, firstly, on the over-all allocation of funds, and, secondly, on the type of funds which ought to be made available. Honorable members will be aware of the substantial increase that has occurred in the funds made available for rental housing. The allocation has risen from approximately $3 million to $22 million a year.

Mr Cathie—That is Federal money.

Mr DIXON—Of course, it is, but this increase came about as a result of representations from the Ministry of Housing to the Commonwealth Government outlining what funds ought to be made available.

The over-all allocation of funds is far below what it should be, but the initiatives which have been taken by the Commonwealth Government to make more funds available for rental housing are desirable. It is even more praiseworthy because these funds are received by the State by way of grant and not by way of loan.

The Ministry is preparing a detailed case for presentation at the next conference of Housing Ministers which will be held in New Zealand. I suppose I will be accused of undertaking another overseas trip, but the Federal and State Ministers of Housing will meet in New Zealand in February next year to determine the terms and conditions of the next Commonwealth-State Housing Agreement.

I assure honorable members that I will be arguing for a five-year agreement, which will be a return to the days when housing funds were much more freely available than they are today. The Premier has consistently made that point at Premiers Conferences, and when he has made public statements on the matter, that Victoria has not received a fair deal with housing funds.

I have contented myself with referring to those aspects which are involved with my responsibility in the field of housing because the particular issue being debated really revolves around the Minister of Housing having a single Ministerial responsibility.

By interjection the matter of the CRISP computer was raised. The end result of what has occurred in the Totalizator Agency Board has resulted in an enormous cost saving because of the installation of new equipment, together with the new deal which followed the cancellation of the CRISP contract. The honorable member for Geelong North knows that to be true as he has received information from the Totalizator Agency Board in the same way that I have.

I now want to refer to the involvement of the Ministry of Housing with the community. Firstly, we have a tenants' advice service and funds have been provided to that service, which is a community group, to enable it to continue its operations. That initiative was undertaken by the previous Minister of Housing and myself as Minister for Community Welfare Services. I am pleased that that initiative is jointly being continued by the two Ministries.

In terms of youth housing, it has already been made clear by the Minister for Community Welfare Services that, on the question of youth accommodation, Victoria has been the only State to take up those funds from the Commonwealth Government, and on a $1 for $1 basis the Government will be receiving, over the next three years, an amount of $1·6 million to inject into what has become a very serious problem.

The area of emergency accommodation has been a problem for many years, and indeed I served on the Liberal Party Poverty Committee in

about 1966, with Julian Doyle, and a recommendation was made in those days that emergency accommodation ought to be provided. The Government has been grappling with the question of emergency housing for many years, but it is now becoming a reality because an inter-departmental committee has been established and that committee will be responsible for producing recommendations covering the whole area of emergency accommodation. The inter-departmental committee is co-operating with work being carried out by the Department of Community Welfare Services and with other groups within the Ministry of Housing.

The Ministry is funding the operation of an emergency housing project in the western suburbs, and that project will be managed by a regional housing group. In terms of community involvement, this project was commenced by my predecessor and operated in conjunction with the Department of Youth, Sport and Recreation. The Ministry has also been involved in a major project at Broadmeadows.

I was pleased to initiate a project in January in conjunction with the Salvation Army in which the Department of Youth, Sport and Recreation and the Ministry of Housing joined with the Salvation Army to provide community facilities for the Langdon Park Housing Commission estate.

Referring to research initiatives, I make it clear that the Ministry of Housing is undertaking a joint project with the Melbourne and Metropolitan Board of Works and the Master Builders Association to determine preferences in the housing market for location and housing types. This matter was referred to by the honorable member for Carrum who claims that he already knows the preferences of Victorians for housing type, although the Ministry has some vague idea but does not know the preferences in detail. That is the purpose of the survey, to let the Ministry know, and the Ministry will know within the next three months, the location or housing type preferred. A survey of more than 2000 households will be taken and the result will be available in March or April. This will give the Ministry a comprehensive idea in terms of housing preference and type for Melbourne.

Another research initiative is that the Ministry is reviewing the eligibility criteria for public rental housing, and I have already spoken of that. The Ministry has instituted a study into the cost of vandalism on high-rise estates and that study should be ready somewhere about the middle of next year.

The Ministry is already undertaking a study of social and economic implications of escalating interest rates. Honorable members will be aware that I previously announced that a ceiling of not more than 8 per cent would be adopted for interest rates.

The Ministry is conducting a joint operation with the Commonwealth Scientific and Industrial Research Organization to examine the best way in which to achieve a social mix. That is part of the study that has been undertaken to ensure that the commission's spot purchase programme agrees with the research that has been undertaken in this area.

The Ministry is undertaking a survey into housing finance patterns and the Australian Bureau of Statistics will collect data which was previously unavailable but which should assist in acquiring a knowledge of trends and changes in home finance. The results should be available early in 1980. The Ministry has undertaken a programme of joint funding with the Commonwealth Scientific and Industrial Research Organization to undertake solar energy research.

I now want to examine tenant involvement in self-management projects which the Ministry is implementing. It may interest the House to know that, at the International Community Education Conference held in Melbourne earlier this year, several outstanding people in the field of housing spoke of their experience of involving tenants in housing and the management of their own estates. I refer to Dick Huttik who came here from Independence, Minnesota, the home town of

Harry Truman. We now know more about the capacity of tenants to manage their own estates. As the result of that conference, this major initiattive has now been undertaken within Victorian Housing Commission estates.

Returning to the motion, it is clear that it is very difficult to have a reasonably sized Ministry controlled by one Minister within a Cabinet comprising eighteen members, which is a reasonable size, but which has to cover all of the responsibilities in the community.

If one examined the Federal Government or the Government of the United States of America, one would find there is an increasing complexity within government and considering the responsibility imposed upon the Prime Minister of Australia or the President of the United States of America, those office holders have to undertake an enormous responsibility.

Debates of this nature have to be relative and must impinge on the capacity of the individual people whom the Premier has appointed to carry out the functions he has allocated to them. I believe the record of the Minister of Housing, on the points made in this debate, is a proper record.

The sitting was suspended at 12.50 *p.m. until* 2.5 *p.m.*

Mr ROSS-EDWARDS (Leader of the National Party)—No doubt this motion is the result of statements made by me last week-end, and in the House a week ago when I called on the Government to appoint a full-time Minister of Housing. That considered statement warrants serious consideration. The statement was not a criticism of the Minister. I went out of my way to make that clear. If I wished to criticize the Minister, I would do so. Any criticism is not relevant to this debate.

I would not criticize any Minister for going on an overseas trip, subject to certain conditions, because Ministers must travel overseas—all Parliamentarians must go on overseas trips if they are to properly carry out their responsibilities. However, certain guidelines must be observed, such as the duration of the trip, the timing of the trip and the number of trips in one year. That is irrelevant to the debate.

The Minister now has three basic responsibilities—as the Minister of Housing, the Minister for Youth, Sport and Recreation—which includes racing which could be considered a fourth responsibility—and as Chairman of the Victorian Unemployment Committee. He has made a big contribution to that committee.

I am delighted to note that the Premier plans to transfer the employment responsibilities to another Minister. The obvious Minister to take on that additional responsibility is the Minister of Labour and Industry, who is now also responsible for the Ministry of Consumer Affairs. That additional responsibility fits in with his responsibilities better than it does with those of the Minister for Youth, Sport and Recreation. I recognize why the Premier gave the responsibility for employment to the present Minister of Housing in the first place.

My real criticism is that there are many real problems within the Housing Commission which have to be resolved. I shall not go into the long, sad story of the Housing Commission in recent years but it goes back further than most people think. Staff morale at the Housing Commission is at rock bottom.

Mr Dixon—That is not true.

Mr ROSS-EDWARDS—One of the faults of the Minister of Housing is that he thinks he is the judge of everything. He does not realize that many honorable members have a real knowledge and understanding of various areas of the Public Service. It would be amazing if there was not a lack of morale within the commission. If the Minister would listen he would learn why.

I have a high regard for the middle rank and senior staff of the Housing Commission who are crying out for leadership, support, consultation and, most of all, encouragement. They want the opportunity of working with the Minister to resolve the host of problems which the commission faces.

I pay a tribute to the previous Minister of Housing for the way in which he conferred with his staff throughout Victoria. He is still spoken of most highly, particularly by the regional officers in Victoria, for the way he asked what their problems were and tried to solve them on the spot. I have personal knowledge and experience of that.

The low morale in the Housing Commission is naturally a result of Royal Commission investigations, continuing public debate and abrupt changes in policy. I shall not detail all of the changes that have been made but one relates to Aboriginal debts. Honorable members may not know that it is not unusual for Aborigines to owe the commission up to $2000. They have special privileges—I do not say that unkindly—and they make the best use of those privileges. The former Minister of Housing gave the direction to crack down on them, but the present Minister told the commission to scrap all actions against Aborigines.

Mr Dixon—That is not true; there is a moratorium.

Mr ROSS-EDWARDS—Other people who owe the commission $100 or $200 have legal action taken against them. That is one example of why the staff morale at the Housing Commission is low. The staff throw their hands in the air and say, "What do we do now?" Senior staff members will not make decisions because of past problems. They say openly, "Why should I put my neck out when I could be the next to be in trouble?" Naturally, the staff are reluctant to take responsibility or make decisions. As I said, they are crying out for consultation and leadership.

Victoria does not need more Ministers —there are eighteen now, that is enough. I shall not comment further because it might be considered offensive.

I agree that Ministries such as the Ministries of Housing and Planning should be coupled. At present, it is not possible to couple those two Ministries because of the problems that have been encountered in the Ministry of Housing in the past few years. It is fine that the Minister has been able to send matters for investigation to the Royal Commission, but from now on it will be his responsibility. Perhaps he will come out lily white.

The red lights are flashing at the Premier—we do not want another problem in the Housing Commission. The straw that broke the camel's back came last week when the Opposition moved a substantive motion bringing three matters to the attention of the House. The Minister immediately referred two of them to the Royal Commission and had to broaden the commission's terms of reference to cover those matters. Action has been taken, but is it a coincidence that the Minister took action that day?

Mr Dixon—I took action on 26 July.

Mr ROSS-EDWARDS—The Minister took action by referring the matter to the police on 26 July, but he did not refer it to the Royal Commission until the Opposition raised the matter in the House. He did not do it the week before or the week after; he did it that same day.

A third matter is under review and when the Minister returns from his overseas trip a decision will be made about what action should be taken. One wonders what else will be referred to a Royal Commission. If the Minister spent more time at the Housing Commission, he would know what happens there.

I pay a tribute to the Minister of Housing and agree with most of the comments made about him. He is academically bright, a hard worker, is innovative and enthusiastic. That is as much as most Ministers could hope to achieve. The Minister of Housing has problems; he is abrasive and tactless and he makes a lot of enemies along the way. He has also tripped up because he would not take notice of anyone else. That is a fair balance.

The Minister said that he works 100 hours a week. That is stretching the imagination but the Minister is on duty 100 hours a week, as are all honorable

members, some of whom enjoy their duties. I accept the point that the Minister has worked to the limit of his capacity to meet his Ministerial responsibilities. However, at the very most, the Minister has 48 hours per week in which to confer with the Public Service. Of that 48 hours the Minister can devote only an average of 8 or 9 hours a week to the Housing Commission. One must remember that of the first nine months of the year, the Minister would be overseas or interstate for three months. The House has sat for four or five months and the Minister also has the responsibility for youth, sport and recreation and employment.

When the Minister is in Victoria, he must spend his time in the Housing Commission either in Melbourne or in Housing Commission establishments around the State. However, because of his responsibilities, he just does not have time to do this; he cannot do it. If the Minister can spare a day or a day and a half a week over a twelve-months period, that is the most officers of the Housing Commission can hope for. After the Minister works with senior staff of the Housing Commission, what hope does he have of approaching the middle ranks at either morning tea or lunch time when he is thrashing out to the problems of the Housing Commission?

Those officers want to discuss their problems. They admire the Minister for what he is trying to do but they want to see him and confer with him. It is pointless the Minister trying to solve problems through the chairman. The Minister should talk with those officers and say, "Forget the chairman sitting there." The honorable member for Wantirna had the capacity for doing that. The Minister should say to those officers, "Tell me what your problems are." The former Minister of Housing, the honorable member for Wantirna, did that and the officers told him what their problems were and they appreciated it and a lot of good came out of those confrontations.

In good faith, I express my concern about the Housing Commission. The Premier and I do not often disagree on fundamental issues and I regard this as a fundamental issue.

The Minister of Housing cannot give sufficient time to the Housing Commission. There are other Ministers who carry much less responsibility and a smaller work load. However, I do not want to tell the Premier how he should reshuffle his Cabinet but, unless it is reshuffled, the Government will suffer and the State of Victoria will suffer.

Mr WILTON (Broadmeadows)—When the Premier replied to the argument put forward by the honorable member for Carrum, he dwelt at some length upon the confidence he had in the Minister of Housing. The Premier then went on to talk about the achievements of his Government and the Ministry of Housing under the succession of Ministers appointed by the Premier and his predecessor.

The Premier again trotted out the argument that Victoria has the highest rate of home ownership. That is using the facts rather loosely because the real fact is that Victoria has a higher rate of home mortgage than that of any other comparable society. There is a significant difference. One of the reasons why Victoria is in that situation is that, in 1956, the Liberal Government decided to amend the Housing Act to enable the Housing Commission to sell homes under its control. That was a commendable move. However, it remains commendable only when the Government of the day continues to use the resources of the Ministry of Housing to meet the needs of those who are unable, because of economic circumstances, to buy a home and must rent their accommodation. That has not been the situation so far in Victoria.

For many years the major problem that has confronted society has been housing. There are many welfare agencies which have made submissions to the Government after carrying out

detailed surveys into the economic circumstances of families, especially those classes of families living in Housing Commission estates. Those agencies have made submissions to Ministers of Housing in the past. Their surveys have demonstrated that, because of its policies, the Government was placing those families under serious strain and exposing the family unit to grave risks.

The Ministry of Housing should receive the full attention of the Minister who should be solely devoted to that area. In his remarks, the Premier omitted to mention that prior to the State election he decided that the former Minister of Housing should be allowed to devote the whole of his attention to that Ministry. The Premier decided to relieve the then Minister of Housing, the honorable member for Wantirna, of the responsibilities for planning. The reason advanced at the time was the importance of the Ministry to the community.

The Premier converted his words into action by relieving the Minister of Housing of any responsibilities for the area of planning so that the former Minister could devote the whole of his time to the Ministry of Housing.

The Minister of Housing substantiated the argument advanced by the Opposition when he related to the House the variety of the involvements of the Ministry. That is the Opposition's point. The Ministry of Housing, like the Ministry of Education, has a tremendous influence on the quality of life and on lifestyles.

The family unit programme begins with the establishment of a home. That is one essential feature that every family needs. The quality of the home determines the quality and lifestyle of the family unit. That is where the Ministry of Housing can play an important role. There is a challenge for a Minister to come to grips with a wide variety of social problems not directly but indirectly related to housing.

The Minister spoke about the 3000 vacant homes.

Mr Dixon—300 000 in Australia.

Mr WILTON—The Minister says there are 300 000 vacant homes in Australia. Within metropolitan Melbourne there are approximately 3000 to 4000. The Minister did not tell the House the reasons for the vacancies but they are many and varied. A lot of work has been done in researching that question.

The Minister spoke briefly about supply and demand but one of the significant factors in regard to home vacancies is the cost of finance. Another significant factor is the location of homes.

The Minister also mentioned the developing trend for people to move into outer suburbia. That trend was dictated to families seeking homes. It was not a trend that those families developed because of a social way of life. It was because of financial factors that those families had to move to the extremities of the Melbourne area to find a home within their financial capacities. Those are factors that determine the developing trends of housing.

Apart from forcing people into these situations, another factor is emerging. The Minister of Housing should involve himself in the cost of transport. There is a trend developing for people to move back to inner city living because of the cost of transport. That is an indirect factor but it is having a significant effect on housing trends. The Ministry and the Government should apply their resources to determining policies for the future which will overcome the problems of large numbers of vacant homes in areas where nobody wants to live because of the cost of transport and the lack of public utilities and services. The trend is there.

The Premier spoke about costs, which are a significant issue. The Commonwealth Government commissioned an inquiry into the cost of housing. In a letter under the signature of the Acting Prime Minister, Mr D. Anthony, to Mr Ayers, the Government set out the terms of reference

of the inquiry and told Mr Ayers of his appointment to the committee and that of his two fellow members.

One was from the private housing industry and one from a statutory authority in South Australia. The committee produced a three-volume report on the whole question of housing costs and development trends pointing up to effect that various agencies, including estate agencies, have on housing costs. That report would be an excellent working paper for the Ministry of Housing to study under the direction of the Minister so that consideration would be given to its recommendations and the Minister could come to Cabinet armed with the results of the surveys conducted and the information supplied to the committee from a variety of State and Federal departments with a view to determining future Government policy on housing.

The Premier made some play on figures showing a relationship between New South Wales and Victoria. This committee also produced a lot of interesting figures. Page 34, volume 1, of the report of the Committee of Inquiry into the Cost of Housing, dated July 1978, sets out the increase in land prices between 1970–71 and 1976–77. The increase in Sydney was 87 per cent while in Melbourne it was 246 per cent and in Adelaide it was 193 per cent. It would be a challenge for any Minister of Housing to come to grips with the cause of that problem.

The question of transaction costs is also an area in which the Ministry of Housing should interest itself. If left to devote his whole time to this Ministry, the Minister of Housing could be briefed on those questions so that he could come to Cabinet armed with the necessary information to influence Government policy. Page 138 of the report, which deals with transaction costs, reads:

> A house and land package costing $30 000 would attract Government charges of $463 in New South Wales and $736 in Victoria.

This area, too, would be a challenge to the Minister of Housing. Why is there such variation between costs in New South Wales and those in Victoria? At the same page the inquiry dealt with another aspect of transaction costs, namely solicitors' fees:

> Dealing with the same house and land package, solicitors fees in New South Wales would be $382 while in Victoria they would be $386, in South Australia $157 and in Western Australia $90.

It would be an interesting challenge to the Minister of Housing to come to grips with the reason for such a vast difference between costs in South Australia, Western Australia, New South Wales and Victoria. Anyone who has had anything to do with the housing industry knows the reason. In South Australia and Western Australia there are land brokers, qualified people, who are licensed to do conveyancing work on house and land sales. Government charges in Victoria are the highest in the Commonwealth and legal costs in Victoria are the highest in the Commonwealth.

In the view of the Opposition the Ministry of Housing has displayed considerable neglect in terms of the Government's policies and its failure to come to grips with these questions. The Government has allowed these matters to drift along without taking any worth-while action or making any significant policy decisions at Cabinet level.

The Minister related to the House a variety of programmes in which the Ministry of Housing is involved; even indoor plants were mentioned. However, he did not indicate that in the immediate future the people of Victoria could hope to see any significant reduction in housing costs or any significant increase in the availability of houses where they are required at costs which people can afford.

The honorable gentleman also made some play of what he considered to be the families in real need of welfare housing and the priorities which should apply. Again, he omitted any detail of how his philosophy on the use of welfare housing for the benefit of needy families will be put into practice. Anyone who has had anything to do with welfare

housing knows that, under the present Government's policies, a single-income family could not service a contract of sale. It is on record that on a number of occasions the State Housing Commission has been forced to tell applicants, "We cannot sell you a house because you cannot afford it. You will either have to go and earn more money or your wife must have an income". That is the real reason why the Minister's predecessors have followed a policy of ignoring the income of other members of a family. If the sale of homes by the housing authority is to be restricted to one-income families, contracts of sale will not be serviced.

Mr Dixon—A lot of them do service contracts.

Mr WILTON—The Minister is ignoring the human cost these families are paying to meet the demands of his department under the contracts. I would like the Minister to explain why, in the Broadmeadows electorate, Housing Commission estate homes built eighteen months to two years ago are being sold at current value. No additional cost has been incurred. The commission was not able to produce contracts of sale because of administrative difficulties, yet the purchaser has no choice; when a home is offered, a purchaser either signs a contract of sale or he does not get the house.

Mr McClure—When they sell, do they sell at the price they paid?

Mr Collins—What about replacement value?

Mr WILTON—So far as the replacement value is concerned, the system that applied some years ago is reasonable.

Mr McCance—Would you sell your house for the price you paid for it?

Mr WILTON—The House is supposed to be concerning itself with people in the community who are unable to acquire a home on the open market. That was the reason for the establishment of the State Housing Commission—initially, to deal with the slum reclamation problem and then to expand its operations into the field of home construction to meet the needs of this section of the community. It is nonsensical for members on the Government benches to make inane interjections as to whether I would sell my house at the price I paid for it. That is not the question under discussion. The question under discussion is whether it is fair and reasonable to hold to ransom this class of people whose only avenue for buying a home is through the State housing authority. To exploit the current situation, as the Government is doing, is to ignore the human question.

The system operated by the Housing Commission some years ago when it was first decided to extend the house selling operation so as to offer contracts of sale to people who were already tenants was a fair and reasonable system where the establishment cost and the replacement cost of the home were taken into consideration, and a figure in between those two was fixed as the sale price. Another factor taken into consideration was the amount of rent paid during the tenancy. That was a fair and reasonable formula.

Under the present Minister's administration, no regard is paid to the establishment costs. The land in question was acquired by the commission in about 1949, so it does not take much imagination to realize that the land cost at acquisition was significantly below the current land valuation. No regard is paid to the cost of establishing the home. The price is determined solely on the current market value.

The Ministry of Housing should be used by the Government to influence the cost of land and housing, to set a trend, to offer an alternative, to be a competitor, but it is doing none of those things. It is merely following market trends. That is a negative approach by the Ministry, and it is another reason why this Ministry which is so important and which has such an influence on society should be receiving the full attention of a Minister who is not sidetracked by other areas of responsibility.

The Minister of Housing is completely up the creek, so to speak, when he speaks about Holmesglen Constructions and its loss of finance in the way

it has been run. He is reflecting on the management of that operation, whereas the real reason for the loss is the Government's restrictive policies. If the Minister took the brakes off that operation and gave it autonomous powers to compete on the open market, it could be made financially viable.

The House divided on the motion Hon. S. J. Plowman in the chair).

Ayes	38
Noes	37
Majority for the motion ..	1

AYES

Mr Cain	Mr Miller
Mr Cathie	Mr Remington
Dr Coghill	Mr Roper
Mr Crabb	Mr Ross-Edwards
Mr Edmunds	Mr Rowe
Mr Ernst	Mr Sidiropoulos
Mr Evans	Mr Simmonds
(*Gippsland East*)	Mr Simpson
Mr Fogarty	Mr Spyker
Mr Fordham	Mr Stirling
Mr Gavin	Mrs Toner
Mr Ginifer	Mr Trewin
Mr Hann	Mr Trezise
Mr Jasper	Mr Walsh
Mr Jolly	Mr Whiting
Mr King	Mr Wilkes
Mr Kirkwood	Mr Wilton
Mr McGrath	*Tellers:*
Mr McInnes	Mr Hockley
Mr Mathews	Dr Vaughan

NOES

Mr Austin	Mr McClure
Mr Balfour	Mr McKellar
Mr Birrell	Mr Mackinnon
Mr Brown	Mr Maclellan
Mr Burgin	Mr Ramsay
Mrs Chambers	Mr Reynolds
Mr Coleman	Mr Richardson
Mr Collins	Mr Skeggs
Mr Crellin	Mr Smith
Mr Dixon	(*South Barwon*)
Mr Dunstan	Mr Smith
Mr Ebery	(*Warrnambool*)
Mr Evans	Mr Tanner
(*Ballarat North*)	Mr Templeton
Mr Hamer	Mr Thompson
Mr Hayes	Mr Williams
Mr Jona	Mr Wood
Mr Kennett	
Mr Lacy	*Tellers:*
Mr Lieberman	Mr Cox
Mr McArthur	Mr McCance

PAIRS

Mr Amos	Mr Borthwick
Mr Culpin	Mrs Patrick
Mr Wilkes	Mr Weideman

Mr Wilton

Mr TEMPLETON (Mentone)—On a point of order, with your permission, Mr Speaker, I wonder whether the pairs arrangement as recorded in the Pairs Book can be altered. I was led to believe that the Leader of the Opposition would not be present in the House and the honorable member for Frankston agreed to pair with him. Inadvertently, the Leader of the Opposition took part in the division and I am wondering whether, because of the prior arrangements, something can be done to change the Pairs Book to amend what occurred.

Mr FORDHAM (Footscray)—I concur in the statement made by the Government Whip. It was an inadvertence on the part of the Opposition. There was certainly no intent to break what was a pairs arrangement and I take full responsibility for what happened. If the move suggested by the Government Whip can be followed through, the Opposition will support it.

Mr WILKES (Leader of the Opposition)—On the point of order, if the Government wishes to resubmit the motion, the Opposition will accommodate it.

The SPEAKER (the Hon. S. J. Plowman)—Pairs arrangements are a private matter between the parties. I shall seek some guidance on the subject and report back to the House.

HEALTH (REPORTING TO PARLIAMENT) BILL

Mr ROPER (Brunswick) moved for leave to bring in a Bill to amend certain Acts administered by the Minister of Health to require bodies established under those Acts to submit reports and financial statements to the Minister of Health, to require the Minister of Health to lay such reports and statements before both Houses of Parliament and for purposes connected therewith.

The motion was agreed to.

The Bill was brought in and read a first time.

AUDITOR-GENERAL'S SUPPLEMENTARY REPORT

The SPEAKER (the Hon. S. J. Plowman) presented the supplementary

report of the Auditor-General for the year ended 30 June 1979.

The SPEAKER—The question is:

That the report do lie on the table and be printed.

Mr WILTON (Broadmeadows)—I take this opportunity of registering my strongest protest against the lateness—

The SPEAKER—Order! The question is that the report be printed. That is the only question that can be debated, not the lateness or otherwise.

Mr WILTON—The point I wish to make is that the report should have been printed two months ago. It is an outrage that the House is dealing with the major financial statement that the Government will produce.

The SPEAKER—Order! The House is considering whether the report be printed, not whether it is late.

Mr WILTON—I appreciate that point and I will content myself with saying that it is an outrage that the House had to wait this long before it could make a decision on whether the report should be printed. This decision should have been made three months ago.

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:

Forests Commission—Report for the year 1978-79.—Ordered to be printed.

State Rivers and Water Supply Commission—Report for the year 1978-79 (Vol. 1 and Vol. 2).—Ordered to be printed.

APPOINTMENT OF FULL-TIME MINISTERS

Mr HAMER (Premier)—In view of the circumstances outlined in the point of order raised earlier by the honorable member for Mentone, I move, by leave:

That the resolution:

"That this House views with concern the non-appointment of a full-time Minister for each important area of responsibility and requests the Premier to take steps to appoint a Minister with the sole responsibility for housing in view of the current crisis in housing and the building and construction industry."

moved by the honorable member for Carrum, be read and rescinded.

Mr WILKES (Leader of the Opposition)—Leave is granted.

The motion was agreed to.

Mr FORDHAM (Footscray)—I take a point of order. I seek some clarification. Members of the Opposition are only too happy to co-operate in this matter. Our understanding, and I am sure this is the understanding of the Government party, was that the matter would be recommitted and a vote would be taken, which might have a different result. That was the intention and understanding of both parties. I hope that will be facilitated by whatever device is at your disposal, Mr Speaker, or ours.

The SPEAKER (the Hon. S. J. Plowman)—Order! The device or motion is in the hands of the House. The motion that the matter should be read and rescinded was moved and agreed to.

Mr HAMER (Premier)—By leave, I move:

That Standing Orders be suspended so far as to permit the motion moved by the honorable member for Carrum to be put again forthwith.

The motion was agreed to.

The SPEAKER—The question is that the motion moved by the honorable member for Carrum be agreed to.

The House divided on the motion (the Hon. S. J. Plowman in the chair).

Ayes	..	..	38
Noes	..	..	38

AYES

Mr Cain	Mr Miller
Mr Cathie	Mr Remington
Dr Coghill	Mr Roper
Mr Crabb	Mr Ross-Edwards
Mr Edmunds	Mr Rowe
Mr Ernst	Mr Sidiropoulos
Mr Evans (*Gippsland East*)	Mr Simmonds
Mr Fogarty	Mr Simpson
Mr Fordham	Mr Spyker
Mr Gavin	Mr Stirling
Mr Ginifer	Mrs Toner
Mr Hann	Mr Trewin
Mr Jasper	Mr Trezise
Mr Jolly	Mr Walsh
Mr King	Mr Whiting
Mr Kirkwood	Mr Wilkes
Mr McGrath	Mr Wilton
Mr McInnes	*Tellers:*
Mr Mathews	Mr Hockley
	Dr Vaughan

NOES

Mr Austin	Mr McClure
Mr Balfour	Mr McKellar
Mr Birrell	Mr Mackinnon
Mr Brown	Mr Maclellan
Mr Burgin	Mr Ramsay
Mrs Chambers	Mr Reynolds
Mr Coleman	Mr Richardson
Mr Collins	Mr Skeggs
Mr Crellin	Mr Smith
Mr Dixon	(*South Barwon*)
Mr Dunstan	Mr Smith
Mr Ebery	(*Warrnambool*)
Mr Evans	Mr Tanner
(*Ballarat North*)	Mr Templeton
Mr Hamer	Mr Thompson
Mr Hayes	Mr Weideman
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lacy	*Tellers:*
Mr Lieberman	Mr Cox
Mr McArthur	Mr McCance

PAIRS

Mr Amos	Mr Borthwick
Mr Culpin	Mrs Patrick

The SPEAKER (the Hon. S. J. Plowman)—Order! The numbers being equal, I am of the opinion that the matter is not one that should be decided except by a majority of this House. On these grounds, and in accordance with precedent, I therefore cast my vote with the noes.

The motion was therefore negatived.

The SPEAKER (the Hon. S. J. Plowman)—Order! In order to ensure that the records of the House accurately record what has occurred, the record will show that the Premier moved that Standing Orders be suspended to allow the original motion to be put again, after the result of the motion calling for the rescission of the previous motion. The last division will be shown to be the vote on the original question when put again.

PERSONAL EXPLANATION

Mr LIEBERMAN (Assistant Minister of Health)—I should like to make a personal explanation concerning an answer to question on notice No. 1690 from the honorable member for Brunswick. In answer to the question I, as Acting Minister of Health, indicated that the Minister of Health had not received the recommendations of the Second National Conference of the Citizens Campaign on Human Rights. It has today come to my attention that the Minister has received a letter containing details of resolutions endorsed by the conference.

I have today set the matter right with the honorable member for Brunswick and I ask that he and other honorable members accept that my original answer was given in good faith.

CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL

Mr LIEBERMAN (Minister for Planning)—I move:

That this Bill be now read a second time.

It deals with the basis of valuation of property overlying brown coal if and when that land is acquired by the Crown or a public authority for the purposes of coal extraction. It applies to the area defined in the Bill, which in broad terms is the area covered by what are generally known as the brown coal interim development orders which were introduced in April last year, but excluding land to which the provisions of the State Electricity Commission Act apply.

At the outset I should say that I believe there has been a misunderstanding about the provisions of those interim development orders, which were introduced last year. I wish to make it clear that the provisions in those interim development orders reflect the types of provisions that would normally and reasonably apply to land of that type even without the presence of brown coal. Nevertheless, the Government has recognized that it is believed that there is a need to make clear the basis on which such land will be valued if ever it is required for brown coal extraction.

The purpose of the measure is to reassure prospective purchasers that they can pay normal market value for the land as there should be no reason for them to have any reservation about purchase price arising from any uncertainty about valuation of the property if it is ever to be required for brown coal purposes. It should remove any lack of market confidence that may be attributable to that possible factor because the Bill, in effect, is a guarantee by the Government that should the land be required for this purpose, full market value will be paid.

The Bill sets down certain additional matters which are to be taken into account when the market value of the land is being determined where it is to be acquired or taken by the Crown or any public authority for the purposes of brown coal extraction. The market value is to be determined:

(*a*) as if there were no brown coal likely to be extracted from that land or any other land in the brown coal area or within 10 kilometres of the boundary of that area;

(*b*) as if any planning control the primary purpose of which relates to conservation or utilization of brown coal in the brown coal area had not been imposed.

(c) as if there had not been publication by or on behalf of the Crown or any public authority of a proposal to carry out works or undertakings in the brown coal area in connection with the extraction or use of brown coal which would involve the acquisition or taking of land by the Crown or any public authority.

(*d*) as if works or undertakings carried out in the brown coal area or within 10 kilometres of the boundary of that area on or after the prescribed date—12 April 1978—in connection with the use or extraction of brown coal had not been carried out.

(*e*) as if use and development of land in the brown coal area had proceeded in the manner in which it could be reasonably anticipated to have proceeded had there not been any possibility of land in the area being acquired or taken for the purposes of brown coal extraction.

Whilst provision is made to disregard the effect of any planning control which relates primarily to the conservation of brown coal in the area, the Bill makes provision for the market value to be determined on the basis that, in lieu of that control, there would have been in force the planning control which it is likely would otherwise have been in force. Provision is also made in the Bill for the determination of such a control in the event of dispute between the parties.

I wish to emphasize that it is intended that no property will be acquired ahead of needs other than in the designated State Electricity Commission areas which have been well publicized and to which the relevant provisions of the State Electricity Commission Act apply.

The Government intends that, following the introduction of this legislation, land in the area will continue in normal use for that type of land and that market values will reflect that situation.

Attention has also been given to the situation of those property owners who have claimed that they have been unduly disadvantaged by the introduction of the controls introduced in April last year. It has been decided that the most appropriate means of dealing with the situation is to permit those property owners who can demonstrate that they had made reasonable efforts to commence a development or subdivision before the relevant interim development order was introduced to proceed to the extent that was permitted under existing controls at that time. To achieve this, the Town and Country Planning Board has been informed of the details of such cases and asked to advise me as soon as possible the most appropriate means by which this can be effected.

Because of these proposals it has been decided that, with the exception of costs of valuations previously requested by the Government, the only compensation to which consideration will be given will be to those landowners who are able to demonstrate that they have incurred liabilities for interest and other reasonable expenses directly attributable to delay since introduction of the interim development order. All such landowners will be individually contacted and invited to submit a detailed statement of such additional costs for review and assessment. Each case will be finally determined at Cabinet level.

This legislation is unique in that it seeks to protect the rights of landowners to ensure that they enjoy the

full benefits of ownership, including their right to sell the property at full market value, the purchaser being secure in the knowledge that he will be fully compensated if and when it is ever required for brown coal extraction purposes.

This Bill will now lie over until the autumn sittings. 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 next day.

PLANNING APPEALS BOARD BILL

Mr LIEBERMAN (Minister for Planning)—I move:

That this Bill be now read a second time.

This Bill arises from recommendations made by the Building and Development Approvals Committee which submitted its report to the Premier on the building and development control system in Victoria.

Part II. of the report deals with planning controls, but before finalizing that part the committee submitted an interim report on the appeals system. This interim report was released to the general public, Government agencies and departments, councils and other bodies for comment. Submissions, including those from local government and professional bodies, were carefully considered through a steering committee comprising heads of the principal Government departments with an interest in the development process and appeals system. The interim report recommendations and the steering committee's comments on the implementation of those recommendations have been guidelines for the preparation of this proposed legislation.

The principal recommendation was for a single appeals body to hear matters currently dealt with by the Town Planning Appeals Tribunal, Environment Protection Appeals Board, the arbitrator under the Local Government Act, and the Drainage Tribunal. This Bill provides for the establishment of a Planning Appeals Board which will deal with all matters coming before the first three bodies but does not make provision in relation to the Drainage Tribunal.

The recommendation that the Drainage Tribunal should be brought within the ambit of this legislation is accepted in principle. For the benefit of honorable members I will give some background to the formation of this tribunal. There was a wide-ranging inquiry by the Joint Select Committee on Drainage which reported that it was of the opinion that the establishment of a specialist court or tribunal was desirable in order to develop the necessary expertise in dealing with the complex technical problems inherent in land drainage and to deal expeditiously with drainage matters awaiting determination.

The tribunal was formed following legislation designed to re-enact drainage laws. The Drainage of Land Act set out a new code based on the free flow of waters, with tests to determine questions of reasonableness in relation to the flows of such waters and the actions of landowners and others on such flows. There had been various interpretations relating to common law with respect to drainage. It was seen as essential that the Drainage Tribunal should build on these principles to develop a consistent interpretation of drainage law. It is for this reason that the chairman of the tribunal possesses wide judicial powers.

These wide judicial powers are not readily accommodated in the format of this present legislation which seeks also to give effect to another committee recommendation that hearings should be on similar lines to those specified in the present Town and Country Planning Act for the Town Planning Appeals Tribunal and additional terms of reference should be provided which emphasize that proceedings should not be conducted in a manner which has the appearance of requiring intermediary representation. This aspect and whether the inclusion of this tribunal should be deferred pending the interpretation of drainage law will be further considered before this Bill is finalized in the autumn sessional period.

The Planning Appeals Board will also hear appeals arising from conditions of planning permits which are presently determined by the Minister for Planning and appeals to the Minister for Conservation resulting from discretionary decisions of the Port Phillip Authority.

The appeals board will consist of a chief chairman and as many full-time and part-time members as are necessary, who will be appointed by the Governor in Council. The chief chairman is to be qualified for appointment as a County Court judge. There is no maximum period for appointment or reappointment, but he must cease to hold office at age 72. While he will be legally qualified to enable him to recognize and determine questions of law which may arise, his role is seen as requiring considerable administrative ability. The legislation provides for him to sit as a division of the board or as a member of a division, but it is expected that he will rarely do so because of his administrative responsibilities. The selection of the most suitable person for this position will be extremely important in the functioning of this board as he will assist in framing procedural regulations for divisions and parties appearing before the board. His ability will contribute significantly to the efficient and effective functioning of this new body.

Full-time and part-time members of the board will be term appointments or reappointments for periods up to seven years. Full-time members are not to engage in other paid employment without the consent of the Governor in Council. All members must cease at age 72. It is proposed that membership will be selected so that there will be available sufficient expertise to hear the range of appeals, but it is not proposed to specify qualifications for membership other than those for the chief chairman.

Whilst the Bill contains no provisions relating to any conflict of personal interest in relation to membership of this board, this matter will receive further consideration before the legislation is finally processed, including consideration of provisions applying in other legislation.

The board will be serviced by a registrar and appropriate support staff. It is proposed to make the whole of the board's membership and the staff servicing it responsible to the chief chairman as the administrator of this new legislation and its complementary regulations.

The board is to operate in divisions which may range from a single member division to a maximum of five members. It is believed that this arrangement will give flexibility having regard to the type of appeal to be dealt with. The Bill makes provision for some of the members of the board to be appointed senior members and for the chairman of the division to be selected by the chief chairman from this group.

The Bill introduces a new procedure to the processing of appeals in that the chief chairman may order the parties to an appeal to attend a compulsory conference which will be conducted by one member of the board. The compulsory conference is to be held as soon as practicable, and the aims of the conference will include introducing all parties to the appeal, determining what matters are in dispute between the parties and providing a forum in which the parties may discuss their reasons and where possible settle or resolve the matter before the appeal is heard by the division of the board. If the parties attending the conference are agreeable, the member conducting the conference may determine or strike out the appeal. The compulsory conference is to be conducted before a single member and the Minister on the recommendation of the chief chairman is to appoint members who may conduct compulsory conferences.

It is expected that this provision will allow a substantial number of appeals to be determined in an informal atmosphere and with a minimum of legalities. It is also hoped that points of law, if any, will be brought out at an

early stage and in as many instances as possible determined before the appeal reaches the stage of a formal hearing by a division. In the event that the matter cannot be resolved at a compulsory conference the appeal will be referred to a division of the board for hearing. In such circumstances the member who conducted the compulsory conference is not to sit on the division which subsequently hears the appeal.

However, where an appeal has been determined and a further appeal is lodged relating to that use of development the chief chairman is to assign at least one member of the earlier division to the subsequent appeal hearing unless he considers there are particular circumstances where this would not be appropriate. Furthermore, where there are two or more appeals, whether under the same Act or different Acts, the board may deal with them together.

The Bill incorporates provisions relating to Ministerial submissions and determination of appeals by the Governor in Council where major issues of policy are raised.

Consideration has been given to whether provisions of the Evidence Act should perhaps be included in this Bill so that the board would have available to it certain legal procedures. However, whilst it may be possible to foresee some possible advantages to the board arising from this, the framing of the legislation has given recognition to the recommendation to which I referred earlier that hearings should be on similar lines to those in the present Town and Country Planning Act for the Town Planning Appeals Tribunal and additional terms of reference should be provided which emphasize that proceedings should not be conducted in a manner which has the appearance of requiring intermediary representation.

The board is required to submit an annual report to the Minister by 30 September and this is to be laid before both Houses of Parliament. The Bill also contains provision for the board to issue reports or bulletins with respect to its functions for the assistance of the public and I hope that it will take the opportunity to do so.

The Bill makes provision for necessary amendments to other Acts to give effect to the proposals and for transitional provisions. I do not propose to comment in detail on the particular clauses of the Bill as explanatory notes have been provided.

The Bill seeks to bring together the operations of a number of separate bodies to introduce a new structure and some new procedures. The Bill represents a considered approach to the recommendations and existing legislation and it has been introduced now so that it can lie there until the autumn sessional period, thereby allowing comment by those persons or bodies who wish to do so.

After reviewing such submissions, consideration can be given to any amendments which will assist the more effective and efficient operation of the board.

The Government recognizes that people should not have to endure having decisions on development and use of land held up, or made by a number of different bodies, when it is possible, with the goodwill of the people, to involve legislation which will bring this under one body. It is the intention of the Government that this Bill should provide the seed by which that system will grow. 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 next day.

RESIDENTIAL TENANCIES BILL

Mr MACLELLAN (Minister of Transport)—I move:

That this Bill be now read a second time.

The Bill sets out to reform the law relating to residential tenancies in Victoria. It will be remembered that a Residential Tenancies Bill was introduced into Parliament last December, on the basis that it would lie over to afford interested persons and groups

adequate time to comment on it. It was stated on that occasion that the Government would listen to any substantiated point of view as to the proposed legislation, that all submissions put to it would be carefully considered and that the Government would not hesitate to adopt any changes it thought would improve the Bill. This Bill is the result of that process.

A notable aspect of the review of residential tenancies law in Victoria has been the very high level of community participation which has taken place throughout the review. This aspect was referred to when the 1978 Bill was introduced. I am pleased to be able to say that the community involvement in the review continued after that Bill was introduced. Many submissions, both written and oral, were made on that Bill, and various groups and individuals in the community have made very significant contributions to its development. It is indeed satisfying to see the degree of interest taken by persons in every walk of life in this law reform exercise. I believe the resultant Bill more accurately reflects the community's wishes because of this interest.

As in the 1978 Bill, attempts have been made in the redraft of the Bill to ensure it is expressed in simple English that can be easily read and understood. Although this is difficult in some of the very technical areas of the Bill, its over-all plain language has been preserved.

All submissions on the previous Bill have been carefully assessed and the Bill has been extensively revised in the light of these comments and further research undertaken by the Government. Although it has been considered appropriate to alter many parts of the Bill, the broad principles underlying the 1978 Bill are unaltered. The principles are as follows:

(*a*) To simplify and modernize the law relating to residential tenancies;

(*b*) to define the rights and duties of the landlord and tenant in a residential tenancy and to ensure that they are aware of them;

(*c*) to overcome present inequities and anomalies in residential tenancy law without interference with the rental housing market;

(*d*) to generally provide just solutions to common problems that arise in a tenancy agreement and, in particular, to regulate security deposits;

(*e*) to provide effective and speedy procedures for a landlord's recovery of possession;

(*f*) to provide a tenant with security of tenure, bearing in mind the landlord's rights as owner of the premises;

(*g*) to establish an effective administration;

(*h*) to establish a low cost, easily accessible tribunal, to deal quickly with disputes in respect of residential tenancies;

(*i*) to apply the provisions of the Bill to the Crown; and

(*j*) as a consequence of the new provisions in the Bill, to remove in due course the controls imposed on residential tenancies by Part V. of the Landlord and Tenant Act.

As there are detailed clause notes circulated with the Bill, I will concentrate only on its principal features.

PART I—PRELIMINARY

The Bill deals with residential tenancy agreements and, although mobile homes are not specifically referred to in the Bill, it also covers mobile homes if let as part of premises under a tenancy agreement for residential purposes.

The Bill applies to tenancy agreements under which a person lets premises as a residence; it does not apply to premises which form part of a building in which other premises are let by the landlord to the tenant for trade, professional or business purposes—for example a combined shop and dwelling. Nor does the Bill apply to premises let under a lease for general farming purposes.

PART II—ADMINISTRATION

Division 1—Director of Consumer Affairs

A Residential Tenancies Bureau will be established administratively to assist the Director of Consumer Affairs in the performance of his functions under the Bill. It has been decided that it is not necessary to provide for this legislatively. The director is to investigate complaints and disputes arising out of tenancy agreements, and where possible, to negotiate settlements of these complaints and disputes. He also has the important task of the dissemination of information, including standard form tenancy agreements, and to educate and inform the public in relation to the Act and the services provided by him under the Act.

The director is to make an annual report to Parliament and include in it a review of the administration and operation of the Act during the period to which the report relates, including any proposals of the director for the amendment or repeal of provisions of the Act.

Division 2—Residential Tenancies Tribunal

The Bill proposes to establish a tribunal called the Residential Tenancies Tribunal comprising a chairman and members. An application to or proceedings before the tribunal are to be determined by one member of the tribunal. The cost of making application to a tribunal will be minimal and the tribunal will be easily accessible. A person is qualified to be appointed a member of the tribunal if he is legally qualified or a stipendiary magistrate.

The tribunal has jurisdiction to hear and determine any matter arising in relation to a tenancy agreement of residential premises, including monetary claims, except in the case of death or personal injury, up to $1500. This jurisdictional limit is able to be increased by regulation to $3000. In addition, the tribunal can hear monetary claims above the jurisdictional limit if so authorized in writing by the parties.

The tribunal will have wide powers under the Bill including authority to take such steps as it thinks fit to achieve a settlement of the issues in an application without proceeding to hear and determine the application. It is bound by the rules of natural justice and its procedures correspond to those applicable to the Small Claims Tribunal. The tribunal may, if it is satisfied that the application of any provision of the Bill would occasion severe hardship to the landlord or tenant, declare that the provision should not apply to the particular tenancy agreement. It can, in special circumstances, reduce the period of a fixed term tenancy agreement.

The tribunal must give reasons for its decisions and may request the Director of Consumer Affairs to publish the reasons in appropriate cases. An order of the tribunal requiring the payment of money may be enforced through a Magistrates Court. There is provision for the review by the Supreme Court of the tribunal's decision on the ground of lack of jurisdiction or denial of natural justice, as is the case for the Small Claims Tribunal.

Save in applications for recovery of possession of premises and in special circumstances, lawyers may not conduct a case before the tribunal. The tribunal can award costs and allow limited disbursements, not exceeding $200, where a party is represented, and limited disbursements where the party is not represented. Where an application is dismissed on the grounds that it is vexatious or frivolous, the tribunal may order the applicant to pay the other party to the proceedings a sum not exceeding $100.

Should a question of law arise, the tribunal may reserve the question in the form of a special case stated for the opinion of the Supreme Court. If the Minister administering the Act is of the view that the question is of general public importance, he may authorize the payment of the costs of the reservation out of the Residential Tenancies Fund. The tribunal shall adjourn proceedings until the opinion of the court is known and is bound by the opinion.

The Bill provides for the appointment of a registrar of the tribunal and assistant registrars. A registrar has

certain duties set out in the Bill and has a power to delegate to assistant registrars. It is acknowledged that it is very important for the success of this legislation that applications to the tribunal are dealt with promptly. Tribunal proceedings will not be concentrated in Melbourne—provision will be made for applications to be dealt with speedily in country areas as well.

Division 3—Residential Tenancies Fund

A Residential Tenancies Fund is set up by the Bill. All interest on security deposits is to be paid into the fund by the institutions holding the deposits. In addition, penalties recovered for offences against provisions of the legislation are to form part of the fund. Moneys in the fund will be expended in administering the Act, including the conducting of research and educational programmes.

Moneys will also be available, in appropriate cases, for loans to tenants to pay the first rental payment or the security deposit, or to landlords to assist in effecting urgent repairs up to an amount equal to the rent payable for the premises in respect of the preceding two months. The aim of the provision is to alleviate the hardship that may arise to a tenant in these circumstances. Moneys in the fund will be invested by the Treasurer.

PART III—RENTS, SECURITY DEPOSITS AND OTHER CHARGES

Division 1—Rents Generally

One point made about the 1978 Bill was that it placed unnecessary restrictions on a party's freedom of contract in relation to premises which were let at a high rent. The Government has decided to limit the provisions of the Bill regarding rent in advance and the amount of the security deposit to premises where the weekly rent is $100 per week or such higher amount as is prescribed.

A receipt for the payment of rent must be given to the tenant where the payment is made in cash but need only be given on request where payment is made by cheque. Where a tenant abandons the premises the landlord is entitled to keep any moneys paid to him as rent in advance.

Division 2—Rent Increases and Excessive Rents

Rent may be adjusted or increased at six monthly intervals or on any change of tenant. Thirty days notice of any proposed increase is required.

The Government is adamantly opposed to rent control, and the Bill does not allow this. However it does have provisions relating to excessive rent for individual premises. Where a tenant receives a notice of increase of rent and he or she considers that the increased rent would be excessive, the tenant may request the director to investigate the matter. The tenant may also request an investigation if he or she considers the rent is excessive having regard to the fact that the landlord has reduced or withdrawn any goods, services or facilities provided with the rented premises. In essence, rent is excessive if it is significantly more than the market rent for the premises.

If the director reports the results of his investigation and negotiation with the landlord to the tenant, but the tenant is not satisfied, he or she may apply to the tribunal for an order declaring that the rent or proposed rent is excessive. The tribunal may, after hearing the parties and taking the report of the director into account, fix the maximum rent payable for a period of twelve months.

In determining the tenant's application the tribunal shall have regard to such matters as the rent payable for comparable premises in the locality—other than premises let by a public statutory authority—tenant's improvements effected with the landlord's consent or agreement, and the state of repair and general condition of the premises.

Division 3—Security Deposits: A matter of major concern in the review of residential tenancy law is the matter of security deposits. After careful consideration of all the available material and after assessing the various points of

view expressed on this aspect, the Government has decided that security deposits can be retained, but subject to certain limitations. These also apply to guarantees and the amount of the sum assured under an insurance policy relating to the performance of the tenant's obligations in respect of a tenancy agreement where this is preferred to a security deposit.

The amount of a security deposit, a guarantee or the sum assured under an insurance policy is limited to not more than the equivalent of one month's rent, except in the following cases:

(*a*) where the weekly rent is more than $100; or

(*b*) where the premises were immediately before the letting the landlord's principal place of residence; or

(*c*) where the director authorizes an amount in excess of the equivalent of one month's rent.

The landlord or agent receiving the security deposit is required to hold it on trust for the tenant in an interest-bearing trust account at an approved institution.

Where a security deposit is paid, the landlord must give to the tenant a report, signed by the landlord, on the state of repair and general condition of the premises as at the day on which it is agreed that the tenant is to enter into occupation of the premises.

The Bill provides that the landlord may repay any part of the security deposit to the tenant at any time, and in certain circumstances, the tenant may agree to allow the landlord to retain any part of the security deposit.

If the landlord has no claim to the security deposit he must pay it to the tenant not later than fourteen days after the tenant vacates. Under the Bill, if a tenant vacates the premises leaving unpaid rent which has accrued due, the landlord is entitled to that part of the security that is the amount of unpaid rent.

If a landlord wishes to claim the whole or any part of the security deposit as compensation for loss or damage, other than unpaid rent, he or she must within fourteen days after the tenant vacates, serve a notice of claim on the tenant and make application to the tribunal no later than fourteen days after service of the notice. The application to the tribunal for compensation from the security deposit must be accompanied by a copy of the original condition report.

The tenant may, within three business days after service of the landlord's notice of claim, file a notice of objection with the registrar. This step entitles the tenant to put his or her case to the tribunal when it hears the landlord's application. The Bill also provides that a tenant is not to treat the security deposit as rent and refuse to pay rent on that ground.

Division 4—Other Charges: The Bill prohibits certain types of charges including key money and holding deposits, and regulates the costs of preparing a tenancy agreement and application deposits—a payment from a prospective tenant as a sign of good faith.

PART IV—RIGHTS AND DUTIES OF LANDLORDS AND TENANTS

Division 1—Rights and Duties Generally: The Bill sets out to provide well balanced and comprehensive provisions regarding the rights and duties of landlords and tenants that are to be implied in all tenancy agreements. Any clause in a tenancy agreement that is inconsistent with one of these provisions is void.

Another problem the Bill attempts to overcome is that many tenants are not aware of their rights and duties under the tenancy agreement. To deal with this aspect the Bill provides that it will be mandatory for a landlord to provide the tenant with a simple statement of rights and duties in a prescribed form at the commencement of the tenancy. The 1978 Bill set this statement out in a schedule to the Bill. The Government now considers that it is more appropriate to alter the statement to be prescribed. Some significant matters to be dealt with in this statement include the condition of premises and repairs to premises, fixtures and fittings, renovations and alterations to premises and the tenant's right to occupation and quiet enjoyment

and the landlord's right of entry. Entry must be between the hours of 8 a.m. and 8 p.m. and must be either with the consent of the tenant or after not less than 24 hours' notice. In addition, where it is proposed that there be a written tenancy agreement, the landlord is under an obligation not to give a copy of the tenancy agreement to the tenant for signature without first giving an unsigned copy of the proposed agreement to the tenant for his or her own use.

Subject to certain qualifications, the Bill prohibits discrimination against children and makes it an offence to refuse to let premises under a tenancy agreement on the grounds that the tenant intends to live on the premises with a child.

Division 2—Rights and Duties Relating to the Use of Rented Premises: The landlord must provide premises that are vacant, in good repair and in a reasonably clean condition. He or she must take all reasonable steps to ensure that the tenant has quiet enjoyment of the premises and must maintain the premises in good repair. The tenant must not use the rented premises for any illegal purpose or in such a manner as to cause a nuisance. He or she must keep the premises in a reasonably clean condition and must take care to avoid damaging the premises.

The landlord must provide locks or other devices to secure all external doors and windows to the rented premises. Subject to the agreement of the parties if a party to the tenancy agreement alters one of these locks, he or she must give a key to the lock forthwith to the other party.

Division 3—Repair and Maintenance: The matter of repairs to rented premises is a major area of complaint and uncertainty in Victoria. To minimize problems in this area, the Bill provides a scheme for both landlords and tenants in respect of repairs. In the case of non-urgent repairs which are the responsibility of the landlord, the tenant may give the landlord fourteen days' notice to repair. If the repairs are not carried out in this period, the tenant may request the director to investigate the matter and report to the tenant. If, on receiving the report of the director, the tenant is of the view that satisfactory arrangements have not been made to carry out the repairs, he or she may apply to the tribunal for an appropriate order.

In the case of repairs being required because of an act or omission by the tenant, the landlord may serve a notice on the tenant either requiring the tenant to restore the premises at his or her own expense within fourteen days, or advise the tenant that the landlord will effect the repairs forthwith at the tenant's expense.

In the case of urgent repairs, which are defined in the Bill—for example, a sewerage blockage—if the tenant is unable after reasonable steps to make arrangements for the carrying out of the urgent repairs forthwith by the landlord or his or her agent the tenant may carry out the repairs and claim the reasonable costs from the landlord up to a limit of $200.

Division 4—Fixtures: A tenant may not install fixtures or make any renovation, alteration or addition to the rented premises without the landlord's written consent.

Division 5—Compensation: The Bill contains a comprehensive clause setting out the circumstances in which a party to a tenancy agreement may apply to the tribunal for an order for the payment of compensation and listing the factors the tribunal must take into account in determining the application.

Division 6—Assignment and Sub-letting: The Bill provides that the assignment or sub-letting of rented premises without the landlord's consent is void. The Bill also provides that the landlord shall not charge for consenting to an assignment or sub-letting.

PART V—TERMINATION OF TENANCY AGREEMENTS

Division 1—Termination Generally: The existing law in relation to termination has been substantially altered by this Bill. The concept of a tenancy terminating when the notice to quit expires

has been discarded in favour of the concept that a tenancy agreement terminates only when possession of the premises is delivered up by the tenant or upon the execution of a warrant for possession.

The Bill also provides that where the term of a fixed-term tenancy agreement expires and the tenant continues in occupation of the rented premises otherwise than under another fixed-term tenancy agreement, the tenant shall be taken to occupy the premises under a periodic tenancy agreement. A party to a fixed-term tenancy agreement may apply to the tribunal for an order reducing the term of the agreement in special circumstances.

Division 2—Tenant's Rights to Give Notice of Termination: A tenant may give notice of intention to vacate rented premises on giving the landlord a notice of intention to vacate where premises are destroyed or are unfit for human habitation. A tenant may vacate rented premises on giving fourteen days' notice of intention to vacate where the landlord is in breach of a term of the agreement for which such a notice may be served. In all other cases the tenant must give 28 days' notice of intention to vacate, provided the period of notice does not expire prior to the end of the period of a fixed-term tenancy agreement.

Division 3—Landlord's Rights to Give Notice of Termination: The landlord may give a notice to vacate forthwith where the premises are destroyed or are unfit for human habitation or where the conduct of a tenant or a person on the premises with the tenant's permission is of such a nature that damage is maliciously caused to the premises, or the safety of occupiers of neighbouring premises is in danger.

The landlord may give to the tenant not less than fourteen days' notice to vacate the rented premises if any rent under the tenancy agreement is unpaid for fourteen days after it accrues due, or the tenant is otherwise in breach of a duty in relation to which the Bill allows notice to vacate to be given.

A landlord may give to the tenant not less than 60 days' notice to vacate if the rented premises are required immediately after the vacation date for a purpose specified in the Bill, including the carrying out of substantial repairs or renovation, or for the purpose of sale with vacant possession. The landlord may give to the tenant not less than four months' notice to vacate the rented premises without the need to state a reason.

A landlord letting his or her principal place of residence for a fixed term on the basis that he or she will reoccupy the premises at the end of the term, is entitled to give not less than fourteen days' notice to vacate, expiring on or after the end of the term.

In relation to fixed term tenancy agreements, the 60 days or four months' notice can be given only if the notice does not expire prior to the end of the period of the agreement.

While providing a tenant with a substantial measure of security of tenure, the Bill also provides the landlord with more streamlined recovery of possession procedures, where a tenant is in breach, than have previously existed.

Division 4—Notice of Termination Generally: In general terms, the scheme in the Bill in relation to the notice of termination is that a party to a tenancy agreement is not entitled to give fourteen days' notice to vacate for a breach of any specified provision of the Bill which is capable of being remedied, unless a notice of breach of duty has been served on the other party and the breach has not been remedied. The principal exception to this general rule is where the party in respect of whom the notice has been given has committed breaches of the same duty on not less than two previous occasions.

Division 5—Recovery of Possession of Rented Premises by the Landlord: This division sets out the recovery of possession procedures to be followed by a landlord. In view of the provision of the Bill that where an order for possession of rented premises is made the tenancy agreement shall be deemed to

terminate at the end of the day before the day on which possession of the premises is delivered up to the landlord, it follows that the tenant remains a tenant of the landlord virtually until he or she vacates. It also follows that both parties must comply with their obligations under the tenancy agreement until the tenant vacates, regardless of the fact that an order for possession has been made.

On the making of an order for possession, the tribunal has, in cases of severe hardship, a power to order the postponement of the issue of a warrant for possession for a period of one month. An order for possession is automatically discharged if the applicant for the order does not, within six months from the date of the order, request that a warrant of possession be issued. Once a warrant is issued it must be executed within the time specified in the order for possession, which may not exceed 30 days from the date of issue.

This division also includes a procedure for the recovery of possession of premises from persons occupying premises without licence or consent.

Division 6—Goods Abandoned on Rented Premises: The Bill establishes a procedure based on the procedure set out in Part IV.A of the Landlord and Tenant Act but with certain modifications. For example the provisions in the Bill allow the landlord to dispose immediately of goods which have no monetary value, or are perishable foodstuffs, or the value of the goods is less than the total estimated cost of their removal, storage and sale.

PART VI—ENFORCEMENT AND MISCELLANEOUS PROVISIONS

This Part contains provisions relating to the enforcement of the Bill. The directors can take proceedings for offences under the Bill which are to be dealt with in a court. It is an offence for a landlord, except in accordance with the Act, to obtain possession of rented premises by entering them, whether the entry is peaceable or not, or to compel the tenant to vacate the rented premises.

The tribunal has exclusive jurisdiction in respect of matters within its jurisdictional limit in relation to the Magistrates Courts and the County Court, and has concurrent jurisdiction with the Supreme Court. However, if an action is taken in the Supreme Court in respect of a matter which could have been dealt with by the tribunal, no costs will be awarded.

PART VII—AMENDMENTS AND TRANSITIONAL PROVISIONS

The principal provisions in this Part relate to premises subject to the general rent control provisions of Part V. of the Landlord and Tenant Act. At the expiration of two years from the commencement of this Bill, Part V. of the Landlord and Tenant Act is to be repealed.

To ascertain the details of prescribed tenants a register of prescribed premises is to be set up. There will be a six-month period in which premises can be registered. Where premises are registered, they will cease to be subject to Part V. of the Landlord and Tenant Act at the expiration of twelve months after the date on which this Bill comes into operation. Should prescribed premises not be registered, they will remain prescribed for two years rather than one year.

The Bill is being introduced now so that there may be opportunity before the next session of Parliament for the many interested parties who have commented on the earlier draft to consider its provisions.

I add that arrangements have been made for additional copies of the second-reading notes to be made available through the Papers Room and in due course, subsequent to the edition of *Hansard* covering this week being published and issued, printed copies will also be available from the Papers Room.

The Bill has been carefully prepared by the Attorney-General. I am sure that, on his behalf, I can commend those honorable members and the community groups which have participated in the long work leading up to the preparation of the measure. 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 next day.

PUBLIC SERVICE (AMENDMENT) BILL

The message from the Council relating to the amendments in this Bill was taken into consideration.

Council's amendments:

1. Clause 3, lines 11 and 12, omit "with the approval of the Board, and after consideration by the Board of the views of the officers concerned," and insert "give notice of his intention to".

2. Clause 3, lines 15–23, omit all words and expressions on these lines and insert—

"(5B) Any officer who feels aggrieved by the proposal of the permanent head to transfer him to a nominated office pursuant to sub-section (5A) may within 10 days of receipt of notice of the proposal appeal as prescribed against the proposal to the Board which may approve the proposal with or without any variation or disapprove the proposal and the permanent head shall give effect to the Board's decision.

(5C) Where no officer appeals against the proposal the permanent head shall forthwith give effect to the proposal."

Mr HAMER (Premier)—I move:

That the amendments be agreed to.

It will be recalled that during the Committee stage of the Bill in this House, two amendments were made, one moved by the Government and one by the Opposition which the Government accepted. The purpose of each was to ensure that an officer of the Public Service who had been appointed to another position by the head of his department would have the right of appeal.

When the Legislative Council was considering the Bill, it was pointed out that it was somewhat anomalous to adopt the new form of drafting as it related to transfers for which an appeal would be heard by the relevant appeals board, the decision of which would have to be returned to the Public Service Board for consideration. A new form of amendment was agreed to and it has received approval from the Public Service Board and the Victorian Public Service Association. In effect the amendment omits in lines 11 and 12 of clause 3 the words:

With the approval of the Board, and after consideration by the Board of the views of the officers concerned

and inserts in place thereof the words:

give notice of his intention to

Those words apply to the head of a department who must, first of all, give notice of his intention to transfer an officer to another post. The Legislative Council has added an appeal provision which will now appear as new sub-section 5B which will be to the effect that:

Any officer who feels aggrieved by the proposal of the permanent head to transfer him to a nominated office pursuant to sub-section 5B may within ten days of receipt of notice of the proposal appeal as prescribed against the proposal to the Board which may approve the proposal with or without any variation or disapprove the proposal and the permanent head shall give effect to the Board's decision.

Once the permanent head has given notice of his proposal, the officer concerned can lodge an appeal. In effect, the right of the officer to appeal will be preserved, as was the intention all the time. The officer concerned gives notice of his appeal which is heard by the Public Service Board which will make a decision and determine the matter. This is a much quicker way of achieving the objective which the honorable member for Oakleigh and the Government set out to achieve in the Bill, but it achieves it in a better way and to that extent the Legislative Council has shown that it has some value.

Mr MATHEWS (Oakleigh)—The Opposition agrees with the Premier that these amendments meet the requirements which the House sought to achieve when it amended the Bill last week. The Opposition wishes every success to the new procedures under this clause.

Mr WHITING (Mildura)—The National Party supports the amendments, which certainly appear to improve the situation in that the head of the department is to give notice of his intention to nominate certain officers for transfer. I invite the Premier to look at one aspect and suggest the word "offices" should be "officers", and perhaps the same error has occurred three lines later. I am not sure whether there has not also been a typographical error as well.

Mr HAMER (Premier)—(*By leave*). I think the Deputy Leader of the National Party is very perceptive for in the same clause there is reference to "officers" and "offices". In those two instances the word "offices" should be "officers." The Clerk, who is much more familiar with procedures than honorable members, has recommended that the House allow the Clerk to make a correction to what is obviously a typographical error and, that being the situation, I commend the amendments to the House.

The motion was agreed to.

TRANSFER OF LAND (AMENDMENT) BILL

The debate (adjourned from October 9) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr MILLER (Prahran)—This Bill is one of the most important pieces of proposed legislation introduced by the Government in this sessional period in that in many respects it brings many of the practices and procedures adopted for dealing with the registration of transfer of land in this State almost into the twentieth century. Although the measure is doing away with nearly all the old procedures and most of the Dickensian language concerning the transfer of land, the electronic evolution has not caught up with the transfer of land practices and procedures, certainly as they are carried out in the Victorian Titles Office.

I state that with some feeling as I have had much experience of the day-to-day work and practices adopted in the Titles Office. There were 451 000 dealings with the Titles Office during the past financial year, and that is an extraordinary amount of work for any Government organization.

Although this Bill improves the practices in the Titles Office, it certainly does not go far enough in the sense that it should have introduced automation to remedy many of the problems to enable forward movement to occur in the registration of land contracts, particularly as has been done in other States of Australia and in the Provinces of Canada where electronic data processing, computerization and automation have been put into effect. Most of the huge volume of dealings in Victoria are handled manually. Most are dealt with by over-worked staff and take a great deal of time.

Essentially, what we are concerned with in this instance is data retrieval, and if there is any single organization in Victoria which should deal with data retrieval in an electronic fashion, it is certainly the Titles Office.

I should add that these comments are in no way meant as a reflection on the staff of the Titles Office. From long experience and from comments made to me by many of my friends, I know that customers of the Titles Office receive the utmost help, co-operation and friendly assistance from the staff at the Titles Office.

As a law student some years ago, I went to the Titles Office on many occasions. I worked there, as did the Minister of Transport—probably all poor impecunious lawyers did at one stage, and as the Minister of Transport has indicated he also worked behind the counter, he would have seen the sign on the second floor—the fire trap—which states, "Buy more war bonds". I saw the sign in the 1960s and it probably reflected the attitude of the Government of that time, to buy more war bonds to modernize some of the procedures applied by the Titles Office. I suggest that the sign also reflected the prevailing atmosphere, that time stood still up there.

I move from my basic comments on the operation and functioning of the Titles Office to some of the proposed amendments in the measure. What the Bill basically does is to bring about a number of important amendments to conveyancing procedures and practices in Victoria. It also brings a number of current practices within the Titles Office clearly within a legislative framework. It also covers a number of practical refusals of the registrar which he at the moment is entitled to make but which cause a certain amount of disservice to the public.

If I could examine a number of the principal clauses—3, 4, 5, 11 and 15—seriatim, perhaps I could illustrate how the measure will ameliorate the situation in Victoria.

First of all, clause 3 relates to the parcels index project, which is, in essence, an internal reference to individual parcels of land and which can be obtained directly from locality plans. This is obviously a useful measure for those people who have land which comes under the general law and who have to rely on a Titles Office plan. The provision enables searches to be made much more simply and expeditiously and the title reference can be obtained from a current locality plan. That is a forward step, and it also enables general law land to be identified much more easily and quickly, so that provisions of clause 3 will allow that present procedure to be expedited.

Clause 5 is also a major amendment which allows a number of amendments and charges with respect to mortgages to be postponed. In essence it concerns mortgage priorities. At the moment there has grown up a practice of registering mortgages with no specified principal sum. Securities may be taken for any sum which may from time to time be owing or any similar general clause may be included in a mortgage and that mortgage may be from a bank or a finance company.

Clause 5 is designed to assist those who lend trust moneys by giving them similar freedom to that given to banks and finance companies. This system would facilitate security of further loans from lenders who either insist or are required by law to insist on property as security. The Opposition regards this as a necessary and useful amendment and supports the provisions of the Bill.

Clause 11 creates procedure by which the Registrar of Titles may call in duplicate documents. Problems abound with calling in a duplicate title. It is one of the major difficulties facing practitioners involved in conveyancing. No one should deal in land without getting the title or having an order to register endorsed on the instrument, and an agreement to make a certified title available by the person in control. That simple general proposition has run into a number of problems and in a recent case of *J. H. Just* v. *the Bank of New South Wales* the caveator mortgagee was postponed in favour of the bank, which had possession of the certificate of title. The changes appear to encourage persons to obtain an interest without self protection. For example, clause 3A (*b*) applies to sale by later mortgagee and the first mortgagee can be forced to hand in the title. The questions seem to arise whether the purchaser should have ensured at the very beginning that sale by a later mortgagee would be satisfactory, and also who should pay the cost of the production of those documents.

Clause 14 makes another major amendment. There is a whole new system of making searches at the Titles Office and of proving the contents of the Register Book in court. I am uncertain whether there is any need to pay much concern to proposed new section 114 (4).

Although the proposed new section 114 (2) and (3) will no doubt be used in the future, what is the particular advantage of excluding the operation of section 67 of the Evidence Act 1958 in relation to the contents of the Register Book? I am not sure whether the expression "Crown Grant Certificate of Title or Registered Instrument" will cover all the documents held by the Registrar of Titles which might be covered by section 67 of the Evidence Act. At the moment, section 67 applies to any document of a public nature which would be admissible in evidence on its mere production from proper custody. The real question that must be asked is whether a plan of subdivision will be covered by the proposed new section 114 (2).

The other aspect of clause 14 involves proposed section 114A. This section will authorize the Registrar of Titles to destroy documents which in his opinion it is no longer necessary to retain. I assume that if it is necessary to insert this section then it is curious that there is no such provision giving the Registrar of Titles this authority in the Transfer

of Land Act as it now stands. Will records which are destroyed by the registrar be lost for all time?

I suppose another question is whether there is a real need to destroy those documents. Will some record, in the form of microfilm or some other method be retained? Once again, the committee of inquiry set up in Victoria to examine titles considered it would be useful to put a lot of details on microfilm so that in the event of litigation the registrar would have a sufficiently broad view of what is important to retain of certain documents.

One might think old certificates of title in which all the land originally described therein has been transferred out on to other certificates of title would be obsolete and could be destroyed. One might also think that where a certificate of title has been "filled up" in the sense that the whole of the back has been covered with transactions, and where a new certificate of title has been started, that such an original certificate of title would be declared obsolete, and perhaps the Registrar of Titles could have that certificate destroyed. In my view neither of those propositions is correct.

It sometimes becomes important to be able to trace the history of ownership or other particulars relating to pieces of land back through now obsolete parent titles.

Sometimes in the case of Town Planning Appeals Tribunal decisions where the defence of non-conforming use is raised, it may be necessary to have access to the original Crown grant, which may go back to before the turn of the century, and look at each certificate of title which has been issued to establish the various ownerships of the land, the various boundary details, perhaps for 40 or 50 years. In many cases that go before the Town Planning Appeals Tribunal it has been necessary to establish who the owners were at particular times so that a non-conforming use could be determined as having originated at a specific time.

In a recent case before the Town Planning Appeals Tribunal involving the City of Waverley it was necessary for the prosecutor and the defendant to say that all of the documents concerned were before the tribunal and that the whole history of ownership was before the determining body.

Clause 15 makes another useful amendment, because some of the problems of calling in titles where a duplicate copy has not been available has meant that the practice has grown up where people are gaoled for contempt of court for not producing a duplicate when the registrar has refused to replace it. Clause 15 gives relief in such cases. There may be a proposal to limit access to original documents if they are long overdue—but the court and the Titles Office could operate with copies.

The question arises whether they should be answerable for errors. It may well be—the Minister may take up this proposal—that a system of official copy or certified photostats may be issued by the Registrar of Titles. In the past the registrar has been known to issue certificates of title with the same volume and folio numbers. Insurance may be necessary to cover the liabilities of those who suffer from incorrect copying. At some stage the Government may wish to amend section 110 (11) (*d*).

One other matter that causes concern is the daylight robbery charges for certified copies. The going rate at the moment for a certified copy is $20 and in the Supreme Court it is $5 a page. These charges raise an enormous amount of money for the consolidated revenue, rather than protecting the original documents.

The locality plans I mentioned are well under way and the Registrar-General's office is doing an excellent job in this regard. The plans enable people to check on parish plans for up-to-date information and identifies the transfer of land. In some cases small parcels of land, lanes and abutments remain under the old law, the general law, because no one has had any commercial interest in them.

These locality plans have helped to eradicate some anomalies that existed in Victoria. I urge the Minister and the Attorney-General that the Titles Office

project, which was instituted some time ago to review the operations of the Titles Office, be speeded up.

New South Wales has made a move in this area and the steering committee which was set up and which comprised the Registrar of Titles and other senior public servants is moving at a fast pace. It is submitted that the communications revolution can come into effect and many amendments and changes made so that the transfer of land in Victoria can be automated, perhaps put on computer, and the data retrieval exercise which is now so costly and slow can be improved. The Opposition commends the Bill to the House.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party supports this measure. As explained by the Minister and the honorable member for Prahran, the Bill contains a series of amendments which will improve the Transfer of Land Act. I compliment the staff of the Titles Office who are blamed for many things that are not their fault. I have sympathy for those officers who suffer because of the lack of staff. If something has to be rushed they do the best they can. The National Party supports this measure and wishes it a speedy passage.

The motion was agreed to.

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

CRIMES (AMENDMENT) BILL

The debate (adjourned from September 26) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr MILLER (Prahran)—This is a small but again important Bill and it is supported by the Opposition. I commend the Attorney-General for the speed with which he has brought the Bill before the House. There are only two amendments proposed to the Bill. The first is section 75 (1) and the second is an amendment to section 77 (1) (*b*), which is one of the definition sections.

The genesis of the amendment arose as the result of a Supreme Court trial before His Honour Mr Justice Gray in February this year when two persons were charged with armed robbery or, alternatively, with theft. The facts of the case before the court were deceptively simple. At an all-night chemist's shop in Prahran in August 1978 at about 2.30 a.m. a person entered the pharmacy, followed by a second person who had originally gone in and who was an accomplice of that first person.

The second person was waiting at the counter of the pharmacy when the instigator of the offence, the first person, seized his friend, who was a woman, from behind, and put a kitchen knife to her throat and threatened the pharmacist that unless he handed over both drugs and money he would knife or kill or certainly injure the woman, who was his accomplice.

The chemist then allowed the first person to enter into the dispensary area of the pharmacy and take a quantity of money and drugs. Subsequently, the woman accomplice confessed to the police and it was obvious that a conspiracy had been entered into between these two people. The second person admitted that the threat to injure her was a sham, it was a put-up job. She had agreed to enter into an arrangement with her accomplice and it was an entire conspiracy to rob or steal from the pharmacist.

There was an act in concert by these two people. However, when the facts were revealed before the court and there was no dispute as to the facts, His Honour, Mr Justice Gray, directed the jury to acquit on the charge of armed robbery. The evidence before the court did not disclose that there was any substantial threat or a show of force by the accused to the chemist. The chemist was not put in fear or danger of his life, nor was the accomplice. The accomplice also was not put in fear of her life and, as a result of that, both of the accused were acquitted on the charge of armed robbery. However, they were convicted of theft and were sentenced to two years' imprisonment with a minimum of one year.

The Crown Solicitor examined the transcript of the case and, after considerable debate and discussion, agreed

that the armed robbery provisions in section 75 of the Crimes Act should be amended. The Act currently states, *inter alia*:

> A person is guilty of robbery if he steals and immediately before or at the time of doing so and in order to do so he uses force on any person or seeks to put any person in fear of being then and there subjected to force.

Neither of the two people in the store, the accomplice nor the pharmacist, were at that time in fear of their own personal safety, nor were either of them "subjected to force".

Section 75 does not cover the sham hostage case. It does not cover the situation where a sham threat has been made to a third party. The critical element of armed robbery within section 75 is that the accused must put a person in fear of his own safety or the other person must be subjected to force at the time the offence was committed. There was no evidence in this case that the sham hostage was in fear or was subjected to force or that force was directed to the accomplice.

Section 75 is the subject-matter of the first amendment. The amendment is a simple one which provides for the words "of being" substituted by the words "that he or another person will be". That is designed to cover the situation that Mr Justice Gray faced. The accused in that instance used a kitchen knife. It was felt that that was not an offensive weapon within the confines of section 77 (1) (*b*) which defined a defensive weapon as "any article made or adapted for use for causing injury to or incapacitating a person or intended by the person having with him for such use".

Mr Justice Gray was of the opinion that an offensive weapon ought to be defined widely enough to encompass something that the offender threatened to use, because in this case there was no intention on the part of the first accused to use the weapon. What was required in order to sheet home the armed robbery situation was proof that the first accused actually intended to use whatever implement was in his hand.

The second amendment to section 77 (1) (*b*) covers the case where sham hostages have been used or where a threat has been made to injure third persons. The definition of an offensive weapon is widened to enable such things as kitchen knives to be covered. The specific terminology employed is sufficiently broad to cover the context of this case.

These are important changes which modify and enlarge the provisions of the Crimes Act and the Opposition supports the Bill.

The motion was agreed to.

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

SECOND-HAND DEALERS (CLOSING HOURS) BILL

The debate (adjourned from November 27) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr ERNST (Geelong East)—The purpose of the Bill is to correct an anomaly that exists in the Second-Hand Dealers Act 1958 which limits the control of the hours of trading of licensed second-hand dealers who, by virtue of section 21, are not allowed to trade on Sundays and public holidays.

I have spoken to a number of people in the Geelong area who conduct this type of business. They welcome the lifting of the restriction which has placed businesses in a situation of uncertainty.

The repeal of section 21 will place trading under the control of the Labour and Industry Act 1958 which is the rightful place for the control of such hours.

The Bill is overdue when one considers that section 21 in its current form was originally section 17 of the Second-Hand Dealers Act first introduced in 1918 and it has survived consolidation in 1928 and 1958.

It is interesting to note that the Bill is ahead of its time. It is based upon an amendment to another Act which has not yet come into operation. It highlights the rivalry and lack of communication that exists between Ministers

in the two Houses. The Labor Party understands the purpose of the Bill and has no opposition to it. I commend the Bill to the House.

The motion was agreed to.

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

MAGISTRATES' COURTS (CIVIL JURISDICTION) BILL

The debate (adjourned from November 11) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr MILLER (Prahran)—The Opposition supports the Bill. The Bill contains many important amendments. In essence, the Bill increases the civil jurisdiction of the Magistrates Courts to $3000 and it also modernizes and standardizes many of the procedures which are used within those courts.

The Magistrates Courts jurisdiction has grown like Topsy. It is a product of history. It is complex, confusing and defies adequate description.

The provisions in the Bill increase the jurisdiction of the court to $3000, which is a substantial increase from $600, the previous limit in the case of civil debts, and $1000 in its special jurisdiction or the notorious "crash and bash" jurisdiction, as it would be known to most lawyers. The jurisdiction has been trebled in the case of its old special jurisdiction and multiplied by a factor of five in the rest of its jurisdiction.

There is now one civil jurisdiction with two procedures to allow recovery of debts and the liquidation of demands and unliquidated damages. The proposals have received long and exhaustive study and scrutiny and they have been the subject of comment by the Victorian Law Institute and the Bar Council. Submissions were put to the Attorney-General and those submissions have been utilized in the context of the Bill. Prior to these changes, the historical accidents which occurred in the old Magistrates' Courts Act were perpetuated and the complex jurisdiction and procedures which permeated the Magistrates Courts have largely been removed.

Inflation has been rampant since 1963 when the last increase in jurdisdiction took place. The Magistrates Court is a court of first instance where most people encounter their first and only experience before a member of the judiciary or the court system. The court should not only be simple and cheap but also accessible.

In the past, a cumbersome, slow, costly, arcane and murky set of procedures has been employed to deny justice to many people. The unreal limits on the jurisdiction of Magistrates Courts have forced people to use the slower and more costly County Court procedures.

I relate a personal anecdote. I was involved in a motor car collision in which about $1200 worth of damage was done to my car. I had the option of either going to the Magistrates Court, which had a jurisdictional limit of $1000 and waiving the $200 excess, or waiting approximately two years or more before the case could be dealt with in the County Court. Fortunately the defendant admitted liability and the matter was resolved, but that is an obvious illustration of the delays which can occur.

The welcome increase in jurisdiction will not be without its problems in that the increase in the jurisdiction to $3000 will obviously erode much of the jurisdiction that the County Court currently exercises. If there is to be an increase in the work load of Magistrates Courts, there should, as a corollary, be new courts and many new stipendiary magistrates to cope with the increased work load. In the Prahran area there are five courts operating daily and almost simultaneously. As a general proposition, there are four or five sitting hours available in a court day. At present four of those five hours are taken up with criminal cases. Prahran and Heidelberg are two of the best organized Magistrates Courts in Victoria, and Prahran is a model which could be followed by all Magistrates Courts throughout Victoria. Indeed, at page 4757 of *Hansard* on 21 November this year the Attorney-General is reported as having made more than

passing reference to the types of procedures used at the Prahran court. Those procedures have been used as a model for the proposed amendments.

If four of the five sitting hours each day are taken up with criminal cases, there is obviously little time available for civil cases. It obviously will not be possible for the present number of stipendiary magistrates to cope with the increased work load, given that the jurisdiction has been expanded so dramatically. The new procedures will assist in that there are only two basic procedures that can be followed, and they can be broken down into uncontested claims, the old default procedures which are well known to most solicitors and barristers in Victoria, and the new contested procedures.

The old default procedures will essentially continue, and a new listing procedure will be followed. The new procedure will allow all uncontested cases to be heard in chambers so that it will not be necessary for a party to appear or to brief counsel or to call witnesses and have the matter heard in open court.

For contested cases the new listing procedure follows closely upon the practices which have grown up at the Prahran court. At this point, I pay tribute to the excellent work of Mr Maloney, the Chief Stipendiary Magistrate, and his brother magistrates, and to Mr Hugh Adams, the chief clerk, who have developed a system of enabling litigants and solicitors to have a case listed for a specific date, knowing that it will be set down and a specific time prescribed for the hearing.

At present it is aggravating for almost everybody who appears before Magistrates Courts. They are cluttered and crowded and unless a case is listed a litigant can wait around all day only to be told at 4 o'clock, "Bad luck, we don't have enough magistrates to hear your case", or "We haven't reached your case, come back another day". A case may be fixed with priority, but that is not good enough in many instances. In the words of the old adage, justice delayed is justice denied.

This listing procedure makes good sense. The Government should be commended on introducing a system such as this which provides that a case will be set down for hearing should a defendant decide to defend a matter. The clerk of the court will perform a critical function in listing cases. First of all, he will issue the summons and will keep, as part of the court record, a copy of the summons, and no case will be heard unless it is listed for some future date. At present, there is a delay of three months even at the Prahran court, which, admittedly, is one of the busiest courts. Litigants cannot be heard in civil or criminal cases in less than three months, but at least they know that at the end of three months they will have a hearing. This makes sense.

It is analagous to Supreme Court and County Court practices and similar to the minor courts' practices in other States. With the increase in jurisdiction in the Magistrates Courts, extensive jurisdiction will be conferred upon magistrates in uncontested cases. Justices of the peace will no longer be able to issue default summonses or special summonses. As a result, the court should operate more efficiently and effectively.

One matter of concern is that more complex matters will come before Magistrates Courts—more complex in the questions of fact and of law. Matters of increased importance and increased complexity will be heard in Magistrates Courts, matters which previously would have gone to the County Court. They may last two or three days and will involve questions of fact and law not previously dealt with by magistrates.

I suggest to the Attorney-General that refresher courses, updating courses, should be conducted in areas of the law in which magistrates have not previously been involved. Personal injury claims involving medical experts and complex questions of causation and proof will be brought before Magistrates Courts because people will know that they can be heard promptly. Refresher courses and training programmes should be instituted for

stipendiary magistrates to enable them to deal with the complexities of cases which they undoubtedly will have to hear.

No reference to service is made in the Bill. One assumes that service of process will be as it was before, that is, that it must be personal or, in the case of a company, at the registered office of the company. The question of service permeates the Bill and it is critical to the procedures which are to be followed.

Another matter of real concern is that the Government has not paid attention to the provision of interpreters in courts. In a multi-national society such as Victoria, migrants are treated abominably in the courts. They go into courts at a real disadvantage if they do not understand the language. Court procedures are arcane and murky. Unless one has a clear understanding of the language, one is at a distinct disadvantage. There is a real need for interpreters to be provided for all people, irrespective of their nationality or origin, so that they can understand the complexities which exist in court procedures, and that is particularly necessary when claims involving sums as large as $3000 are involved. Prahran is lucky in that interpreters are available. However, in many courts throughout Victoria interpreters are not available. I ask the Minister representing the Attorney-General to take those matters into account.

The Labor Party welcomes these useful amendments which will bring about some much needed modernization and standardization of procedures within the court system.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party supports the Bill, the purpose of which is, in broad terms, to modernize and standardize procedures in Magistrates Courts. I congratulate the honorable member for Prahran on the detailed and learned contribution he made to the debate.

Perhaps the two most important factors are that the Bill increases the civil jurisdiction of Magistrates Courts to $3000 for both liquidated demands and unliquidated damages and for damages actions arising from motor car accidents.

The most interesting feature is the increased power given to clerks of courts, who will now play a more important role because they will be more involved in court procedures than previously. The aim of the Bill is, by increasing the jurisdiction of Magistrates Courts, to make it less costly for the man in the street to have legal claims settled, and this is to be commended.

Mr SPYKER (Heatherton)—I support the Bill, so ably explained by the honorable member for Prahran. It will create problems in the court in my electorate because the capacity of the court house at Cheltenham to handle people is already overburdened. The honorable member for Prahran mentioned delays that occur at the Prahran court. In my electorate it is justice in the rain or justice in the street because the foyer of the court house is totally inadequate. On wet and rainy days people are out in the street or in their cars, and the court official in charge of advising people that their case has been called has an almost impossible task because the litigants are not in the foyer. They are out in the telephone box on wet days, on the street, sitting in cars, hiding out from the weather under verandahs. It is the Government's responsibility, while adding an extra burden to Magistrates Courts, to provide facilities to enable cases to proceed as expeditiously as possible.

The Prahran court house is probably a fine example of what a regional court ought to be. I urge the Government to examine the position at Cheltenham which of late has had an increased burden placed upon it by growth in the area. I support the Bill but I urge the Government to provide funds for the facilities necessary to cope with the added work load.

The honorable member for Prahran is to be congratulated on his remarks relating to the interpreter service. In the Heatherton electorate, people rush around trying to find interpreters. They

arrive at the court and find that there is no interpreter so they have to get the butcher from down the road or Joe Blow from across the street who may be able to interpret the language in question. It is a matter that should be examined.

I urge the Government to consider providing funds to improve the court system, particularly in the Cheltenham area where the situation is especially bad as the court house is located on the Nepean Highway and many cars stop or slow down because at times it must appear that a demonstration is in progress because there will be 50 or 60 people standing on the lawns outside the court house unable to get in. This could even cause traffic accidents and so there will probably be more cases caused by that sort of situation. Therefore, I urge the Minister representing the Attorney-General and the Treasurer to ensure that funds are available in the next Budget so that the system can be improved.

The motion was agreed to.

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

STATUTE LAW REVISION COMMITTEE

Imperial Acts Application Bill: Imperial Law Re-enactment Bill: Constitutional Powers (Request) Bill

Mr AUREL SMITH (South Barwon) presented the report from the Statute Law Revision Committee upon the Imperial Acts Application Bill, the Imperial Law Re-enactment Bill and the Constitutional Powers (Request) Bill, together with minutes of evidence.

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

APPROPRIATION MESSAGE

The ACTING SPEAKER (Mr Hann) announced the presentation of messages from His Excellency the Governor recommending that appropriations be made from the Consolidated Fund for the purposes of the following Bills:

Planning Appeals Court Bill.

Residential Tenancies Bill.

WRONGS (ASSESSMENT OF DAMAGES) BILL

The debate (adjourned from November 28) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr CAIN (Bundoora)—The Bill seeks to change the common law position that presently prevails for the assessment of damages in cases involving personal injuries. It inserts a new clause into the Wrongs Act to provide that, in assessing damages for loss of future or probable earnings, the amount of tax that would be payable will be taken into account.

This amendment has arisen because of a decision in the High Court late last year in the case of *Atlas Tiles Ltd* v. *Briers*, which is reported in 21 *Australian Law Reports* at page 129. From the headnote of the case, the decision of the court was that:

> A court assessing damages for personal injuries tortiously caused, when considering compensation for impairment of the plaintiff's capacity to earn, should not take into account the liability of the plaintiff to income tax on the income which he would have earned in the future but for the injury.

This case overturned what had previously been the law on these matters. The principle that the court sought to enunciate is contained on page 153 in the judgment of the Chief Justice where it is stated:

> But the plaintiff has not in a relevant sense lost the earnings either in the period before verdict or the future thereafter: he has lost the capacity to earn perhaps the equivalent of his current earnings or perhaps more or less according to the reasonable expectations of the employment of his earning capacity. If the award of damages for such an injury destroying or diminishing his earning capacity were merely a matter of replacing those earnings, the amount of the award would be taxable: but it is not, for the reason that the award is for a capital loss, however much the amount of the award is quantified by a consideration of what the use or employment of that capacity might be expected to produce. In other words, the assessment of damages for loss of earning capacity is in truth an exercise in valuation.

For some time, the courts have been determining and quantifying damages, and loss of wages is only one aspect

of that exercise. Members of the Opposition believe the Bill is wrong. Parliament should not attempt to interfere with the job of the courts in assessing and determining damages, and how those damages shall be calculated. The Opposition also says that it is premature because another action on the same point is currently before the High Court. I understand that the High Court has reserved its decision.

The Government should not interfere in these matters; they should be left to the courts. If the Government interferes in these matters, it should seriously consider some statutory direction which will build into verdicts or awards of damages some factor for inflation. If it can be argued that Parliament ought to instruct the courts in the detail of assessment of damages and exclude from the plaintiffs the benefits which the High Court has said they should receive in this regard, the impact of inflation should be taken into account in the verdicts. Why should a plaintiff, who receives an award of $20 000 damages for substantial incapacity, not say in ten years' time that the amount he received was not adequate? I suppose the argument is that the court considered inflation in assessing the award he would receive. The High Court, which is the highest court in the land, has determined the philosophy and notions that ought to be applied in determining one aspect of damages, namely, loss of wages.

The reason for the Government seeking to interfere is revealed in the Minister's second-reading speech. He said:

> As a result of the decision in the Atlas Tiles case, all insurers issuing policies of indemnity insurance in respect of liabilities for personal injury are faced with the prospect of significantly increased expenditure on claims. As the greatest number of claims for personal injuries involve policies of compulsory third-party insurance, it is in this area where the effects of the Atlas Tiles decision are most seriously felt. In Victoria, the State Insurance Office is now the sole insurer transacting this type of insurance business and any increased expenditure on claims—

The Minister then spoke about a number of claims for personal injuries involving policies for compulsory third-party insurance and the significant role played by the State Insurance Office in this area. End of argument!

As I understand it, the suggestion that this will cost insurance companies—and notably the State Insurance Office—large sums of money, is a powerful consideration in determining how people's rights are to be assessed and determined. Members of the Opposition do not accept that philosophy. If the Leader of the National Party accepts it, I hope he will say so, but we do not. If rights and obligations are being determined, the Government should not consider the effects on the balance sheets of insurance companies, or their capacity to pay damages. That should not be a consideration.

It may be argued that the third-party provisions are another form of social service for which the community is paying. I pay some regard to that argument, but we are not talking simply about those cases. The House is discussing claims for personal injury and the method of assessing loss of income that results from industrial accidents. So the social service aspect which people tend to apply to motor car claims is not the only consideration. Other matters are involved. Therefore, for philosophical and we believe good reasons, we oppose this attempt by the Government to interfere with the common law position. That is the first concern.

The second matter that concerns me is the transition provision referred to in clause 3. I turn to the Minister's second-reading speech which states:

> Clause 3 is a transitional provision which will ensure that no injustice occurs to plaintiffs who have already received an entitlement to damages calculated in accordance with the decision in the Atlas Tiles case.

It is our contention that an injustice may well result from the method that is contemplated in these provisions. Clause 3 (1) provides that the new section 28A of the Wrongs Act 1978 shall apply and shall be deemed always to have applied. It then states in clause 3 (2) *inter alia:*

> Section 28A of the Wrongs Act 1958 shall not affect an entitlement to damages adjusted or agreed before the commencement of this Act.

However, at the end of that sub-clause it becomes clear that section 28A will apply to all cases except those that are categorized as being finally concluded at the commencement of the Act.

There is then an attempt in clause 3 (3) (*a*) and (*b*) to define what is meant by finally concluded. This is where the trouble occurs. Sub-clause (3) (*a*) provides that a case that is being settled by agreement will not be finally concluded until it has been satisfied or partly satisfied by payment to the person entitled to such damages. A case could be settled today for, say, $50 000 and a person enters into an agreement that otherwise would be final and binding, for which perhaps he may not have entered the release—he may even have entered the release but it could later be argued that it was not final and binding because of the amendment. One could have entered settlement outside of court or between offices, which people regard as binding, no money paid, or *ipso facto* entered a settlement outside the court or between offices and entered and signed the release but, while waiting to send off the release and for the money to come through, this Act comes into force. It could then be argued that the case is not finally concluded because no money has been paid.

An insurance company might well—I do not think I am saying this irresponsibly—delay settlement and the paying of the cheque until a time which would enable it to have the benefit of this Act coming into force. In other words, the company may avoid paying the money and when the Act came into force say that the Act now applies and it has to reassess the claim according to the new provisions without regard to the total wages lost, but make an assessment based upon X taxes calculated.

That is the difficulty I envisage applying to the settlement when coming to a verdict. That is provided for in clause 3 (*b*) where I think there is a similar problem because the paragraph then says that the case is not finally concluded until the party making the payment has exhausted all his rights of appeal.

Again, there will be a judgment, but time for appeal will not have expired. There may be a good ground of appeal on some other matter, so the insurer can make the appeal and when he gets to the appeal court he can say, "That is a good ground, but have a look at this one, too; proposed section 28A will then apply". If there is no other ground of appeal it may well be possible to appeal simply on the basis of proposed section 28A and put to the court that there is a right to appeal because the case is not finally concluded. I put that second proposition as no more than a possibility, but it is there and it is something about which concern has been expressed. Until the party that is paying the money has finally, as the sub-section says "exhausted his right to challenge by way of appeal" the matter is not deemed to be "finally concluded".

I do not offer an instant remedy. I am a little puzzled about why Parliamentary Counsel sought to go beyond the words "settlement" or "verdict"—this is an off-the-cuff view—nonetheless, Parliamentary Counsel has chosen to do so and has woven a complex web that could adversely affect established rights and lead to the provision—which the Opposition says is a bad provision, anyway—being used in a way that is designed to undermine and deny people rights that have been established by both agreement and verdict.

Mr ROSS-EDWARDS (Leader of the National Party)—The Bill will make an amendment to the Wrongs Act and it deals with the assessment of damages. I am surprised that the Opposition is not opposing the Bill.

Mr Cain—It is. I thought I made that clear.

Mr ROSS-EDWARDS—I do not share the view of the Opposition on the assessment of damages, because what a person would have to pay in tax is a matter that should be taken

into consideration. There is no moral reason why a person should be financially better off than if he had not had an accident.

Perhaps the honorable member for Bundoora may have made an interesting point in that there is a case before the High Court in which judgment has been reserved. In those circumstances, it might have been wise for the Government to wait for that decision, because the matter has been going on for a long time. I should have thought the Government could have waited, because the decision may have put the matter right from the Government's point of view.

I cannot agree with the argument about being able to reopen a case later because of inflation. In law, one must have certainty about where one stands.

Mr Cain—Not reopen, but take inflation into account by statute law.

Mr ROSS-EDWARDS—To take inflation into account by statute law would be difficult and judgment would have to be made at the relevant time. Surely it is up to the plaintiff who receives a verdict to use the money in such a way that he keeps up with inflation. That is the challenge the honorable member for Bundoora and I have always had to face in organizing our domestic affairs. Perhaps some people are not in a position to organize themselves quite so efficiently, but that is how the world goes.

I do not understand how, if a judgment that is appropriate in December 1979 is obtained, it is possible to make provision for something different.

Mr Cain—The judgment is for the future if it is general damages.

Mr ROSS-EDWARDS—It is, but it really depends on the way in which the person invests the money. If he puts it in the savings bank and accepts that rate of interest on it, he will lose his capital at the rate of 10 or 12 per cent a year, just as surely as the sun dawns, but it is to be hoped that people would be advised to take a different course of action.

Although I disagree basically with the honorable member for Bundoora on that matter, I share his concern on the transition application, because transition applications are all on verdict. Once a verdict has been obtained or an agreement out of court has been made, and perhaps signed, it is incredible to think that it could be upset. That really has a retrospective effect on what has been done. On that issue, the National Party will support the Opposition in opposing the Bill.

Mr MACLELLAN (Minister of Transport)—The Government does not share the Opposition's view as to the method of calculation of damages, which is, after all, the purpose of the Bill. However, I note that the Opposition believes there ought to be a different method of calculation.

The honorable member for Bundoora has raised matters that ought to be examined prior to the Bill's proceeding. Although I have spoken and have perhaps terminated the debate, if I could move, by leave, that the debate be adjourned until later this day and if the honorable member for Bundoora would be kind enough to make his first carbon copy of the *Hansard* report available, I should like to have the Treasurer confer with the Attorney-General to ascertain whether the remarks of the honorable member for Bundoora are appropriate for consultation with Parliamentary Counsel in an endeavour to reach agreement on the second part of the honorable member's remarks. There ought perhaps to be a technical reading of the Bill for that purpose.

On the motion of Mr MACLELLAN (Minister of Transport), the debate was adjourned.

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

TRUSTEE COMPANIES (AMENDMENT) BILL

The debate (adjourned from December 5) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr ROSS-EDWARDS (Leader of the National Party)—I thank the Minister of Transport for giving me the opportunity of adjourning the debate last week, after I had received representations expressing concern about one of the provisions of the Bill.

Since the adjournment of the debate I have satisfied myself that the Bill contains sufficient safeguards for beneficiaries to estates. The real estate companies concerned, although they may be subsidiaries of trustee companies, nevertheless comply with the real estate legislation and there are special provisions in the Bill to ensure that the beneficiaries concerned are protected. The beneficiaries must be *sui juris* and their consent to the sale of the property must be obtained, if that is practicable. Those are reasonable safeguards and they will protect the rights of beneficiaries. It would be unreasonable to prevent the subsidiaries of trustee companies from operating as envisaged by the Bill.

Having had the opportunity of having discussions with the Real Esate and Stock Institute of Victoria and the trustee companies, I am now prepared to accept the measure in its present form and give it the National Party's support.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 3 were agreed to.

Clause 4 (New section 38 inserted in No. 6402)

Mr MILLER (Prahran)—Clause 4 causes me concern, as I am sure it has caused the Leader of the National Party concern. It raises in sharp relief the possibility of conflict of interest. I raised this matter during the second-reading debate.

The conflict may arise in this context: If a trustee company has real estate as the principal asset with which it must deal and one of its subsidiaries is a real estate company, which derives its income from the sale of real estate, a conflict of interest can arise between the trustee company, which has to administer the estate in the best interests of all of the beneficiaries, and the subsidiary company, which must sell real estate administered or managed by the trustee company.

During the second-reading debate the Minister indicated that the Bill was an attempt to prevent conflict of interest. No legislation can completely prevent that, but this Bill will facilitate it to an extent, in that a trustee company which manages an estate consisting mainly of real estate, and which has a subsidiary company that must sell real estate to derive income, the subsidiary company could be placed in a position in which its interests conflict with the best interests of the beneficiaries. Admittedly, the beneficiaries have to be *sui juris*, but the potential for conflict is there. This is a matter of real concern and it should be noted at this stage.

Mr Ross-Edwards—How can that come about?

Mr MILLER—It comes about because the only way in which the subsidiary company can derive income is by selling real estate that is held in trust by the trustee company. If the subsidiary company sells the real estate, it derives a benefit through the agent's fee. It must sell real estate to derive income and does not have to sell it at the best possible price. That is the potential for conflict that is clearly built into the clause. It causes real concern in that context.

Mr ROSS-EDWARDS (Leader of the National Party)—The argument put forward by the Opposition is fascinating. It either has to vote for the Bill or against it. The honorable member for Prahran says the clause causes real concern, but the Opposition will support the Bill.

Mr Miller—It causes concern.

Mr ROSS-EDWARDS—But that clause is the whole point of the Bill. The Opposition must vote for it or against it. Trustee companies have an excellent reputation and I cannot foresee any of them selling property from an estate just so that a subsidiary company will gain extra business. That would be a very serious charge and it would constitute a breach of trust.

If the trustee company is managing an estate it obtains a management fee and if it sells the property the subsidiary will obtain the estate agent's fee.

I have given a lot of thought to the matter and have had many discussions about it. I can understand real estate agents not wanting trustee companies to be part of the real estate field. However, provided that subsidiary companies comply with the provisions of the Estate Agents Act—and precautions have been taken against abuse—on balance I support the measure and will vote in favour of it.

The clause was agreed to.

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

PAPER

The following paper, pursuant to the direction of an Act of Parliament, was laid on the table by the Clerk:

Poisons Act 1962—Proclamation amending Schedules One, Two, Three, Four, Five, Six, Seven and Eight.

GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL

This Bill was returned from the Council with a message intimating that on consideration of the Bill in Committee they suggested that the Assembly should make certain amendments in the Bill.

Council's suggested amendments—

Clause 8, lines 18 and 19, omit "make all payments of the premiums on" and insert "take out".

Insert the following new clause to follow clause 8:

"(AA) The premium on any policy of accident insurance effected pursuant to section 8 and any remuneration and travelling expenses payable to the members of an Authority shall be paid by the Grain Elevators Board out of the funds of the Board."

Mr I. W. SMITH (Minister of Agriculture)—I move:

That this House make the amendments suggested by the Council.

By way of explanation I point out that some argument has occurred on whether the grain handling improvement authorities have the power to pay insurance premiums on the members of the authority and to pay them fees and expenses. To remove the doubt, I have decided that a clause to that effect should be inserted.

Mr FOGARTY (Sunshine)—The Opposition does not oppose the proposed amendments, which will remove the doubt.

The motion was agreed to.

It was ordered that the Bill be returned to the Council with a message intimating the decision of the House.

FISHERIES (AMENDMENT) BILL

The debate (adjourned from November 1) on the motion of Mr Borthwick (Minister of Health) for the second reading of this Bill was resumed.

Mr FOGARTY (Sunshine)—This is quite a simple measure, and like all simple Bills that have been introduced in this session of Parliament, it imposes extra charges against the general public or the consumers. In a short and innocent looking Bill increases are made to various licence and registration fees and other financial commitments allied to the fishing industry in Victoria. The Government increases fees with monotonous regularity.

When the Opposition received the Bill it negotiated with the commercial fishermen's section of the Victorian Farmers and Graziers Association to obtain the views of its members on whether they opposed the increased fees. Members of the association, like those of many other associations, allied their thoughts to receiving value for money. They appreciate that the fishing industry in Victoria is the Cinderella industry; that there is a need for rejuvenation of the industry, and that with rejuvenation, naturally, additional financial contributions must be made by someone. In this instance the someone is the fishermen.

The Opposition has contacted sections of the fishing industry in the various ports in Victoria, and although, naturally, they object to increased charges, they accept that if increases are to be made, they will be allied to

a contribution to be made by the Government on some future occasion or to what they will ultimately receive in return. The next Bill listed on the Notice Paper to be debated by Parliament may outline the Government's intentions for the future of the Victorian fishing industry.

The Opposition has noted the various increases proposed in this Bill. In one case the increase is 100 per cent; in another it is more than 50 per cent. The Opposition believes the additional funding is needed in the fishing industry in Victoria, and, provided the funding is used in a realistic way for the benefit of the industry and the fishermen, does not oppose the Bill.

Mr WOOD (Minister of Immigration and Ethnic Affairs)—The Minister of Health, in his second-reading speech, pointed out that the commercial fishing licence fees are paid into the fisheries research fund, which provides the bulk of funding for the fisheries research and development work undertaken by the Fisheries and Wildlife Division, and this will provide an additional $45 600. As the honorable member mentioned, the Victorian Farmers and Graziers Association has accepted the need to make a higher contribution and, in the circumstances, I commend the Bill to the House.

The motion was agreed to.

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

VICTORIAN FISHING INDUSTRY COUNCIL BILL

The debate (adjourned from November 1) on the motion of Mr Borthwick (Minister of Health) for the second reading of this Bill was resumed.

Mr FOGARTY (Sunshine)—This is an important Bill which will establish a Victorian Fishing Industry Council. In the latter part of October this year the Opposition moved a motion on notice dealing with the fishing industry. That motion was debated at length, and outlined to the Government the concern that was felt not only by members of the Opposition but also by members of the corner party about the future welfare of the fishing industry in Victoria. Fishing is one of the most important food industries in Victoria, although it is considered to be the Cinderella industry, and it provides one of the most easily renewable natural resources available. The industry produces a wide range of products, and each product has a different marketing problem.

To further outline the importance of the Victorian fishing industry, I point out to the Minister of Immigration and Ethnic Affairs, who is acting on behalf of the Minister of Health, that the Government was amazed at the available resources of fish in the fishing zone in which Australian fishermen are allowed to fish within 200 nautical miles of the Australian coastline—in this instance, the Victorian coastline.

The *Australian Year Book* shows the grand total value of fish imports into Australia for 1979 of $118·715 million, and exports of $143·071 million. The industry more or less breaks even, but it must be realized that the exports consist mainly of molluscs, crustacea and, to some degree, tuna, but the imports cover a wide variety of fish, chiefly for the supermarket trade. These include packaged, frozen and dried fish. A large proportion of the Australian overseas financial commitment is taken up in the fishing area of Australia, in this case in Victoria. Fish is amongst the first three or four commodities to be sold at supermarkets in Victoria.

What makes this Bill more important is that since 1 November this year the Australian fishing zone has been amended to allow Australian fishermen the sole right to fish in the area 200 nautical miles from the coastline of Australia. Fishing interests from overseas countries have made an approach to the Federal Government with a view to entering into agreements with the Commonwealth Government to allow these enterprizes to fish in this area, and those agreements are to be endorsed by the State Governments. As a result, from February of this year, twelve

Japanese vessels had been squid fishing off the Victorian coast for a period of six months. The company owning those vessels is Safchu, which is a Japanese company working in co-operation with the Safcol organization of South Australia.

Since then, other fishing enterprises have made overtures to the Commonwealth Government on this subject and the Commonwealth Government has sought the co-operation of the State Governments. There is a fishing venture off the Victorian-Tasmanian coast involving Mauri Bros and Thomson and a Polish company. It is clear that overseas enterprises can see the value of the Australian fishing grounds, particularly those off the coast of Victoria. I did agree that the Safchu fishing venture has the right to undertake the initial feasibility studies along the Victorian coastline. In the main the vessels carrying out this study were based off Portland. This study showed that there is an abundance of squid off the Victorian coastline. The Opposition believes further ventures will endorse what we already know—there is an abundance of squid in the 200-mile Australian fishing zone that we have not been able to explore or exploit in the past. This means that in future the Australian Fishing Industry Council will have an important job to do.

Someone wrote a book some time ago called *They're a Weird Mob*. That is particularly apt when it is considered that we have lost certain overseas markets for beef and milk, and have not exploited the lucrative export and domestic markets for fish. In the past we have not been able to consolidate or advance that interest.

The Opposition believes that considerable advances should be made in the fishing industry and it should not be necessary to import fish of a snob value. The fishing industry should be built up to such a degree that it becomes a lucrative export industry.

The Opposition freely admits that it is necessary to make some adjustments in the industry and to readjust the various authorities within the industry. This Bill is a step in that direction.

During the Committee stage I intend moving amendments to the Bill. Clause 4 of the Bill deals with the objectives of the council. Those objectives are fundamental and realistic. One of the objects of the proposed council provided for in clause 4(g) is:

> to present the views of all sectors of the Victorian fishing industry generally and in particular to represent the Victorian fishing industry on any body that presents Australian fishing industry views to the Government of the Commonwealth;

The Opposition believes the Government has been remiss in drafting clause 8 of the Bill. As a result of a question on notice asked this week, it was apparent that the Minister of Labour and Industry did not know that there was a lucrative industry at Victoria's doorstep which could provide employment for hundreds of unemployed Australians.

Mr Birrell—What about an explanation?

Mr FOGARTY—I am not talking about that. The honorable member for Geelong West should speak on this Bill because he is a former matelot and should know something about the industry. The agreements entered into with the Commonwealth Government, in co-operation with State Governments, provide that 10 per cent of the catch shall be processed under the flag of "Product of Australia". How can the Victorian Government take part in these negotiations when the most important person dealing with the industry is the Minister of Labour and Industry? He should be able to provide the expertise for setting up on shore the means by which the fish caught within 200 miles of the Victorian coast could be processed in Victoria. During the debate it was asked by way of interjection, "Where could such an establishment be provided?" and without fear of successful contradiction I say that Portland would be an excellent place for providing an establishment for processing fish that is caught under a joint venture off the Victorian coastline. Lakes Entrance is another place where fish could be processed on shore. A plant was opened at Lakes Entrance ten or fifteen years ago by the then Premier,

Sir Henry Bolte, and it has worked only to a quarter capacity ever since. Safcol in Footscray could process the fish. It is not up to me to tell the Minister the way it can be done. It is the responsibility of the Government, when joint ventures are entered into with the Commonwealth Government, in co-operation with the State Government, to ensure that 10 per cent of the fish caught within ten miles offshore is processed on shore in Victoria. This would eliminate unemployment to a degree.

There are 60 boats now working off the Victorian coastline, and three or four companies are involved. We might have missed the boat to a degree, but the Minister of Labour and Industry, the Premier, and other responsible people should get together with the various companies in Victoria that have a capability of processing fish for the Australian fish market. That is provided for in the various fishing agreements entered into between the Commonwealth Government and the various companies, and endorsed by the State Government.

Another object of the council provided for in clause 4(*h*) is:

> to communicate to all groups represented on the Council information on matters which in the opinion of the Council are likely to affect the efficiency and profitability of the fishing industry in Victoria.

Most honorable members realize that the fishing industry in Victoria does not meet the needs of the twentieth century. It is living in the past, and to advance it must adopt new methods of fishing, new methods of processing, and new methods of transportation. These would contribute to the general welfare of the wetfish trade in Victoria.

I refer now to the composition of the proposed council. The Opposition has always been of the view that producers in an industry should constitute at least 50 per cent of the authority. That principle has been applied to all areas of primary industry wherever possible, and the Opposition believes the fishing industry, from a general point of view, should be accepted as a primary industry and be under the jurisdiction of the Minister of Agriculture, and not under the jurisdiction of the Minister for Conservation, because it is too big an industry and too important.

During the Committee stage I will be moving that the number of members nominated by the Minister for appointment to the council shall be twelve and not eleven. Members of the Opposition do not agree that the marketers and wholesalers of fish should be two different and separate identities. We believe they should be bracketed. At the Melbourne fish market one of the biggest operators is Mr Jim Racovolis, who is both a wholesaler and a marketer. We believe no useful purpose can be served by the wholesalers and the marketers each having a representative.

In lieu of representation from the marketers, the Opposition suggests the employees should be represented because they are an important part of the industry. The Government tends to ignore that the employee is the person who will be required to process the fish on shore.

I have outlined the view that 10 per cent of the catch of joint fishing ventures that take place off the Victorian coastline should be processed on shore. If that suggestion were adopted, more and more employees would be required in the industry to process that catch. When the industry is advanced to a higher degree, its future will be in exporting fish and fish products and there will be no need to import fish. The Opposition believes the work to be done by this council in the future is very important. There are areas of conflict between sections of the industry and between various States. One area of conflict that is causing concern is that if one catches a shark on a given line off the coast of Portland, and takes it by road to New South Wales, one finds that the mercury content which applies in one State, is doubled in another State. Then there is the ridiculous situation where a fishing boat can be fishing with a net off Mallacoota, off the Victorian coastline, and if it goes to Lakes Entrance and takes a catch, that is all right. If the boat goes to Eden in New South Wales, not only is the net impounded

but also the vessel. New South Wales authorities believe mono-filament net should not be used. The net may be used in Victoria but not in New South Wales. In this regard New South Wales may be correct, just as Victoria may be correct about the mercury content of shark. However, this points up the fact that there is enormous conflict between neighbouring States—between New South Wales and Victoria and between Victoria and South Australia. How can Australia build up a lucrative export market if such simple things cannot be settled? There should be uniformity within the fishing industry.

When the Bill was first introduced, I obtained the views of the fishing division of the Victorian Farmers and Graziers Association on the fishing industry in this State. I found that there is a conflict of views between members of that association. I am not being critical of the association, which can act only in accordance with the views of its members.

I have received a letter from the Public Relations Officer of the Professional Fishermen's Association of Portland which will be one of the most important centres for this processing industry in the future. It reads:

Dear Bill,

Thank you for bringing to our notice the existence of this Bill. As I am the Public Relations Officer of the newly formed Professional Fishermen's Association of Portland, I have discussed this Bill with the Executive Council of this Association and also some of the fishermen of this port.

I therefore can state that there is 99 per cent opposition to this Bill in its proposed format, for if passed will give the Minister absolute selection and so this industry may have as little as three active fishing licence holders which is totally inadequate as a true voice of this industry.

Under the format of this Bill we feel that the Minister is only out to set up a group of marionettes who will supposedly present the views of this industry to Governments and therefore depress the wants and needs of the fisherman and his industry.

We would like to make comments on some of the sections of the Bill.

It would appear the Minister does not associate himself at all with the industry under his direction by the inclusion of section (4*d*) and (4*g*) the objection we have already stated above. We reject 6(1) Minister Nominations.

6(2*b*) (*d*) (*e*) (*f*) (*g*). We feel on a council such as this there should only be two inclusions. (1) Marketer. (2) processor.

Minister nomination of these positions could not be viewed as impartial for whilst his department is quite willing to rock this industry's boat we feel apprehensive as to his nominations as supporters of better deals for this industry.

This Bill has been handed to the Professional Fishermans Association of Portland, Mrs H. Tober who will object to this Bill on behalf of this association through all the avenues at her disposal. Should you wish confirmation on these comments please write to her at 100 Wellington Road, Portland.

I have received correspondence from Mrs Tober that the Professional Fishermen's Association of Portland objects strongly to this measure. The secretariat of area six of the Victorian Farmers and Graziers Association has lodged objections to the Bill. Representations have been made by the Lakes Entrance fishermen on this subject. One can understand their views. The fishing industry in Victoria has been allowed to go along its merry way, but now the Commonwealth Government has entered into negotiations with overseas countries for joint fishing ventures in an area 200 nautical miles off the coast of Australia—in the Australian fishing zone—without giving fair and reasonable consideration to the Australian fishing industry.

The Opposition does not oppose joint fishing ventures or feasibility studies, but it believes, wherever the Australian fisherman can fish waters within the 200-mile limit, it is up to the State and Commonwealth Governments to provide the necessary financial incentive to ensure that Australian fishermen who are better than any in the world and the Australian shipbuilding industry that can produce boats equal to any in the world—I know, because I have sailed in some of them—are rejuvenated to such a degree that the consumer will not buy second-rate, cheap, imported fish but will buy the Australian product and a lucrative export market will be achieved.

Mr B. J. EVANS (Gippsland East)—Professional fishermen are one of the hardest groups in the community to organize. They are independent-minded.

I do not say this as a criticism. They are to be admired for their independence of spirit and their belief in their ability to fend for themselves and make their own decisions—in modern language, to do their own thing. It is a spin-off from the attitude that they are traditionally difficult people to organize in the interests of their industry. Perhaps this comes from the fact that they operate on their own, and have to rely on their own ability, judgment and initiative to make a living. They must contend with the elements and, in many respects, they have become philosophical in their attitude to life. I regret that these very traits have been largely responsible for the poor state of the fishing industry in this country. Over many years its members have not been able to get together and organize themselves on a regular basis as have other primary industries.

It is to be expected that the honorable member for Sunshine would have received a number of representations strongly critical of the Bill. Whatever proposals are put forward in the fishing industry, somebody in the industry will resist them strongly.

It is a step in the right direction to form the Victorian Fishing Industry Council which is complementary to the establishment of an Australian body of the same type. Even though in some respects the council will be imposed on the industry, I hope it will work for the benefit of the industry which sorely needs a strong body to exert influence in places where it is needed.

Like the honorable member for Sunshine, I hope that one of the first things the council does is to tackle the Government's absurd requirement about the mercury content of shark. It was an emotive, illogical regulation introduced by the Government in the face of opposition from the fishing industry. An important section of the industry has been decimated for no valid reason. Any amount of evidence is available about the effects of various drugs on people but not one scrap of evidence can be found of any person in this country having been affected by the mercury content of shark. Yet the Government imposed a ban which did much damage to a section of the fishing industry. I hope the new Victorian Fishing Industry Council will take up this matter with some urgency to re-establish that section of the industry and bring about full use of the resources available to it.

It is hard to ask a professional fisherman, in the face of all the difficulties surrounding his occupation, to throw overboard good fish which are worth $20 or more to him. That is the effect of the Government's regulation regarding the consumption of shark. I suggest that if the Government wants to warn the public about the possibility of over-consumption of shark—people would have to eat shark three times a day, 365 days a year to run any risk from the current levels of mercury in shark—it should require proprietors of fish shops to display warning notices that people should not eat fish three times a day, seven days a week, similar to the warnings that are placed on cigarette packets about the dangers of smoking. The honorable member for Geelong West has been interjecting. I hope he will try to persuade the Government about the stupidity of this regulation.

The honorable member for Sunshine mentioned the tremendous resource available off the Victorian coast. I dispute his contention that the port of Portland is likely to be the greatest beneficiary from the development of this resource.

Mr Fogarty—I said, "and Lakes Entrance".

Mr B. J. EVANS—The honorable member put Lakes Entrance in the second position. If he looks at the map of the continental shelf, he will find that in a 120-degree arc radiating from Lakes Entrance for approximately 200 miles there is an extensive area of continental shelf, the great majority of which is suitable for fishing of all types, whereas the port of Portland does not have such a vast area of continental shelf readily accessible to it.

The sitting was suspended at 6.15 *p.m. until* 8.3 *p.m.*

Mr B. J. EVANS—There is no doubt the extension of Australian control over coastal waters to the 200-mile limit has dramatically increased the fishing resources of this country, but it is my understanding that one of the conditions of the international agreement is that, if Australia is unable to utilize those resources, it must enter into agreements with fishermen from other nations who can utilize those resources.

Mr Birrell—It is suggested that they should.

Mr B. J. EVANS—I thought that it was expected and was an obligation upon Australia. That is a reasonable undertaking to enter into because it would be the height of folly for any nation, having resources of that kind, to tie them up when it is unable to utilize those resources.

I was interested to hear the point raised by the honorable member for Sunshine on the requirement that he would like to have adopted, that at least 10 per cent of any catch should be processed within this country. It is all very well to state that, but a scallop processor at Lakes Entrance has complained to me that he cannot get people to work on processing scallops. He can obtain workers for a couple of days at the outside, but if they work any longer than that, they lose their social services benefits. They work for a day or a day and a half and then go back on to social service benefits. The processor is unable to obtain sufficient labour to process a product which he has available. The honorable member for Sunshine wants to look at some of those aspects.

It is all very well to have requirements of the kind he suggested if the Australian work force is willing and able to undertake the work. I do not claim that situation applies only in this industry, and I made reference in the House within recent weeks to the problems associated with the food processing industry generally. I referred to cases where food in a perishable form needed to be processed quickly.

Mr Birrell—Particularly fish.

Mr B. J. EVANS—Fish in particular, but the principle also applies to vegetables and similar products. Farmers have spent time and money producing a crop and at the last minute something goes wrong. A dispute may develop at the processing works and, although it may be important to the processor, the worker wishes to prove a point and withdraws his labour under industrial action. It is the farmer who loses because the main part of his annual income is his product and, if it is perishable and industrial action occurs in the processing works, it has to be thrown out.

As the honorable member for Geelong West interjected, the fishing industry is particularly vulnerable to industrial action of this type. I do not know that I go along with the argument that a requirement of the type suggested should be placed in any agreement unless the people engaged in the industry unanimously agree not to use that form of muscle to achieve their objectives but that they will use other means directed at the people to whom they should be really directing their individual activity, namely, the processors, rather than attacking the producers who are most vulnerable to industrial action in this area.

The formation of the new fishing council would be a major step forward in the interests of the fishing industry. I sincerely hope fishermen become more active in supporting the council and bringing their views on various aspects to the notice of the council.

I hope those who have expressed opposition to the council do not continue their hostility or adopt a non-co-operative approach to it. They need to recognize that it will be a fact of life. The fishing council will have much influence in the industry and it is incumbent upon professional fishermen to organize themselves so that their point of view will be registered through the council and the fishing industry generally.

Strong leadership and uniformity of performance is needed within the fishing industry. Without doubt there is a tremendous future for the fishing industry in Australia, particularly in Victoria.

I hope the new Fishing Industry Council will prove to be of tremendous value to the industry.

Mr BURGIN (Polwarth)—In indicating my support of the Bill, I do not wish to go over matters which have been raised by other speakers. Today the fishing industry is entering into a new era with the proclamation of the 200-mile limit and with the changes that will need to take place in the industry. It is essential that in future the fishing industry at all levels in Victoria speaks with one voice.

In the past, two groups have looked after the fishing industry, particularly fishermen covered by the Victorian Farmers and Graziers Association, fishing division, and the marketers and wholesalers operating under the Australian Fishing Industry Council. Really there have been two groups which have loosely come together to make a study of the future of the industry.

One of the important provisions the Bill contains for the fishermen of this State is contained in clause 4. Clause 4 (g) sets out the objects of the council as:

> To present the view of all sectors of the Victorian fishing industry generally and in particular to represent the Victorian fishing industry or anybody that presents Australian fishing industry views to the Government of the Commonwealth.

In the past, commercial fishermen have been at a disadvantage in Victoria because, within fishery organizations, they have not had a representative to put their views to the Federal Government. The representatives from Victoria have predominantly reported to the processing and manufacturing groups in the industry.

With the proclamation of this Bill and the establishment of the new Victorian Fishing Industry Council, representatives on the council will be presenting the views of the total industry and, for the first time, professional fishermen will have the opportunity of presenting their own views to the Federal Government on the multitude of changes which have taken place in the industry.

I am rather disappointed that those involved in the fishing industry in Portland have found cause to break away from the main fishing section of the Victorian Farmers and Graziers Association. I know they believe they have good reason for doing this but it is regrettable that this has happened because unanimity of views of fishermen in Victoria is essential in a changing industry.

I expect that, whatever has happened at Portland, a fisherman from that area would be allocated a position on the new council. I hope that the Portland fishermen accept that position because it is essential that their voice be heard on this council. The council does not replace the existing organizations, it adds to their strength by bringing the whole industry together at a council level.

The only other point I wish to mention is that the Victorian Government will need to pay particular attention in the near future, if not immediately, to providing ports for fishermen in this State. If changes occur in the industry, together with the development which has already taken place, there will be a need to carry out further research and development and to provide ports for fishermen along the coast. It may not require many ports because these people go to sea for long periods, but the scheme will need two, three or four major ports from where fishermen are able to operate, and those ports need to be located along the Victorian coastline. That matter will become very urgent in the near future.

I agree with the honorable member for Sunshine that we should do as much as we can for the processing of fish and fish products. This is an ideal time, as the feasibility studies are going on, to study within the industry, the processing of fish and fish products.

If the industry is to compete with the Japanese, something must be done at Federal Government level to have the 10 per cent tariff dropped so that fish processed in Australia that is caught in Australian waters has the same benefits as fish processed by the Japanese.

I wish the Bill a speedy passage. I am sure it will be good for the fishing industry and that the industry will accept the measure and make it work. I hope fishermen will take the opportunity of attending meetings of the Victorian fishing Industry Council, even if good seas are running, because it is important that they keep the balance of power within the council by attending the meetings.

Mr AUREL SMITH (South Barwon)—I support the Bill. I will not go over the points already made. The introduction and constitution of the Victorian Fishing Industry Council shows the Government's intention that the fishing industry be represented as a whole. The council will have the opportunity of governing the entire fishing industry.

The only member of a Government department who will be on that council is the chairman, who can vote only when a casting vote is needed. That shows the Government's desire to encourage the industry to look after its own affairs and manage its well-being. This will enable the industry to speak with one voice when matters are dealt with on a Commonwealth basis. I am sure the council will prove to be successful. I support the Bill and wish it a speedy passage.

Mr WOOD (Minister of Immigration and Ethnic Affairs)—The objects and aims of this measure have been well covered by honorable members. The purpose of the council is to promote the consumption of fish caught in Victorian waters and to provide an educational and advisory programme for those people involved in the fishing industry. Because of the declaration of the 200-mile fishing limit, there will be dramatic changes in the fishing industry. The council will play an important role in an industry which is important to Victoria. It is estimated than $220 million is involved in the export–import fishing industry. It is also estimated that 1800 men are directly employed in the industry, as well as support staff.

Mr Fogarty—You can double that.

Mr WOOD—That figure is more than doubled when one takes into consideration those who supply equipment, repairs to boats and so on. The honorable member for Polwarth said that it was unfortunate that there is a breakaway group from the Victorian Farmers and Graziers Association because unity is strength, and it is important that these groups, whether they be of farmers or fishermen, speak with one voice. Although some reservations have been expressed about this measure, I commend it to the House.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretations)

Mr FOGARTY (Sunshine)—I move:

Clause 2, after the interpretation of "Council" insert the following interpretation:

'"Minister" means the Minister of Agriculture.'

As has been mentioned, the fishing industry is an extremely important industry with great potential. By declaring an Australian fishing zone, the Federal Government gives emphasis to the fortunes of the industry. The State and Federal Governments should further consider the authority which governs the industry. It is now covered by the Ministry for Conservation. Not long ago professional fishermen used to go on trips and return with wet fish for the Victorian market. Legislation also ruled the catching of shark or flake. The declaration of a fishing zone illustrates the need to have a rethink about the industry. The industry does not supply only the wet fish market of Victoria and Australia. The fishing industry has potential and could overcome the importation of fish worth $120 million and instead export $120 million of fish. Control of the industry should not vest in the Ministry for Conservation.

The fishing industry is, after all, an important primary industry and the Opposition believes we could go further and perhaps bring it under a Ministry

of its own. At this stage the Opposition believes it should come under the control of the Minister of Agriculture because it is a primary industry. That is why the amendment has been moved.

Mr WOOD (Minister of Immigration and Ethnic Affairs)—The Government opposes the amendment. The Fisheries and Wildlife Division of the Ministry for Conservation is doing a good job in controlling the fishing industry. It is also responsible for recreational fishing and for the research which falls within its province. No benefit could be achieved by transferring this industry to the Minister of Agriculture. Therefore, the Government opposes the amendment.

Mr B. J. EVANS (Gippsland East)—It is the policy of the National Party that commercial fishing should come under the control of the Minister of Agriculture. I must agree with the views expressed by the honorable member for Sunshine that this industry is a primary industry and the proper portfolio for its administration is agriculture. I do not believe that the right way to go about it is by having one council under the control of the Minister of Agriculture.

I would certainly support all embracing legislation to completely remove the administration of commercial fishing from the Ministry for Conservation and pass it over to the Department of Agriculture. However, I do not believe that simply putting this council under the control of the Minister of Agriculture, while the administrative side of the department is still under the control of the Minister for Conservation, would serve any useful purpose; it would further complicate control of the industry. For that reason alone, the National Party cannot support the amendment, although it agrees with the principle behind it.

Mr AUREL SMITH (South Barwon)—I, too, oppose this amendment. The commercial fishing industry and recreation fishing are, and have been for many years, well looked after by the Fisheries and Wildlife Division of the Ministry for Conservation. I understand that the honorable member for Sunshine proposes that the commercial fishing industry be taken from the Fisheries and Wildlife Division which has nurtured and looked after it for years. I believe it should remain with that division. I oppose the amendment.

The amendment was negatived, and the clause was agreed to, as were clauses 3 to 5.

Clause 6 (Constitution of council)

Mr FOGARTY (Sunshine)—I move:

Clause 6, line 1, omit "eleven" and insert "twelve".

The amendment will provide an additional member on the council. All honorable members who have spoken on the Bill have amplified the point that the council is necessary and that the fishing industry has great potential. The Opposition has moved the amendment that representation on the council be increased from eleven to twelve to add greater mobility to the council. In the past, the Opposition and the National Party have pursued a policy whereby the producers shall have at least 50 per cent representation on any industry or authority or, in some cases, the majority representation.

The amendment will increase the representation on the council from eleven to twelve. The Opposition considers that fishing industry employees should also have representation on the council.

The honorable member for Gippsland East made vast play on the fact that scallop splitters will not work at Lakes Entrance. However, what the honorable member has not told the House is that, progressively in the past two years, the size of the scallops by two progressive Government regulation bites has reduced the size of the scallop by half an inch. That means that the splitters must work twice as hard to split the same amount of scallops. The honorable member for Gippsland East amplified the point of industrial action in the fishing industry. There has been industrial action in the honorable member's electorate where certain fishermen have pushed their boats from the wharf and

the boats have sunk. There is no end to the trouble between the fishermen at Lakes Entrance, Portarlington and other areas where Molotov cocktails have been thrown at boats. However, on not one occasion did the honorable member provide any outline of when there has been industrial trouble in the employer section of the fishing industry covered by the Cold Storage Union. At no time has the union in that area ever gone on strike. I challenge the honorable member to state otherwise.

There has been a difference of opinion between fishermen over the size of the scallop and the bag load. That is where the trouble lies because some fishermen are greedy and will not abide by the Government regulation. That has resulted in Port Phillip Bay being fished out of scallops.

The honorable member for South Barwon said, "We will speak with one voice." The Government is squeezing the fishermen out of existence by not ensuring that the fish is processed on shore. The inclusion of an additional representative on the council will allow more mobility and representation to cover all areas of the fishing industry. It will cover not only the fishermen themselves but aquaculture which is an important area of fishing. Aquaculture is an area I have not spoken on yet. River fishermen have not been mentioned. One has an industry worth $300 million, but add aquaculture and the river fishermen to it and the value of the industry is significantly expanded.

I am disgusted and surprised at the honorable member for Gippsland East. The honorable member blames all the ills of the industry on the poor old ordinary worker who keeps the honorable member in a job.

Mr WOOD (Minister of Immigration and Ethnic Affairs)—I suggest that progress be reported.

Progress was reported.

PAPER

The following paper, pursuant to the direction of an Act of Parliament, was laid on the table by the Clerk:

Housing Commission—Report for the year 1978–79.—Ordered to be printed.

VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL

The debate (adjourned from November 27) on the motion of Mr Borthwick (Minister of Health) for the second reading of this Bill was resumed.

Dr COGHILL (Werribee)—May I first join with other honorable members in wishing a speedy recovery for the Minister of Health who would normally be handling the Bill.

These are important amendments to a long-standing piece of legislation which allows control over vermin and noxious weeds throughout Victoria. The significance of the amendments prompt one to review the Act.

The principal Act contains some Draconian provisions which represent severe infringements of individual liberties. Section 31 of the Act illustrates that point. That section states, *inter alia*:

> Any inspector may enter upon any land whether enclosed or not in order to ascertain whether any vermin are on such land and may search for vermin thereon or in order to ascertain whether any noxious weeds are growing on such land.

That is a Draconian provision which represents a severe infringement of liberty for people who own or occupy landholdings. That provision has been there since 1949. It was confirmed in the principal Act which was included in the consolidation of Acts in 1958 and it has again been implicitly confirmed in the amendment.

It is worth noting that in another Bill recently before the House similar provisions have been repealed and much more reasonable provisions have been inserted. Certainly the police do not have such powers, and nor should they. Yet, inspectors appointed under the Act and persons appointed by the Minister under the Act have that extraordinary power.

The principal Act imposes heavy responsibility upon both the Minister and landholders. To illustrate that, section 6 of the principal Act states, *inter alia*:

> Subject to this Act it shall be the duty of the Minister to take sufficient reasonable action to destroy and suppress all vermin and noxious weeds on and to keep clear and free of vermin and noxious weeds . . .

There are plenty of instances where that simply has not been carried out. The honorable member for Gippsland East will be aware of the invasion of blackberries into mountainous areas of Victoria. That is one of the most dramatic examples of the Government's failure to carry out its grave responsibilities under section 6 of the Act.

Honorable members will be aware that surveying for the low level road between Dartmouth and Omeo required the use of heavy machinery to get through country which previously could have been walked or ridden through. However, because of the lack of control there are blackberry bushes with trunks of 10 centimetres in diameter—very large plants which have been allowed to proliferate out of control.

The Government has failed to control the saffron thistle, a weed declared as a dangerous weed under the provisions of the Act and acknowledged in the Bill. There is a considerable probability that the Government's decision to sack 26 persons employed in the Vermin and Noxious Weed Destruction Board will further inhibit the proper control of vermin and noxious weeds.

Hence, not only will the existing vermin and noxious weeds be out of control but also there is a possibility that there will be a further spread and a further loss of productivity and damage to the environment because of the invasion of foreign and noxious weeds.

I turn to the specific provisions of the Bill. In the Minister's second-reading speech, prominence was given to the change in the penalties under the Act. There is a reference to deleting imprisonment as a penalty. There is no evidence that the prospect of imprisonment for breaches of the Act has been an effective deterrent, either in the case of saffron thistle or a whole host of other vermin and noxious weeds.

I cite one specific example. Fox pelts are not allowed to be brought into Victoria, so that foxes slaughtered in another State cannot receive the bonus. In the Rural City of Wodonga an extraordinary number of fox pelts are presented for the bonus. No one seriously suggests that all of those fox pelts are from foxes shot in Victoria. However, there are a large number of statutory declarations and other statements that the foxes are shot on a specific hill within the municipality of Wodonga. If that number of foxes existed on that hill, it would have been barely possible to see the trees and the grass. I am sure the Acting Minister of Health will be aware of similar problems with other municipalities bordering other States.

The Labor Party does not oppose the abolition of the imprisonment penalty. However, why has this discretion of the courts been removed when the unfettered discretion of inspectors to venture upon land for inspection remains? There is, however, a specific penalty to which I draw attention. Section 41 of the Act relates to breaches, such as persons wilfully hindering, obstructing or interrupting the inspector, threatening or assaulting or using improper language, removing or altering notices, interfering with snares and traps or contravening or failing to observe other provisions of the Act or the regulations. It is proposed that the penalty under this section become $1000.

Those provisions, read together with section 31 of the principal Act, which enable an inspector to enter upon land, make this Draconian-type legislation. It places a landholder in a position where, for good and proper reason, he may wish to inhibit the entry of an inspector onto his property because there may be no legitimate reason for the inspector to enter in such circumstances—he could be prosecuted and fined a sum up to $1000.

Those provisions could also be read with clause 8 (2) of the Bill, for example. Again, instances could occur where people were quite unreasonably exposed to this heavy penalty. Under clause 8 (2) it will be possible for the Minister to make regulations for the keeping of limited numbers of rabbits in domestic situations. Rabbits breed and it could happen that a person could find himself in breach of these conditions. A

child could be given two rabbits today and wake up tomorrow to find he had ten rabbits, which is not unlikely, and so be liable to a fine of $1000. It is quite unreasonable that people should be placed in that situation.

If I may correct one false impression, it has been suggested that foxes are a source of hydatids, which is a serious disease. In fact, that is not true. Foxes are not able to harbour or transmit hydatids. The same applies to cats, although a similar false impression is sometimes given.

The Bill removes the obligation of municipalities to pay a bonus on fox scalps. This provision is long overdue. When I was a member of the Wodonga City Council, that council wanted to get rid of the provision and was one of the councils which put submissions to the Minister on the matter.

As I said earlier, provision is made to enable certain species of animals which are considered as vermin to be kept under prescribed terms and conditions. That provision is welcome. It will have special reference to rabbits. Honorable members would be well aware that many young people put themselves in breach of the present Act by keeping small numbers of rabbits as domestic pets. That practice has brought the Government into ridicule and the law into disrepute, so the provision is welcome.

A further provision will enable the control of certain weeds on lands to be defined by proclamation. This relates to weeds which grow along roadsides which would normally be the legal responsibility of the adjoining landholder or occupier but which in practice are not controlled in any way. Paterson's Curse is becoming widespread in the Shire of Werribee where small colonies are being found along roadsides. Very little of it appears to be within landholders' land, but there is a danger that, because it is not being controlled, it will become more widespread and will become a matter of concern to landholders in the area. The provision is a welcome one which should receive the full endorsement of the House.

Dr Coghill

The only other regret I express about the Bill is that it does not bring to fulfilment the slogan that was around before the election, which was "Weed the Liberals out of the Garden State".

Mr McINNES (Gippsland South)—This is an important Bill and it is worth examining its wider ramifications. It increases penalties tenfold, a savage increase, as the honorable member for Werribee stated, but it repeals the imprisonment penalty of the earlier legislation as such a penalty is no longer appropriate. Nevertheless, a substantial increase in penalties is necessary to ensure that farmers and others concerned accept their responsibilities.

The responsibility of the Minister of Lands is set out in section 76 which is being updated by the Bill to accord with provisions in other legislation. Responsibility for the destruction of vermin and noxious weeds on roads, as has been the case for some time, lies with the owners and occupiers of adjoining lands. In his second-reading notes, the Minister indicated that, although this situation must be continued in the future, in special circumstances certain noxious weeds ought to be the responsibility of the Minister of Lands; and there is provision in the Act to specify those noxious weeds.

There is ambiguity in the provisions relating to the powers of the Governor in Council to order simultaneous destruction of vermin. This has been a facet of the legislation over many years. Farmers came to understand that, by a certain date, simultaneous destruction would be ordered, and there was an all-out drive on vermin. By that means, most productive results were achieved.

The Bill before the House proposes to amend some of the restrictions on the keeping of animals which come within the definition of "vermin". These are pets and include fancy breeds of rabbits. Another matter is the discontinuation of bonuses for specified kinds of vermin, primarily the fox. There is no harm in this. The provision can be reintroduced should the fox assume plague proportions. The present situation that fox pelts are taken to the municipality

and a bonus claimed is odious and archaic. The small amount paid for them does not warrant the continuation of the practice.

Finally, the Bill deletes saffron thistle from the list of prescribed dangerous and noxious weeds in the Second Schedule to the principal Act. This is an admission of failure because saffron thistle has because of lack of control become a prolific pest in some areas of southern New South Wales and in broad acre areas. In defeat, the Government has decided not to penalize farmers for not being able to control it. The responsibility has been transferred largely to the grain growers who, in supplying first-quality wheat, must naturally be alert to the fact that, if there is saffron seed in their product, the grain will be rejected, so there is a secondary measure of control. However, in the broad acre pastures it remains a problem.

I turn to the recent reduction in the effort of the Vermin and Noxious Weeds Destruction Division in the Lands Department. Equipment has been withdrawn from units in Gippsland and transferred to other units on the basis that the Gippsland units were overequipped. Some 26 men were recently sacked and overall some 40 men have been dismissed out of a total of 600 in the Lands Department. This is a major reduction. If the men had been surplus, there would have been justification for retrenching them and reducing the amount of equipment they had. However, that was not the case.

Over the past ten years, the Lands Department—in particular, the Vermin and Noxious Weeds Destruction Division —has carried out sterling work. Years ago, the inspector was the feared man who tried to get farmers to do certain things, and all sorts of personality problems cropped up from time to time. Subsequently the Lands Department came into its own. It obtained the right sort of equipment and put together teams which worked alongside farmers on roads, carrying out work at the behest of the farmers and meeting obligations under the Act on behalf of the farmers. The cost of the work was borne by the department.

A new relationship then grew up between the farming community and the department, and that relationship has improved because it has been accepted that the Government has played a real part in the control of noxious weeds and vermin, especially on roadways where access is readily available. Gangs working among farmers carried out work for which the farmers were legally responsible. One may say cynically that if somebody else does the work for one at his own expense, one will always be well-disposed towards him, but I do not think it is as simple as that.

With the growing sophistication of chemical application, the need to identify noxious weeds and keep them under control and the need to spray at the right time of year, landholders realize that such specialized knowledge rested with the Lands Department and that when the department's teams came around they ought to spray the department's properties at the same time. It is not easy or pleasant breathing the fumes of toluol, the basic carrier of the chemical, and being exposed to that day after day, working among black snakes and blackberries, and I pay tribute to the gangs which took on this work. There was criticism of them in days gone by, but now there is appreciation —perhaps sometimes a grudging appreciation, but nevertheless an appreciation —of the work they have done.

Ragwort grows prolifically in the Otway Ranges and in Gippsland and it is a problem weed. Leaflet No. LW6 issued by the Vermin and Noxious Weeds Destruction Board of the Department of Crown Lands and Survey in December 1976 states:

> Ragwort is a persistent pasture weed which originated in Europe and Asia. In Victoria it is well established in the high rainfall areas of the South Gippsland hills and the Otway Ranges. Once ragwort is established, thorough control measures are required to prevent it from becoming a serious problem.
>
> Properties
>
> Although it is poisonous, ragwort is unattractive to horses and cattle. Sheep will graze the plant, but are less susceptible to poisoning. Ragwort competes strongly with more desirable pasture species and can reduce their production. Its presence reduces land value. The seed can remain viable in the soil for at least 8 years.

Dispersal

Seeds are spread by wind, water, animals, farm implements, hay, bags and mud. Root and crown pieces may be spread by cultivation.

The document containing this information is published by the Vermin and Noxious Weeds Destruction Board. Ragwort, similarly to other noxious weeds, can be spread by trucks, transport, private cars and stock travelling along the road. It is reseeded by people outside the control of the landholder. He may keep his property clean, but it is continually being reseeded either from the road or, in certain areas, by neighbouring landholders who are not fulfilling their obligations to their neighbours or their obligations under the Act.

Despite that, the Government is asking that landholders assume responsibility for control, to put in a lot of time in controlling the weeds and to lay out cash to buy the chemicals. They are also being asked to risk all of the hazards of working on the roadway. Those hazards concern me. This is a policy change. I highlight that because in the past ten or twenty years the Lands Department has increasingly assumed the responsibility of controlling weeds on roads adjoining properties. As I have said, it has done the job well. Nonetheless, there is to be a change in policy, not in legislation, which means that the responsibility to carry out the work will be thrown back on the landholder.

That policy is logical if taken at face value, but it is illogical if taken in its broadest context. The Bill is allowing the Government simply to opt out of the problem, just as it opted out of the problem of the saffron thistle, and it is doing that because of a temporary shortage of funding. It is forcing the farmers to carry out the work. The Lands Department gangs are experienced. They know the problems of chemical drift and have been well trained. They do the job day in and day out.

Another hazard the farmer will face will arise when he is working on the road. He will have his tractor running, which will be noisy, and if a car comes around the corner there could well be an accident. In the Strzelecki Ranges and the Otways there is every chance of an accident because of the difficult turns and twists of the roads. The farmer will have a legal responsibility, but he is not normally in a position to be able to erect warning signs and he cannot have a man with a flag holding up traffic. There are hidden dangers. That is the point I make. The Government is transferring to the landholder a legal responsiblity that is unfair. It is walking away from the problem and abdicating a general responsibility of everyone in the community.

There are approximately 18 000 landholders in the area concerned, between Loch on the South Gippsland highway and Yarram or Woodside. Many of them are in the electorate I represent. They are concerned about the lessening of the activities of the Lands Department. They are faced with the frustration of having to cope with an enormous problem, not always of their own making. In many cases they are not. Many of them will either move or give up farming. There is evidence that this has happened. There is a drop in productivity when there is an increase in weeds, and further economic hardship will be imposed on towns in the area. It is a difficult topographical region. In the Mallee the roads are 2 or 3 chains wide, the country is open and there are square-mile blocks that can be driven around in a matter of minutes, but the situation is vastly different in South Gippsland, which has steep banks, deep cuttings and gullies and creeks. There are all sorts of prolific growth and the farmers are being asked to do far more than can be expected of them.

Ragwort is only one problem. Blackberry is increasing at an alarming rate, not only in the fertile areas. It is spreading throughout the alpine region. It will be a major problem in the future and far more attention should be paid to introducing biological control. Some work is being done on this at the Keith Turnbull research institute, but not enough funds are provided. If a biological control were introduced, such as was done with myxomatosis, the whole community should share the cost because it would

be of lasting benefit to the community. Insufficient attention is being paid to the problem.

It is foolish, in the interim, to be reducing manpower, to be transferring equipment and to be frustrating the work of the advisory committees and the gangs concerned. It is the old story of the battle being lost for the want of a nail. That pinch-penny attitude will rebound dramatically on the community. The Bill provides that:

> Subject to this Act it shall be the duty of the Minister to take reasonable action to destroy and suppress all vermin and noxious weeds on and to keep clear and free of all vermin and noxious weeds—

It then goes on to detail the sorts of lands that are involved. I shall not mention them all but they include unalienated lands of the Crown, lands vested in the Minister and his successors, the Minister of Public Works, the Railway Construction Board, the Victorian Railways Board, authorities within the meaning of the Water Act, the Forests Commission, the Rural Finance Commission, the State Electricity Commission and so on.

It is quite clear that the Minister has the responsibility but it is a fact of life that in recent years the Minister has not exercised the sort of control he should have exercised, so there is a strong case for retaining the existing strength of the Vermin and Noxious Weeds Destruction Board, the gangs, the manpower and equipment and keeping them at peak condition to handle the problem.

The responsibility cannot just be handed over to the farmers. It belongs to the whole community. I am not simply defending farmers. Landholders have a responsible attitude. They have spoken to the Minister and said, "We go along with the increased penalty. If a farmer does not carry out the work he should accept the penalty because he is making life extremely difficult for his neighbours." The farmers are not opposing the 1000 per cent increase, but they are concerned about the problems of absentee landholders.

Many of these people are hobby farmers who have bought properties because it seemed to them to be a marvellous idea at first, but after a time the novelty wears off and once the blackberries grow and the lovely yellow flowers turn out to be ragwort it is a different matter. The rabbits come in and the neighbours have to bear the cost. There are a lot of pseudo-conservationists among them. One has only to look at the advertisements in the *Age* on a Wednesday or Saturday to realize that metropolitan estate companies are selling properties in poor areas that are not viable; they are being sold for their attractive outlooks.

Unwittingly, a person with some money in his pocket—he may have been a postal clerk who has received his superannuation and wants to buy a property—buys 100 acres in South Gippsland and finds that he has been sold a bill of goods. The property may be covered with ragwort or blackberry and he does not realize he is undertaking a heavy financial commitment. Because of declining funds, he then goes off the property.

Mr Wilton—How do you deal with that problem?

The SPEAKER (the Hon. S. J. Plowman)—Order! The honorable member for Gippsland South should confine his remarks to the Bill.

Mr McINNES—Mr Speaker, it was a highly relevant interjection, because what has happened is that during the recession two or three years ago, when beef and dairy prices were at their lowest levels and nonsense was being spouted about, "If they cannot survive they should get out", even strong farmers were selling land to keep themselves afloat financially and they were cutting up parcels of land. Many city people took over the land and took over the problems at the same time.

It was a short-term solution that will have long-term results, for the municipalities as well as for the farmers. The municipalities could not do very much about it. In the area I represent they tried to have a lot of the land acquired for forestry operations so that responsibility for weed control would be taken over by the Minister of Forests, as provided for in the Act, but that is not being carried out efficiently as it should.

I make a strong plea to retain the services of the Lands Department. The gangs employed by the department are doing a sterling job under difficult conditions. I am surprised that members of the Labor Party have not supported these men as strongly as they should. They are working out in the field and are the first line of defence. They have performed the work well and are marvellous citizens. They have fitted themselves into the communities.

Through the Bill, the Government will retain all the administration wallahs in Melbourne but will cut down the gangs in the field. If there has been a greater exhibition of foolhardiness I am not aware of it. I appeal to the Government, the Minister, and especially the Treasurer, because in this instance it is the allocation of Treasury funds that is having such a serious effect. I hope that recent deputations to those gentlemen will impress on them the need not to let the weeds in the garden State get away from them, because that is what is happening. Anybody who has a garden knows that if one does not keep the weeds in check one will soon be in trouble.

This is an extremely serious problem and it deeply concerns the municipalities in my electorate, as I am sure it concerns those in the electorates of my colleagues in north-eastern Victoria. It is a continuing problem and one must keep the fight going all the time.

The policy is being changed. The Minister might well say that provision has been made for the Minister of Lands to designate certain roads and weeds and provide power for him to carry out that work, but one knows that that is not so. What the Government is really saying is that it is going to conserve funds and in a short-sighted way it will produce a measure that is just a stitch in time.

I do not believe that simply saying that certain weeds on certain roads will be declared noxious and giving the Lands Department the power to remove them is good enough. A contractual team must be assembled. The Lands Department employees are most efficient, and from my background of being involved in things like this, I know that continuing expertise is needed. It is available, but it will be destroyed if this proposal is adopted, and the capacity of that organization to function in the most effective way will be reduced.

Although I do not advocate the Government's becoming involved in certain elements of private enterprise, I believe it has a responsibility for large areas of Crown land and various forest areas and it must keep its own garden in order. The Government has available a weapon to assist farmers in the most economical way to use their services to carry out work on their own properties, and it has the power to bear down on farmers who welsh on their responsibilities. Every encouragement should be given to the Government to promote this scheme. I strongly appeal to members of the House not to say that this is just a farming problem or a matter of regional importance. It is of significant economic importance to the whole State, and if it is allowed to get away, Victoria will be in trouble. If the Government needs to conserve finances, that can be done in other areas. This is one area that deserves wholehearted support.

Mr B. J. EVANS (Gippsland East)—The debate on the Bill ought to be considered in conjunction with a reply to a question on notice which I received from the Minister of Health on behalf of the Minister of Lands which is recorded at page 2317 of *Hansard* of 11 September 1979. The answer supplied by the Minister of Lands stated, *inter alia*:

> . . . 2, 4-D is used to control a wide range of noxious weeds, the most important of which are ragwort, cape tulip, Paterson's curse, St. John's wort and various thistles. Alternatives are not readily available, mechanical control is impractical and ineffective in many cases.

I asked the Minister for comparative costs in the use of these chemicals and alternatives, and the reply the Minister gave was:

> The comparative costs vary from weed to weed but a typical example would be blackberries where the use of amitrole or Tordon 50D would result in a six-fold or 24-fold increase in costs respectively.

That is most important because it must be taken into account when considering the general problem of noxious weed control in Victoria. The Government ought to think very carefully before it arbitrarily bans the use of either of these chemicals in rural areas, because at this stage alternatives are simply not available.

Those of us who can remember the problem of the control of blackberries, which is the weed with which I had most experience before the days of these chemicals, will have some idea of how the blackberry can take control of large areas of first quality land. In the absence of these chemicals farmers can do little more than prune the blackberries. Chemicals are extremely important in the control of weeds, and I urge the Government to think seriously before taking any steps to further restrict their use.

Mr WOOD (Minister of Immigration and Ethnic Affairs)—I thank honorable members for their contributions to the debate. The honorable member for Gippsland South criticized the abolition of the imprisonment penalties which applied previously for offences against the Vermin and Noxious Weeds Act. To my knowledge there has not been an instance of imprisonment for an offence under this Act, but the monetary penalties have been inincreased tenfold and this will bring the measure into line with present costs, so I am sure that will be an adequate deterrent.

The provision for the payment of bonuses on specified kinds of vermin to be destroyed is to be altered, and the kinds of vermin on which bonuses may be paid will be specified by regulations. It has been suggested to me on several occasions that farmers will not shoot foxes unless they receive some capital reward such as a bonus, but that is not correct. Anyone who has been a farmer and has had experience of foxes destroying land and stock would shoot them without thought of reward, just as they would shoot wild dogs that attack sheep. The $5 bounty is of no deep concern.

However, if necessary, and if the value of fox pelts increases considerably, a bonus could be reintroduced by regulation. Most of the councillors to whom I have spoken are keen to see the fox bonus removed because they regard it as an imposition. The Shire of Swan Hill has expressed the average view of the strong objections raised by many councils to this proposal. The shire stated in a letter, *inter alia*:

(i) In most instances the fox scalps stink! And the odour lingers.

(ii) Scalps are presented at the general office counter in a wide variety of conditions. Some are wet, some are dry to the point of decomposition, whilst others carry lashings of crawlers, particularly maggots.

(iii) An administrative officer must personally handle and count or supervise the handling and counting of the scalps to determine the number for which the bonus is claimed. Then follows the highlight of proceedings, each scalp must be perforated with holes in the form of the letter 'V' (presumably 'V' for Victory) and then final destruction by fire and/or brimstone follows—as of course does an immediate visitation to the "Gents" for internal and external cleansing of the administrative officer.

The council officers find this task offensive, and also object to the problem of paying bounties for fox scalps. That matter was mentioned by the honorable member for Werribee.

The Bill has considerable merit, and I commend it to the House.

The motion was agreed to.

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

LATROBE VALLEY (AMENDMENT) BILL

The debate (adjourned from November 5) on the motion of Mr I. W. Smith (Minister of Agriculture) for the second reading of this Bill was resumed.

Dr VAUGHAN (Glenhuntly)—In his second-reading speech, the Minister described this Bill as small but important. The Bill makes a minor amendment to the Latrobe Valley Act 1958. Its purpose is to give the Latrobe Valley Water and Sewerage Board similar powers in relation to easements to those which currently exist for local authorities, the Melbourne and Metropolitan Board of Works, the State Electricity Commission and other instrumentalities operating under the Water

Act. The Bill will enable the Latrobe Valley Water and Sewerage Board to have control over easements where there is no dominant tenement. Thus the Bill concerns a legal technicality.

The motivation behind the Bill has a general and a particular aspect, and I have briefly canvassed the general aspect. The particular aspect concerns a saline waste water pipeline from Loy Yang power station to Bass Strait. The source of the saline water will be the evaporative cooling towers at the power station. Thus, this Bill is prompted in the first place by a law which is a far greater human achievement than any law, past, present or future, of Parliament. I refer to the second law of thermodynamics.

The Labor Party supports the Bill and accepts the need for it at this time in relation to the Loy Yang project. I commend the Bill to the House and wish it a speedy passage.

Mr McINNES (Gippsland South)—I support the Bill, which concerns the saline water pipeline delivering saline waste from the outlet at Bass Strait. That pipeline is now in the course of construction and is nearly completed. It traverses a number of farming properties and, although an undertaking has been received from the Latrobe Valley Water and Sewerage Board that everything will be done to ensure that good communications and rapport are maintained between the board and the workmen, problems have occurred. The main aim now will be to ensure that these problems can be overcome.

For instance, the board tends to put gates in boundary fences for its use, but in practice it moves materials, men and equipment through the existing gateways that belong to the property. Generally this is done without much warning being given to the farmer, and it is not always appreciated. The movement of flocks and birds is fairly delicately balanced, and when the gates are left open herds of cattle can mix and this can be extremely harmful to the breeding programme on the property. I am sure these sorts of actions are not taken deliberately, but they occasionally have the effect of creating friction.

I ask the Minister to ensure that unusual care is taken to ensure that good relations are maintained between the board and those property holders. They are only too willing to co-operate, but when they see a load of pipes being driven by a carrier from Melbourne who could not care less whether he damages a bridge on the property, goes through fences or leaves gates open, they can be excused for becoming irate. This is only an exercise in human relations and common courtesy.

The motion was agreed to.

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

LOCAL AUTHORITIES SUPERANNUATION BILL

The debate (adjourned from November 1) on the motion of Mr Balfour (Minister for Minerals and Energy) for the second reading of this Bill was resumed.

Mr KIRKWOOD (Preston)—This Bill was debated in another place and the Opposition did not oppose it. Officers in local government are very disappointed that a new draft Bill proposed to improve superannuation was not presented during this sessional period. It is understood that it is presently the subject of negotiation between the Municipal Officers Association and the Municipal Association of Victoria. The people in local government would like to believe the Minister will convene a conference with all concerned parties, with a view to reaching agreement on the legislation that is to be introduced during the autumn sessional period. The Government made this an election promise, and it is hoped it will be carried out.

I hope also that the Government will take into consideration the common criticism that is made of this superannuation scheme. Most of the employees in local government tell me that the benefits are far too low. At one time I telephoned the Secretary of the Municipal Association of Victoria on behalf

of a former employee of the Preston City Council asking that the association waive all payments of superannuation because this man found that the superannuation payments unjustly cut off all the fringe benefits of normal pension rights. This man and his wife were in constant need of medical attention, and constantly needed to travel within the metropolitan area. He should never have been disenfranchised from something he had paid into. He had paid taxes to the Federal Government during his working life, but found that his superannuation payments were not of any advantage to him when the time came to claim this benefit. He wanted to forgo the benefits he had accrued from the superannuation scheme, but the secretary of the association assured me that there were no regulations that permitted him to do this.

There are other complaints and criticisms made of the local government superannuation scheme. Many people are of the opinion that membership of the scheme should not be compulsory. They may have a point and their grievance may be real. If they are going to lose financially when they retire, their criticisms are well founded. They should be allowed to decide whether to accept a lump sum payment, or pension rights over a period of time. People are losing fringe benefits because they are receiving a pension from the local government superannuation scheme. This should not be allowed.

The Municipal Association of Victoria and the Municipal Officers Association should meet and make a proper comparison of other similar schemes, which are the schemes of the Melbourne and Metropolitan Board of Works, the Country Roads Board, the State Superannuation Board and the Metropolitan Fire Brigades Board. From memory, the superannuation scheme of the Metropolitan Fire Brigades Board was revamped in 1976. Most of those other schemes seem to have the approval of the employees. There is no reason why fringe benefits should not accrue to beneficiaries of the local government scheme and that is what they are concerned about; they are not interested in anything else. I know the employers take a different attitude.

The Bill is a relatively simple one. It increases benefit payments for certain limited contributors. It gives wider power for disability benefits. There are pension entitlements for persons who are dismissed, or who resign, after having served for at least fifteen years. Of course, they have to attain the age of 50 years before this entitlement accrues.

It is also proposed in the Bill that application can be made by or on behalf of any former employee for payment of a disability benefit, and the board has to be satisfied that the disability caused the termination of the employment of the employee. The Minister, in his second-reading speech, made mention of a town clerk in Melbourne who should have been granted this entitlement but, because he was in hospital, did not receive an offer of his entitlement and the offer was not accepted on his behalf. In such case, a man and his dependants can suffer unjustly. The proposal in the Bill should have applied years ago.

There is also mention of breaks in service in various types of employment in municipal councils that disenfranchise an employee. Under the Bill, an employee's rights and benefits will be retained provided that he goes back into the employment of a municipality within a certain time. This is another provision that should always have applied, because breaks in service in local government are not always at the behest of the employee. Often an employee goes to another field or area to gain experience. This is common practice throughout local government today.

Clause 6 states that where a person dies before his pension becomes payable, he will be deemed to be a contributor, and a pension will become payable to the spouse. This is an excellent provision but there is one proviso —he has to be married for five years prior to his death. I suppose there has to be some type of limitation, and this is one of the lesser ones.

The various aspects that have been tidied up in the clauses of the Bill will make the contract of service of employees in local government that much better.

The decision on whether an employee will be permitted to rejoin the scheme after a break in service rests with the board. I hope the board will not make a decision to debar an employee from re-entering the scheme without giving the matter most serious consideration. It would be an injustice for the board to decide that someone who has paid into the superannuation scheme for many years, but temporarily terminates his employment for one reason or another and then decides within a period of two months to return to his employment with local government, should be denied membership of the superannuation scheme. I hope there will be a lessening of the old hard line rule to give the benefit of the doubt to an employee who returns to his former employment. Such a person would help considerably in local government because of his experience and service.

As I said at the beginning of my remarks, the objectives of the Government should be closely defined in the new draft Bill on the local government superannuation scheme. I impress on the Minister that he should give this urgent priority because the patience of officers in local government is running out. Something has to be done to bring this superannuation scheme up to the level of the other superannuation schemes that apply to Government authorities.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party supports the Bill. It has been a long awaited improvement to the Local Authorities Superannuation Scheme. Municipalities must look after their employees in the same way as the Public Service and private industry. The honorable member for Preston said that local government employees are often the poor relations under the superannuation scheme. This Bill does not go as far as the employees wanted, but it is an interim measure, and the National Party looks forward, in the not-too-distant future, to a more comprehensive scheme being brought into operation.

The National Party supports the Bill, knowing that it will bring increased benefits, particularly to narrow sections of the local government authorities.

Mr BIRRELL (Geelong West)—As the Leader of the National Party said, this is a small Bill with not a great deal of substance to it. It is an interim Bill. It is between one Bill and the other—the one that is to give local government employees what they are looking for. There are a couple of signs on the horizon. The Municipal Officers Association and the Municipal Association of Victoria are negotiating, and the difficulty in the past for a better deal in local government has been that local government has a mass of employers. That has been a real barrier. Fortunately they have an association, the Municipal Officers Association, and the Municipal Association of Victoria, which can speak on behalf of the employers who are the municipal councils. However, historically the Municipal Association of Victoria has been tardy because it regards its role as keeping rates down and therefore the contribution to superannuation as low as possible. That is the background for the present levels of the scheme.

I have been reported in the local press as saying that next year councils will receive 2 per cent of the income tax collection and there is some reason to believe that quite a portion of that could be siphoned off into a new scheme which would not require any large increases in rate revenue. The councils will be receiving a sizeable sum of money without contribution from ratepayers. There is reason to believe a decent scheme could be evolved. Current rates are low compared with those of other schemes. Negotiations are proceeding, and I think it would be the will of this House that something reasonable comes from the negotiations. In the meantime the Bill holds the line and improves the situation, but by no means is it any more than an interim measure.

The motion was agreed to.

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

MELBOURNE COLLEGE OF DIVINITY BILL

The motion (last debated on September 26) of Mr Lacy (Assistant Minister of Education) for the second reading of this Bill was agreed to.

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

PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL

The debate (adjourned from the previous day) on the motion of Mr Hamer (Premier) for the second reading of this Bill was resumed.

Mr ROSS-EDWARDS (Leader of the National Party)—This Bill has the support of the National Party. It is commonly known as sunset legislation. It has been part of National Party policy for some years and the National Party made it an issue at the last State election. The honorable member for Oakleigh has spoken at some length on the subject earlier this day.

Mr Mathews—Briefly.

Mr ROSS-EDWARDS—Briefly, by his standards. The Bill provides that when Government boards or committees are created, they must justify their existence or go out of existence. What honorable members would like to happen—but what will not happen in this instance, and many other cases—is that the body will have to be re-appointed. In America every 1, 3 or 5 years, an Act of Parliament must be passed to reconstitute a body.

There is no point in having authorities and saying that they must justify their existence because governments tend to do nothing about it. From time to time honorable members are all to ready to create bodies to carry out certain functions but when those functions become sometimes less necessary and there is an inactive Minister, he tends to let the *status quo* remain.

The National Party will support the Bill. It believes in the principle, but for the reasons mentioned by the honorable member for Oakleigh we are somewhat disappointed that no onus is placed on the organizations already in existence to justify their existence.

Mr CRABB (Knox)—This Bill which purports to be sunset legislation is not sunset legislation, as the honorable member for Oakleigh demonstrated in the early hours of this morning. It is hypocrisy for the Leader of the National Party to claim that it is. That is a good joke for this time of the evening. Members of the Government party have been talking about setting a date on which each public body would have to justify its continued existence. The Bill provides for a committee which can look at only bodies referred to it.

Mr Mackinnon—Individual sunset.

Mr CRABB—That committee will look at a body and if it deems it wise, will set a date when it will look at it again. I am sure the honorable member for Box Hill has studied the Californian legislation and the legislation of other places and will know that this is not sunset legislation. It is nothing like it. It is merely a body established with power or capacity to look at some public bodies referred to it by the Governor in Council or in the unlikely event of both Houses of Parliament agreeing to refer a matter. One can be sure that this committee will not be looking at the Tramways Board or the Housing Commission. It might look at the Onion Marketing Board because that is to be phased out. The Minister suggests the Sludge Abatement Board. That is another possibility. No doubt there are a few others around the edges of legislation which are more abundant in one form or another.

This is not the legislation that the Government promised the people of Victoria during the election campaign. It is a back-off and it is not good enough to present it as such. The least the Bill should do is allow a committee of this Parliament to examine all public bodies in the order in which it desires and in the order in which the Governor in Council desires. Not in the order which the Governor in Council desires. The honorable member for Box Hill nods his head in agreement. I assume he must have put up a similar argument in the party room but was done again by the conservative wing of the Liberal Party which is facing me in the person of the Minister of

Labour and Industry, who would have voted the other way because the last thing he would have wanted would be the sunset committee looking at his department.

Mr Maclellan—His department makes reports to the Parliament every year.

Mr CRABB—And so does the Victorian Railways Board, but still honorable members do not know what is going on. Even the Minister did not know about the McKinsey report until the early hours of this morning. The Minister of Transport does not know what is going on in his own department and yet he has introduced this measure which is in the nature of sunset legislation.

The Bill purports to establish a committee which has no more power than the Public Accounts Committee has at the moment. The Public Accounts Committee currently examines the supplementary report of the Auditor-General and then it examines the statutory authorities reported upon therein. No doubt the Sludge Abatement Board is not one of those bodies and that may be the reason why there is no provision for a referral by the Governor in Council. This is not true sunset legislation and it is a fraud to suggest it is.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 7727)

Mr MATHEWS (Oakleigh)—I move:

Clause 2, lines 21 to 30, omit all words and expressions on these lines and insert:

"48B. (1) (*a*) The Council and the Assembly by resolution;

(*b*) the Governor in Council by Order published in the *Government Gazette*; or

(*c*) the Committee—

may at any time nominate a public body for review by the Committee.

(2) Where the Council and the Assembly have nominated a public body for review the Council and the Assembly may at any time by resolution withdraw the nomination; where the Governor in Council has nominated a public body for review the Governor in Council may at any time by Order published in the *Government Gazette* withdraw the nomination; and where the Committee has nominated a public body for review the Committee may at any time withdraw the nomination."

The three amendments and the other two circulated in my name are put forward by the Opposition in the hope that this welcome measure can be made still more effective than will be the case if it is enacted in its present form.

The first of these amendments is directed to giving the new committee power to initiate inquiries into public bodies rather than being dependent for references on either the Governor in Council or, alternatively, a motion passed by the two Houses of Parliament.

It should be made clear that in accepting the amendment the Government will not be relinquishing control over the process of referral of public bodies to the committee for review, as the Government will at all times have a majority of members on the committee.

What will be achieved by passing this amendment and by strengthening the measure will be an enhancing of the self-image of the committee itself. Honorable members would agree that it is of great importance for the members of this committee to see themselves as a body with a serious task to carry out, and as a body whose work is taken seriously by the Parliament as a whole, by the Public Service and by the community at large.

The honorable member for Knox, in contributing to the debate a few moments ago, made the point that it might very well be a case that the Parliament will find that only minor agencies are referred to the new committee for review and the more powerful agencies, backed up as they are by their own independent bureaucracies and by powerful interests within the community at large, will be able to resist the process of being called to account through the referral procedure.

This has to some extent been the experience under the legislation which has been adopted in most of the 32 American States which have so far accepted the sunset concept in one form or another. It is instructive to

consider the experience of Colorado, which was the first of the American States to enact sunset legislation. In the first year the list was as follows:

> Three agencies were terminated: the Board of Professional Sanitarians, Board of Shorthand Reporters, and the State Athletic Commission. Two boards were consolidated: the State Boards of Barber Examiners and of Cosmotologists.
>
> Three agencies were re-established with modifications designed to improve their performance: the State Boards of Passenger Tramway Safety, Collection Agencies, and the Racing Commission.
>
> The Board of Mortuary Sciences was terminated but a last-minute resolution calling for interim study produced legislation in 1978 recreating the Board but with new consumer protections.
>
> The legislature postponed decisions on four agencies to allow for interim studies. The Public Utilities Commission, Board of Institutions for the Aged, and the Board of Nursing Home Administrators were extended for one year.

The ACTING CHAIRMAN (Mr Birrell)—Order! I do not want to interrupt the honorable member but at the moment the Committee is considering an amendment.

The honorable member is now transgressing the terms of the amendment presently before the Committee. I should like the honorable member to confine his remarks more closely to the amendment, which relates to the power of referral of the Governor in Council, the Legislative Council and the Legislative Assembly, rather than transgress into an area which is more suitable to a second-reading debate.

Mr CRABB (Knox)—On a point of order, Mr Acting Chairman, for clarification, I ask whether you are limiting debate at present to the amendment and will you then allow honorable members to debate the clause later, because clause 2 is the entire generality of the Bill.

The ACTING CHAIRMAN—The honorable member is quite right. At present the Committee is debating the amendment which is under consideration.

Mr MATHEWS (Oakleigh)—I was seeking to establish the point that unless the committee is given power to initiate reviews into particular public bodies, the arrangements proposed in the measure may well have the effect of ensuring that only the least important agencies and indeed even those already well along the road to redundancy will come before the committee. I was illustrating that point by referring to the Colorado experience, where in the first year of references made by the legislature in that State certain boards had been terminated. Indeed, I had very nearly concluded the reference I was making. I continue relating the experience in Colorado:

> The legislature postponed decisions on four agencies to allow for interim studies. The Public Utilities Commission, Board of Institutions for the Aged, and the Board of Nursing Home Administrators were extended for one year and the Division of Insurance for two years.

If the Bill achieved no more than that sort of result, honorable members and the community at large would be entitled to feel somewhat cheated about the whole sunset concept, as promised by the Premier in his election campaign speech on this subject, and foreshadowed by the Governor in his Speech setting out the Government's programme at the beginning of this Parliamentary session.

That is why the amendment seeks to give the committee power to nominate a public body for the review process. The Government can accept the amendment without doing any violence to its concept of the measure. It simply serves to strengthen the measure.

Mr ROSS-EDWARDS (Leader of the National Party) — The amendment would add strength to the measure. As has been explained, in order to have the investigation of a body referred to the committee it has to come from either the Governor in Council—which is Executive Government—or from a resolution of the two Houses of Parliament—once again getting back to Executive Government, in effect. If the amendment were accepted the committee could nominate a public body to be referred to it.

One of the benefits of the committee system has been that members of committees tend to act more as individuals

than they may do in the House. Committee decisions are not always made along party lines and members of committees usually tend to make up their own minds and decide according to their consciences. That could well occur with the committee now being discussed and the committee could decide to nominate a public body for review.

Each party is responsible for nominating its own members to be appointed to the committee and it should have confidence in them to do the job that is required of them. For those reasons, I believe the amendment would improve and add strength to the measure. The National Party will support it.

Mr MACLELLAN (Minister of Transport)—I have sought a view from the Premier and I am not at present able to indicate the Government's position.

I understand the arguments advanced by the honorable member for Oakleigh, who seeks to create a new source of initiation of inquiries. Possibly, the better view is that in the earlier stages it might be appropriate for the Bill to remain as it is, although I appreciate that the Opposition and the National Party wish to advance the situation another step. There are good reasons for thinking that, inevitably, it will move in that direction. However, it is a new committee and a new concept. If the committee launched inquiries into some of the bigger agencies in the State—despite the desirability of that—it would simply bog itself down rather than show achievement. There may well be a contrary argument, that it would be better to start off with some of the more obvious agencies, which really are as the honorable member for Oakleigh put it, ripe for investigation and consideration, so that a practice can be developed.

I distinguish between the American experience and our own as there is danger in basing our initiatives on American experience. In America, civil servants are not generally entrenched in their employment. The snuffing out of an agency and dispensing with its employees is a common matter and there are many opportunities for that. In Victoria, the sensitive matter—to which the committee would have to give consideration—of permanent employees having to be shifted into other positions would create difficulties. Clearly, if it were decided to review the railways, which have 22 000 employees, because a majority of the committee was enthusiastic to get stuck into that body—and there is some enthusiasm in certain corners of the Chamber for getting stuck into the railways—I doubt whether the committee would be able to show much progress, whereas, if some of the smaller agencies that have been around for some time were reviewed, greater opportunities for progress would be offered.

The honorable member for Knox suggested, in effect, that the Department of Labour and Industry could be investigated. It was a momentary reaction to an interjection, but I could not imagine anything less apt than for the committee to launch into an investigation of as venerable a department as the Department of Labour and Industry.

As I am not in a position to advise the Government's view of the amendment, I suggest that progress should be reported.

Progress was reported.

VICTORIAN FISHING INDUSTRY COUNCIL BILL

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

Discussion was resumed of clause 6 (Constitution of council) and of Mr Fogarty's amendment:

Clause 6, line 1, omit "eleven" and insert "twelve".

Mr FOGARTY (Sunshine)—This amendment has been fully debated.

Mr WALSH (Albert Park)—I support the amendment to increase the membership of the council from eleven to twelve to ensure that fishermen are properly represented. This would allow at least 50 per cent of the representatives on that council to be fishermen. The

men who catch the fish should have the largest voice, therefore, the Opposition recommends this amendment.

The Committee divided on the question that the word proposed by Mr Fogarty to be omitted stand part of the clause (Mr A. T. Evans in the chair).

Ayes	..	42
Noes	..	30
Majority against the amendment	..	12

AYES

Mr Austin	Mr McKellar
Mr Balfour	Mr Mackinnon
Mr Birrell	Mr Maclellan
Mr Brown	Mr Ramsay
Mr Burgin	Mr Reynolds
Mrs Chambers	Mr Richardson
Mr Coleman	Mr Ross-Edwards
Mr Collins	Mr Skeggs
Mr Crellin	Mr Smith
Mr Dixon	(*South Barwon*)
Mr Ebery	Mr Smith
Mr Evans	(*Warrnambool*)
(*Gippsland East*)	Mr Tanner
Mr Hamer	Mr Templeton
Mr Hann	Mr Thompson
Mr Hayes	Mr Trewin
Mr Jasper	Mr Weideman
Mr Jona	Mr Whiting
Mr Lacy	Mr Williams
Mr Lieberman	Mr Wood
Mr McArthur	*Tellers:*
Mr McCance	Mr Cox
Mr McClure	Mr Kennett

NOES

Mr Cain	Mr Remington
Mr Cathie	Mr Roper
Dr Coghill	Mr Rowe
Mr Crabb	Mr Sidiropoulos
Mr Edmunds	Mr Simmonds
Mr Ernst	Mr Simpson
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Gavin	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Wilkes
Mr Jolly	Mr Wilton
Mr King	
Mr Kirkwood	*Tellers:*
Mr Mathews	Mr Spyker
Mr Miller	Mr Walsh

PAIRS

Mr Borthwick	Mr Amos
Mrs Patrick	Mr Culpin

Mr FOGARTY (Sunshine)—As my next three amendments were consequential on the amendment which has just been defeated, I will not proceed with them.

I move:

Clause 6, line 10, omit paragraph (*d*) and insert—

"(*d*) one shall be nominated by the Victorian Trades Hall Council to represent the employees working in the industry;".

During the debate I outlined my views very clearly on why the employees should be represented on all authorities dealing with the food industry. The honorable member for Gippsland South stated that many problems emanated from industrial trouble within the industry. I challenge that statement because at no time has there been a general strike in the fishing industry. I ought to know, because for fifteen years I was the secretary of the union covering the industry. I have challenged the Minister and the member on that statement, and the absence of a reply confirms my views.

If the industry is to be extended into the areas of packaging and pre-packaging of fish and fish products for the local market and export trade, skilled workers, including filleters and others, will be required, and they will be of significant benefit to the industry.

At the Federal level, Mr Lyle Shelley of the cold storage union represents the employees in an organization complementary to the Australian Fishing Industry Council. If that representation is accepted at Federal level, surely the State Government can accept that employees are an important part of the industry. The Government cannot repeatedly condemn the employees, the ordinary workers in the industry, for taking certain action if they are excluded from all decision-making panels and authorities. If the Government accepts that the employees play an important part in the industry, it will receive co-operation in return. If it does not accept that, it will not know what it is getting into, because there will be no affinity or affiliation between the bodies, and trouble will occur when employees are excluded from making decisions on the industry on which they reply for their livelihood.

The Committee divided on the question that the paragraph proposed by Mr Fogarty to be omitted stand part of the clause (Mr A. T. Evans in the chair).

Ayes	43
Noes	30
Majority against the amendment	13

AYES

Mr Austin	Mr Mackinnon
Mr Balfour	Mr Maclellan
Mr Birrell	Mrs Patrick
Mr Brown	Mr Ramsay
Mr Burgin	Mr Reynolds
Mrs Chambers	Mr Richardson
Mr Coleman	Mr Ross-Edwards
Mr Collins	Mr Skeggs
Mr Crellin	Mr Smith
Mr Dixon	(*South Barwon*)
Mr Ebery	Mr Smith
Mr Evans	(*Warrnambool*)
(*Gippsland East*)	Mr Tanner
Mr Hamer	Mr Templeton
Mr Hann	Mr Thompson
Mr Hayes	Mr Trewin
Mr Jasper	Mr Weideman
Mr Jona	Mr Whiting
Mr Lacy	Mr Williams
Mr Lieberman	Mr Wood
Mr McArthur	
Mr McCance	*Tellers:*
Mr McClure	Mr Cox
Mr McKellar	Mr Kennett

NOES

Mr Cain	Mr Remington
Mr Cathie	Mr Roper
Dr Coghill	Mr Rowe
Mr Crabb	Mr Sidiropoulos
Mr Edmunds	Mr Simmonds
Mr Ernst	Mr Simpson
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Gavin	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Wilkes
Mr Jolly	Mr Wilton
Mr King	
Mr Kirkwood	*Tellers:*
Mr Mathews	Mr Spyker
Mr Miller	Mr Walsh

PAIRS

Mr Borthwick	Mr Amos
Mr Dunstan	Mr Culpin

The CHAIRMAN (Mr A. T. EVANS)—Order! According to Sessional Orders the time has arrived for me to report progress to the Speaker.

Progress was reported.

The SPEAKER (the Hon. S. J. Plowman)—Order! The time appointed by Sessional Orders for me to interrupt business has now arrived.

Mr MACLELLAN (Minister of Transport)—I move:

That the sitting be continued.

The motion was agreed to.

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

Discussion was resumed of clause 6 (Accounts)

Mr FOGARTY (Sunshine)—I move:

Clause 6, line 15, omit "paragraph (*a*)" and insert "paragraphs (*a*) and (*b*)".

Clause 6, insert the following sub-clause to follow sub-clause (4):

"( ) The persons referred to in paragraph (*b*) shall be elected in accordance with the regulations by fishermen holding licences under the said Part III. to represent their interests.".

The amendment was negatived, and the clause was agreed to, as were clauses 7 to 14.

Clause 15 (Victorian Fishing Industry Trust Fund)

Mr WOOD (Minister of Immigration and Ethnic Affairs)—I move:

Clause 15, lines 30-31, omit "in the Treasury in the Public Account as part of the Trust Fund a trust account" and insert "a fund".

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 16 to 18.

Clause 19 was consequentially amended, and, as amended, was adopted.

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

WRONGS (ASSESSMENT OF DAMAGES) BILL

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

Mr MACLELLAN (Minister of Transport)—When the Bill was before the House earlier today the honorable member for Bundoora made some useful suggestions. I sought the adjournment of the debate so that the Government could consider the matters that had been raised. The Treasurer is present

and I understand that he has considered the matter and is prepared to agree to the amendment that has been foreshadowed by the honorable member for Bundoora.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3, relating to claims for damages

Mr THOMPSON (Treasurer)—Consideration has been given to the arguments presented during the second-reading debate. The honorable member for Bundoora, and I think the Leader of the National Party, both expressed some concern about interfering with the legal rights of individuals that have already been established and said that the wording in the new clause was somewhat complex. It appeared to have that effect. It is intended to make it quite clear that the old position will prevail; in other words, there will be no account taken of taxation payments unless there has been a decision by the court in the intervening period, or agreement by the parties for the purpose of inserting an amendment along those lines. I invite honorable members to vote against this clause.

Mr CAIN (Bundoora)—I think this amendment does overcome the difficulties that appear to present themselves. The notion of satisfying the words "finally concluded", and the qualifications, were based on those words in clause 3 (3) (*a*) and (*b*). It did leave a situation where rights may well have been breached.

The amendment, as I see it, makes it clear that the provision applies only where there has been an agreement, a settlement of the claim. I am not sure of the magic in the term "where the court has fixed the amount", but at this hour of the night, the amendment seems preferable to what was intended. I believe the words "fixing the amount" are designed to cover a situation where there has been a decision by a jury, or by a judge sitting alone, in a case that has not proceeded to judgment. It seems that what was intended was that, where a court has come to a view, the amendment in that situation does not apply.

The Opposition does not oppose this amendment and thanks the Minister for taking the opportunity of removing this anomaly from the provision in its original form.

Mr ROSS-EDWARDS (Leader of the National Party)—The amendment moved does appear to cover the situation which was highlighted during the second-reading debate. I also compliment the Minister for having shown good sense at this late stage of the sitting, to adjourn the debate, and to formulate the necessary amendment. It would have been all too easy to allow the Bill to pass now and fix it later. That happened in days gone by, but on this occasion I compliment the Minister for the consideration and courtesy he has shown. As a result of his having done that, the Bill, to the best of my knowledge and belief, is now satisfactory.

The clause was negatived.

New Clause.

Mr THOMPSON (Treasurer)—For the reasons previously outlined, I formally move:

Insert the following new clause to follow clause 2:

"AA. Section 28A of the *Wrongs Act* 1958 shall apply to and in relation to all claims for damages for deprivation or impairment of earning capacity or for other personal injury, including claims made before the commencement of this Act, unless at the commencement of this Act—

(*a*) the person making the claim and the person against whom it is made have agreed on the amount to be paid in respect of the claim or in respect of the claim and another claim or claims; or

(*b*) a court has fixed the amount to be paid in respect of the claim or in respect of the claim and another claim or claims, whether or not the amount fixed is subject to appeal."

The new clause was agreed to.

The Bill was reported to the House with amendments, and the amendments were adopted.

Mr THOMPSON (Treasurer)—I move:

That this Bill be now read a third time.

Mr CAIN (Bundoora)—Although this Bill is in much better shape than when originally presented, the Opposition opposes it. As I indicated, the Opposition

believes there should be no interference by this Parliament in the way that courts calculate damages to be awarded to persons. It is true that the transition provision referred to in clause 3, which has been changed by the amendment, is much better than it was previously. The Opposition says that there should be no need for a transition provision, and that the new section 28A ought not to be inserted into the Wrongs Act and thus interfere with the functions of the court.

The House divided on the motion (the Hon. S. J. Plowman in the chair).

Ayes	44
Noes	30
Majority for the motion ..	14

AYES

Mr Austin	Mr McKellar
Mr Balfour	Mr Mackinnon
Mr Birrell	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Ramsay
Mr Chambers	Mr Reynolds
Mr Coleman	Mr Richardson
Mr Collins	Mr Ross-Edwards
Mr Crellin	Mr Skeggs
Mr Dixon	Mr Smith (*South Barwon*)
Mr Ebery	Mr Smith (*Warrnambool*)
Mr Evans (*Ballarat North*)	Mr Tanner
Mr Evans (*Gippsland East*)	Mr Templeton
Mr Hamer	Mr Thompson
Mr Hann	Mr Trewin
Mr Jasper	Mr Weideman
Mr Jona	Mr Whiting
Mr Kennett	Mr Williams
Mr Lacy	Mr Wood
Mr Lieberman	
Mr McArthur	*Tellers:*
Mr McClure	Mr Cox
Mr McInnes	Mr McCance

NOES

Mr Cain	Mr Remington
Mr Cathie	Mr Roper
Dr Coghill	Mr Rowe
Mr Crabb	Mr Sidiropoulos
Mr Edmunds	Mr Simmonds
Mr Ernst	Mr Simpson
Mr Fogarty	Mr Stirling
Mr Fordham	Mrs Toner
Mr Gavin	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hockley	Mr Wilkes
Mr Jolly	Mr Wilton
Mr King	
Mr Kirkwood	*Tellers:*
Mr Mathews	Mr Spyker
Mr Miller	Mr Walsh

PAIRS

Mr Borthwick	Mr Amos
Mr Dunstan	Mr Culpin

The Bill was read a third time.

STATE EMPLOYEES RETIREMENT BENEFITS BILL

The debate (adjourned from the previous day) on the motion of Mr Thompson (Treasurer) for the second reading of this Bill was resumed.

Mr ROSS-EDWARDS (Leader of the National Party)—This is an interesting Bill. The Opposition has shown enthusiasm to have it passed in the shortest possible time. It is extraordinary that a Bill which appeared on the Notice Paper for the first time today should be passed today.

Mr Ginifer—There are certain motivations.

Mr ROSS-EDWARDS—There are motivations which the Opposition could remember on future occasions when other Bills are before the House and two, three or four weeks is not sufficient time. Some Bills require tremendous research and care; and if ever a Bill needed research and consultation with the business community, it is this one. It is necessary because it breaks new ground. I have grave reservations as to whether it should receive the support of the National Party in such a short time. It is only because it is the end of the session that the National Party is prepared to support the Bill at such short notice. It will have an impact well beyond the Public Service.

Mr Crabb—Where?

Mr ROSS-EDWARDS—In private industry. Every time the State Public Service or semi-Government public servants receive increased benefits, new standards are set for private industry. Private industry and employers' organizations should have been given a better opportunity of studying the Bill. It is an unsatisfactory state of affairs that the Bill has to be passed in 24 hours. It is not that the Bill is difficult to understand. The basics are simple and I thank the Treasurer for the assistance he made available to the

Opposition and myself by way of expert advice. Private industry will not be happy about the actions of the Government on this occasion. However, the Bill is before the House and, because it would cause injustice to certain people if it were not passed at the earliest possible date, the National Party supports it.

The Bill gives benefits to what are generally known as blue collar workers who are not at present covered, people employed by the Public Service Board under a certificate of exemption and employees of the Country Roads Board. The unusual feature is that the Bill provides that an employee will receive two benefits—a lump sum equal to three times his adjusted final salary together with a pension equivalent to 25 per cent of such adjusted final salary.

Mr Simmonds—They are being treated almost like politicians!

Mr ROSS-EDWARDS — Probably some of our pensions are too generous and I am the first to criticize the benefits of politicians. However, I will give due consideration to the Bill. Employees will contribute, according to their income, between 3·5 per cent and 6 per cent of their wages —a lot less than a lot of honorable members contribute—and the employer will contribute on a twelve-monthly basis to keep the fund in such condition that it can meet its commitments.

Every employee should be covered by some sort of superannuation, and the lump sum provision is becoming a more popular method of providing superannuation than weekly payments. One of the reasons for this is that weekly payments can prejudice other benefits to which a superannuant may otherwise be entitled. In addition to that, a lump sum can be invested in such a way that it will not be whittled away by inflation.

The National Party supports the Bill and is pleased that this group of employees will be covered. My party supports the Bill tonight because it does not want employees to miss out on benefits because of undue delay such as would be caused if the Bill were not passed tonight and had to wait until mid-March.

Mr BIRRELL (Geelong West)—The remarks of the Leader of the National Party are correct. The basic principle behind the Bill is a lump sum of three times the employee's salary on retirement and a weekly payment of one quarter of salary. It is a scheme which breaks new ground. It is a combination of a lump sum of not large dimensions and also a weekly payment of not large dimensions.

An interesting facet of the Bill is that because of the provision relating to 25 per cent of earnings, the vast majority of people will be able to obtain social welfare benefits to increase their weekly payments because the quarter of retiring salary will be at a level that will not disqualify them from receiving social welfare payments. The social welfare payment will provide some modicum of further financial support. The burden will therefore be carried by the Commonwealth Government as well as by the scheme.

This innovation deserves the attention of all honorable members. The total measure is satisfactory and in due course this principle might flow to other schemes and cover other groups of workers.

Mr KENNETT (Burwood)—I am disappointed that the Bill has been pushed in this way. As the Leader of the National Party has said, people must be covered, and I accept that, but not for one moment do I not accept that this Bill was pushed through last night and that it is now being debated with the support of all parties to ensure that it will be carried, without consideration by the business community.

It is most unusual legislation to be pushed through in a short time with no opportunity being given to members of the House to consult with outside groups as they see fit. I am concerned that some of the provisions in this Bill would be regarded as pacesetters by the public sector for the

private enterprise sector. I am not saying that that is necessarily correct but I would have appreciated the opportunity of being able to speak to some of the people who could advise me on the pros and cons of this Bill. I am amazed that the National Party supports it at this stage. I register strongly my objection to this Bill being carried in this way. Private enterprise and those who may be affected not only directly in the way of superannuation but also as far as employment is concerned are not given the opportunity of considering the measure and making reports on it.

Mr CRABB (Knox)—Earlier speakers have expressed concern about the speed with which this measure is being passed through the House. It would have been preferable if honorable members had had longer to discuss it, although on behalf of the Opposition I express gratitude to the Treasurer for providing the Opposition with a copy of the Bill at the earliest time it was available yesterday which allowed the Opposition a period in which to examine it and ensure that it was in line with an agreement that had been beaten out over a long time between representatives of the Trades Hall Council, a representative of the Government, Mr Arnold of the State Superannuation Board, and a consulting actuary, Mr Ron Champion, three men in whom I think all honorable members would have complete confidence. They spent a long time working on the Bill and they would be as good a body of three people in this State to work out a superannuation scheme representing all parties. I should have thought that that would be acceptable to most honorable members.

It is wise when measures are coming through the House that honorable members realize how the taxpayer will be affected. This superannuation fund established by the Bill is a far more modest scheme than the State Superannuation Fund. That may relieve the taxpayers of Victoria. An employee who has had 30 years of service will receive three times his salary in a lump sum and a quarter of his salary in a pension. It is designed to fit in with social welfare benefits so that he will still attract social welfare benefits.

There is only one area which needs amending. In clauses 45 to 48 money amounts are specified for pensions to the children of deceased contributors or deceased pensioners. From regulation $650 is prescribed as the pension for a child, and double that for an orphan. It is necessary that an amendment be made, not necessarily now but certainly next year some time, to change that amount so that it is indexed automatically each quarter or thereabouts to maintain equity between different generations of orphans.

The other matters on which the Treasurer should comment to the House is the funding method used for this measure. It is of concern to legislators throughout the world that there is a capacity for sovereign States to grant superannuation benefits to their employees on an unfunded basis—a pay-as-you-go system which tends to accumulate liabilities for future generations of taxpayers. That is the case in respect of the State Superannuation Fund where all that is required by the Government to be paid is five-sevenths of the benefits as they become due. The Government does not have to put money away as the contributors put money away. It has to put it away only when someone retires at the age of 65. Such schemes do not cost the Government money for many years until people begin to retire or to receive pensions.

Unless some assessment is made of the liabilities incurred by a Government, we are embarking on a perilous course of expenditure of taxpayers' funds. Not in any way do I say that this is not the sort of fund that blue collar workers should have; the benefits are about par for the course; the contributions seem reasonable, and the conditions seem reasonable in the given circumstances. I do not say that the Government should be funding this scheme or that it should be putting money away each year to fund the scheme fully, but each year it should be making an assessment of the liability

being incurred. To my knowledge no estimate of that nature has been made of the State Superannuation Fund and none is contemplated in relation to the blue collar workers fund. That means that the Government elected after the next election, and the one after that will be inheriting a debt from this Govern ment of an unspecified amount.

The reality comes home when one considers the City of New York which was recently on the brink of bankruptcy and had to be bailed out by the United States Government. The essential cause of its being in that financial situation was its superannuation fund. It kept offering generous benefits to its employees but did not put money aside to cover those generous benefits. When it had to pay them, there was no money available. That is a lesson to be learnt by Governments anywhere, just as any organization which establishes a superannuation fund of any type ought to be aware of the liabilities it is incurring.

Certainly the Parliamentary Superannuation Fund, which was mentioned earlier, is a fund where the money is put aside as the liabilities are incurred. Even if the Government does not put money aside for this scheme, it should at least be making the calculations and the assessments to enable it to know how much money it needs because of the liability it is incurring on behalf of future generations of taxpayers.

The Leader of the National Party complained about the short time allowed for this Bill to pass through the House.

Mr Ross-Edwards—You would not have been able to make your contribution if it had been considered straight away.

Mr CRABB—The contribution I am making now is no different from the contribution I would have made last night, but I trust the Leader of the National Party has been examining the Bill in great detail in the intervening 24 hours.

The point I wanted to make was this Bill and this scheme have been under negotiation for a long time.

Mr Ross-Edwards—Not by us.

Mr CRABB—I was certainly aware of it and was kept informed of what was happening, and I would have expected the National Party to have a line of communication, if not with the trade union movement, then with the Government with whom it is very friendly. Be that as it may, the honorable member for Burwood echoed the call of the Leader of the National Party for the Government to consult business organizations on matters like this.

As a private member of Parliament I resent the proposition that every measure to come before the House ought to be introduced after consultation with business organizations. The House is considering a superannuation fund for workers in this State, namely, blue collar employees, who have been sadly neglected for decades. Employees have been retiring on pittances. Their widows have been living on pittances because these people have been excluded from the generous superannuation provisions that the Government provides for its white collar employees. What has it done for the blue collar workers and the widows of those men who have died in the service of this State whilst engaged in blue collar employment?

Every time a measure is introduced which provides something worth while, something of value, what do we hear—there should be consultation with business organizations. Where were the business organizations when country workers, as well as city workers, were retiring on pittances? Where were the business organizations when men who died were leaving widows with no pension at all?

This measure should have been introduced a long time ago and it is no good for the Leader of the National Party or the honorable member for Burwood to complain that there has not been enough time to talk to business organizations.

Mr Ross-Edwards—You never said a word about it until now.

Mr CRABB—I can assure the Leader of the National Party that the Opposition has been doing all it could to improve the conditions of blue collar

workers. I inform the Leader of the National Party and the House that I have led deputations on this matter. I have only been in this place for four years and I do not know what the Leader of the National Party was doing before that, but I have tried to do all I can for the benefit of blue collar employees. There still remains a section of Government employment which needs to be looked at, and that is within local government. That is an area which the Government will have to tackle, but it is a difficult problem and one which will not be easily solved. I assure the Government and the National Party that any assistance I can offer to help solve this problem or any problem that arises out of this measure, I will be glad to give. I commend the Bill to the House.

The motion was agreed to.

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

PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL

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

Discussion was resumed of clause 2 (Amendment of No. 7727) and of Mr Mathews's amendment:

Clause 2, lines 21 to 30, omit all words and expressions on these lines and insert:

"48B. (1) (*a*) The Council and the Assembly by resolution;

(*b*) the Governor in Council by Order published in the *Government Gazette;* or

(*c*) the Committee—

may at any time nominate a public body for review by the Committee.

(2) Where the Council and the Assembly have nominated a public body for review the Council and the Assembly may at any time by resolution withdraw the nomination; where the Governor in Council has nominated a public body for review the Governor in Council may at any time by Order published in the *Government Gazette* withdraw the nomination; and where the Committee has nominated a public body for review the Committee may at any time withdraw the nomination."

Mr MACLELLAN (Minister of Transport)—When this Bill was last before the Committee, I suggested that progress be reported to enable the Government to confer regarding the amendments moved and foreshadowed by the honorable member for Oakleigh and supported by the National Party.

The Government has given careful consideration to the matters raised and believes the amendments are not acceptable and that the Bill should proceed in its present form. Indeed, the Committee should not give the proposed committee, as suggested by the honorable member for Oakleigh, the power to initiate inquiries of its own motion.

The honorable member for Oakleigh made reference to the fact that the Government would always have a majority on the committee. That is not always the case and may not always be the case, and whilst the honorable member for Oakleigh may be anticipating events which may occur in the years ahead, it is in those years ahead when the decision should be reached on how the committee should be established, and how it should work when dealing with matters referred to it by both Houses of Parliament or by the Governor in Council. It would be better to leave the decision on whether it should initiate inquiries of its own motion to a later stage after the committee has been more firmly established.

Mr MATHEWS (Oakleigh)—It is to be regretted that the Government has adopted this adamant attitude in the face of the eminently reasonable amendment which has been put forward by the Opposition and whose good sense has been so rightly recognized by the Leader of the National Party.

It is of the utmost importance, in breaking new ground, as we are doing with this measure, that we should get things right from the start. Getting things right from the start, in this context means giving this committee the conviction that its work is important right from the start, and allowing it to feel that it is being given serious work to perform and that the results of its work will be taken seriously.

That is not going to come about if the committee is not trusted by Parliament and the Government with the ultimate

responsibility of being able to nominate from time to time the bodies which it will take into the review process.

This would seem to me a most elementary expression of trust between Parliament and the committee which it is establishing under this measure. Honorable members should deeply deplore the fact the Government has decided to be obstinate and not accept the amendment. I can foresee a situation arising where the committee may become a dead letter, as has apparently been the case with the Company Takeovers Committee.

Honorable members would readily acknowledge that the Company Takeovers Committee of this Parliament would have been a much more effective body, both in the Parliamentary sense and from the point of view of benefiting the community as a whole, if it had the power to take references unto itself rather than to act only in response to references sent to it from other quarters.

I call on the Government to reconsider and to join the National Party and the Labor Party in improving the efficiency and effectiveness of what all honorable members acknowledge is an important measure. The Bill is good but it is flawed. It is still open to us to repair the defects and make the Bill the outstandingly effective measure for which it has the potential.

Mr ROSS-EDWARDS (Leader of the National Party)—I am disturbed that there is no way in which bodies can be referred to the committee other than by Executive Government—in effect, the resolution of the two Houses amounts to the same thing. I can understand the Government, having received the amendment at this late hour, refusing it, but consideration must be given to methods of referring bodies to the committee. Otherwise there will be no sunset legislation. The Executive Government will refer only the obvious cases.

If committees are to have any bite they should be able to initiate action on their own account. As I said earlier, the committee system has worked well and the Government must be given credit for that, because it has expanded the system over the years, but if the committee is not able to initiate action perhaps it would be possible to have it initiated in some other way. If the committee has the power and decides to close down some organization, perhaps it could be referred back to Parliament with Parliament having to confirm it or having the opportunity of reinstating the body. I reiterate that unless the initiative is provided the measure will mean very little.

It appears to me that the Government has given little thought to the problem. I can understand the Government wanting to have some reserve power so that it can say, "This is stupid. The committee has gone off the rails. If such-and-such happens there will be a disaster in public administration". I can understand the need for the safeguard of the Government bringing the matter back to Parliament. Whatever the committee did would take some time and in that time the Government could bring it back to Parliament. However, unless that is done, all the Government is doing is waving the flag to the crowd and achieving nothing.

I hope that, as a result of what the honorable member for Oakleigh has said and the support the National Party is giving him, some changes will be achieved. Otherwise, those honorable members serving on the committee will be wasting their time.

The Committee divided on the question that the words and expressions proposed by Mr Mathews to be omitted stand part of the clause (Mr A. T. Evans in the chair).

Ayes	..	..	37
Noes	..	..	37

AYES

Mr Austin	Mr Mackinnon
Mr Balfour	Mr Maclellan
Mr Birrell	Mrs Patrick
Mr Brown	Mr Plowman
Mr Burgin	Mr Ramsay
Mrs Chambers	Mr Reynolds
Mr Coleman	Mr Richardson
Mr Collins	Mr Skeggs
Mr Crellin	Mr Smith (*South Barwon*)
Mr Dixon	Mr Smith (*Warrnambool*)
Mr Ebery	Mr Tanner
Mr Hamer	Mr Templeton
Mr Jona	Mr Thompson
Mr Kennett	Mr Weideman
Mr Lacy	Mr Wood
Mr Lieberman	*Tellers:*
Mr McArthur	Mr Cox
Mr McCance	Mr Williams
Mr McClure	
Mr McKellar	

NOES

Mr Cain	Mr Miller
Mr Cathie	Mr Remington
Dr Coghill	Mr Roper
Mr Crabb	Mr Ross-Edwards
Mr Edmunds	Mr Sidiropoulos
Mr Ernst	Mr Simmonds
Mr Evans (*Gippsland East*)	Mr Simpson
Mr Fogarty	Mrs Toner
Mr Fordham	Mr Stirling
Mr Gavin	Mr Trewin
Mr Ginifer	Mr Trezise
Mr Hann	Dr Vaughan
Mr Hockley	Mr Walsh
Mr Jasper	Mr Whiting
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	*Tellers:*
Mr McInnes	Mr Rowe
Mr Mathews	Mr Spyker

PAIRS

Mr Borthwick	Mr Amos
Mr Dunstan	Mr Culpin
Mr Hayes	Mr McGrath

The CHAIRMAN (Mr A. T. Evans)—Order! The numbers being equal, according to precedent I cast my vote with the Ayes.

The amendment was therefore negatived.

Mr MATHEWS (Oakleigh)—I move:

Clause 2, page 4, line 3, after "report" insert "the period within which the body should again be reviewed and".

The effect of this amendment will be to take this measure as close as possible to sunset legislation. The basis of sunset legislation is that public bodies should automatically go out of existence after a stated period. This then places the onus on the Parliament to enact legislation to continue their existence rather than, as is at present the case, having to legislate for their disbandment.

By adopting the amendment now proposed by the Opposition, the committee will have the obligation to write into its report a number of years after which the review process should be again carried out on the public body in question. At present, the Bill merely stipulates that no further review shall be carried out for a minimum period of five years. If this amendment is adopted, the committee will be able to go about the business of laying down an orderly time-table whereby the public bodies in which it interests itself come up for review at regular intervals in an orderly and logical fashion.

Mr MACLELLAN (Minister of Transport)—The Government accepts this amendment and believes it will be an improvement to the Bill. I thank the honorable member for Oakleigh for initiating it. I believe it broadens the scope of the options open to the committee so that it can not only report that a body should be retained but also indicate some further period until it should be reviewed. I am not sure whether it is correct, as the honorable member for Oakleigh puts it, that it will overcome the difficulty about the five years but it will at least be an expression of opinion from the committee. If there is difficulty about administrative matters it can be looked at again in the light of experience.

The amendment was agreed to.

Mr MATHEWS (Oakleigh)—I move:

Clause 2, page 5, after line 26 insert—

"( ) Notwithstanding anything to the contrary in this section—

(*a*) any member or members of the Committee who disagree with the recommendation of the Committee as to whether or not the public body should cease to exist, may refuse to sign the report of the Committee and instead submit a minority report to the Parliament; and

(*b*) the Chairman of the Committee shall lay each such minority report or cause each such minority report to be laid before both Houses of the Parliament at the same time as the report of the Committee is laid before the Parliament."

The effect of this amendment will be to give members of the committee who disagree with the majority opinion the opportunity not only of registering their dissent but of putting before the Parliament, alongside the majority committee report, a minority report with the reasons for their disagreement. This innovation—I recognize that it is an innovation—to the committee arrangements hitherto enforced in this Parliament is particularly important in a context where the existence of public bodies is at stake. We should not allow ourselves to get into a position where a judgment on whether a particular public body should be wound up or whether it should be continued in existence is made on the basis of what may be a spurious unanimity.

The arrangements through which dissent and disagreement within committees are recorded under the present system are archaic, inadequate and ineffective for a purpose of this importance. It should be recognized that in taking on the role of reviewing public bodies this Parliament is moving, at least as far as its committees are concerned, into a field of responsibility which is unprecedented. In making that step forward we should match our administrative arrangements with it.

The Government can accept this amendment with confidence. It is an amendment which is in harmony with the trail-blazing character of this measure and I am convinced that the adoption of the amendment will make this a better Bill.

Mr MACLELLAN (Minister of Transport)—The Government is not prepared to accept this amendment. It would be, in many committees, a novel procedure because dissension of minority views are expressed by a division in the committee.

Mr Wilkes—It will finish up like the expenditure review committee—incapable of doing its job.

Mr MACLELLAN—I am sure I will be happy when the committee turns out to be the best committee. If there is a division of opinion between the committee, that is best expressed by the framework of resolution by the committee to divide, as happens in the Parliament. That opportunity exists within many committees. There are other committees which have the opportunity for minority reports.

The Government does not accept this novel procedure. We think it appropriate for the minutes of the proceedings of that committee to record a division, where honorable members may or may not place their votes.

Mr ROSS-EDWARDS (Leader of the National Party)—I do not regard this as a novel suggestion. I regard it as a sensible and logical amendment. If a minority on a committee feels strongly enough to write a minority report—they do not have to write a minority report—that is breaking new ground. They would have their reasons and the responsibility would be on that group to prepare a minority report. All they are doing is submitting it to Parliament for people to read. We would get better value from the committee because we would have a majority report and, perhaps, a minority report. On some occasions the minority group may not submit a minority report.

In most cases it is most obvious that it is a yes or no situation, but there must be occasions when a minority report would be to the benefit of Parliament itself, to members and the community.

There is provision in many committees for submitting a minority report. Today we have had a spirit of co-operation and have looked at amendments and agreed with some and put others aside, but the Government could well accept this amendment which would improve the legislation and in no way be an embarrassment to the Government.

I am disappointed with the Minister's attitude. I hope that before he came to that conclusion he consulted with other members of the Government because it

is a disappointing decision and I commend the honorable member for Oakleigh for his amendment.

Mr B. J. EVANS (Gippsland East)—I support the amendment because of personal experience in this regard on a committee of the House when I was in the situation that I was unable to express why I dissented from a proposition in a report. Because of the forms adopted by the committee the question was put that certain words proposed to be omitted stand part of the question.

All I could do was to vote against that proposition, and I had no opportunity of expressing the reasons for my dissent or of inserting different words in place of those I disagreed with. It is a serious situation when members of the committee feel strongly about a question and have no way of expressing their opinion in a minority report. I urge the Government to accept the proposed amendment because it is highly desirable.

Mr MATHEWS (Oakleigh)—The contribution that honorable members have just heard from the honorable member for Gippsland East puts the whole matter very clearly indeed before the Committee. It is not enough for a report being made by a committee of the kind that is proposed in this measure merely to record the names of people as dissenting from the majority opinion. It is of fundamental importance that the Parliament and the public outside should be able to read and absorb the reasons for that dissent. The reasons for one or more members of the committee dissenting from the majority opinion may be as valuable in their way as those set out by the majority in respect of their decision.

I find it difficult to understand why the Government should object to that additional opinion being made available to the Parliament and the community, and I can only express the hope that if the Minister intends to press the Government's position at this stage of the night, he will nevertheless, in conjunction with other members of the Government, give the whole matter further consideration while the Bill is being transmitted to another place.

Mr ROSS-EDWARDS (Leader of the National Party)—While I was listening to the contribution of the honorable member for Gippsland East I was reminded of a committee on trustee companies of which I was a member some years ago. We submitted a minority report. The background was quite interesting, because the majority report was made by members of the Opposition and all the Liberal Party members, with one exception, and the minority report was issued by Mr Ian McLaren, the Deputy Leader of the National Party and myself. It was an interesting division that went across party lines in two ways, and I should like to think that the minority report that was produced in that case was of benefit to the Government. It was certainly done in a constructive way, and members had the opportunity of expressing their views.

It was not a situation of the Government against the Opposition; apart from that decision that was made the committee members were concerned about how they voted. The Deputy Leader of the Labor Party was also a member of that committee. That was a good example of a committee comprised of responsible members of the House who had an extremely difficult task before them to present a majority and a minority report, and the minority report was one that I was satisfied with and which I stand by today.

Mr EDMUNDS (Ascot Vale)—I should like the Minister to examine the suggestion made by the honorable member for Oakleigh and to consider the amendment while the Bill is being transferred to another place. The Minister is aware that the Statute Law Revision Committee also operates under similar difficulties in issuing minority reports.

Recently the committee submitted a report on a proposed Bill of rights, and those dissenting from the main recommendations of the committee's report had no avenue of showing the reasons for dissent, except the confused manner caused by the printing of the report, where it is shown in another part of the report.

It seems to be a denial of the natural right of the individual members sitting on a committee that they must move amendments to recommendations and/or conclusions of a report to enable their point of view to be exhibited in the body of the report.

I urge the Minister to consider the matter seriously while the Bill is being transferred between this House and another place.

The Committee divided on the amendment (Mr A. T. Evans in the chair).

Ayes	37
Noes	37

AYES

Mr Cain	Mr Miller
Mr Cathie	Mr Remington
Dr Coghill	Mr Roper
Mr Crabb	Mr Ross-Edwards
Mr Edmunds	Mr Sidiropoulos
Mr Ernst	Mr Simmonds
Mr Evans	Mr Simpson
(Gippsland East)	Mr Stirling
Mr Fogarty	Mrs Toner
Mr Fordham	Mr Trewin
Mr Gavin	Mr Trezise
Mr Ginifer	Dr Vaughan
Mr Hann	Mr Walsh
Mr Hockley	Mr Whiting
Mr Jasper	Mr Wilkes
Mr Jolly	Mr Wilton
Mr King	
Mr Kirkwood	*Tellers:*
Mr McInnes	Mr Rowe
Mr Mathews	Mr Spyker

NOES

Mr Austin	Mr Maclellan
Mr Balfour	Mrs Patrick
Mr Birrell	Mr Plowman
Mr Brown	Mr Ramsay
Mr Burgin	Mr Reynolds
Mrs Chambers	Mr Richardson
Mr Coleman	Mr Skeggs
Mr Collins	Mr Smith
Mr Crellin	*(South Barwon)*
Mr Dixon	Mr Smith
Mr Ebery	*(Warrnambool)*
Mr Hamer	Mr Tanner
Mr Jona	Mr Templeton
Mr Kennett	Mr Thompson
Mr Lacy	Mr Weideman
Mr Lieberman	Mr Williams
Mr McArthur	Mr Wood
Mr McCance	*Tellers:*
Mr McKellar	Mr Cox
Mr Mackinnon	Mr McClure

PAIRS

Mr Amos	Mr Borthwick
Mr Culpin	Mr Dunstan
Mr McGrath	Mr Hayes

The CHAIRMAN (Mr A. T. Evans)—Order! The result of the division is Ayes 37, Noes 37. The numbers being equal, it falls to the Chair to give a casting vote. In accordance with precedent, I am of the view that this is a motion which should be affirmed by a majority of the Committee and not merely by the casting vote of its Presiding Officer, and for this reason I declare myself with the Noes.

The amendment was therefore negatived.

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

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

PRESBYTERIAN SCHOOLS BILL

The Order of the Day for the resumption of the debate on the motion for the second reading of this Bill was read.

The SPEAKER (the Hon. S. J. Plowman)—I have examined this Bill, and am of the opinion that it is a private Bill.

Mr MACLELLAN (Minister of Transports)—Pursuant to my contingent notice of motion given earlier this day, I move:

> That all the Private Bill Standing Orders be dispensed with, and that this Bill be treated as a public Bill.

Mr FORDHAM (Footscray)—On a point of order, Mr Speaker. I draw your attention to Standing Order No. 48 which states:

> No member shall make any motion initiating a subject for discussion but in pursuance of notice openly given at a previous sitting of the House.

Earlier this day the Minister of Transport gave notice of a contingent notice of motion, and I emphasize the words, "notice of motion"—the same words that appear in the Standing Order. In accordance with that Standing Order this motion is hence out of order and it is not proper for the Minister to be able to proceed with the notice of motion now.

The precedents in this House, certainly for the time I have been a member—some nine years—and the research I have been able to undertake suggest that when the Speaker deter-

mines that a Bill, in his opinion, is a private Bill, the only way in which that can be changed by the House is following a notice of motion given in the House. Normally the motion which permits that situation to be altered is moved by leave. That is not how the Minister of Transport has approached the matter in this case.

Standing Order No. 48 is the dominant Standing Order in the circumstances and, in that situation, the motion now being moved by the Minister of Transport is out of order. I ask you, Sir to rule accordingly.

The SPEAKER (the Hon. S. J. Plowman)—I uphold the point raised by the honorable member for Footscray. The only way a motion can be moved on the same day of sitting is by leave of the House. Leave is not granted, I take it?

Mr FORDHAM—Leave is not granted.

The SPEAKER—I uphold the point of order. I cannot accept the motion.

Mr MACLELLAN (Minister of Transport)—By leave, I move:

That all the Private Bill Standing Orders be dispensed with, and that this Bill be treated as a public Bill.

The SPEAKER (the Hon. S. J. Plowman)—Is leave granted?

Mr FORDHAM (Footscray)—Leave is refused.

ADJOURNMENT

Christmas felicitations — Keysborough trotting complex—Goon Nure township—Caulfield South Primary School —Lone parents—Co-operative Farmers and Graziers Direct Meat Supply Ltd—Board of Works accounting procedures—Fluoride poisoning—Plan for VicRail—Policeman for Seaspray

Mr HAMER (Premier)—I move:

That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified to each member of the House by telegram or letter.

At this time of the year, it is customary to wish you, Mr Speaker, and every member of the House, a pleasant holiday and a Christmas time spent with friends and relations. Most honorable members will feel that this year they earned it a great deal more than before.

The average time that the House has sat is 9 hours and 4 minutes, and the total sitting hours since the session began is 326 hours 36 minutes, on 36 sitting days. That is well above the average for the spring sessional period, and it reflects the great deal of time that the House has devoted to matters, many of them of great importance.

I thank you, Sir, for your calmness, for your dignity, and the way in which you have dedicated yourself to your office. I think all honorable members are full of admiration for the way in which you have carried out your duties; it reflects great credit on you, Sir, and on the Parliament itself.

We should also thank the Clerks, Mr Campbell, Mr McCarron, and Mr Boyes, for their great support and advice. We have put them to the test also because of the long sitting hours.

I welcome the innovation of having the Serjeant at Arms, Mr Little, as the relieving officer at the table. That also has worked very well, and we thank him for it.

The Housekeeper, Mr Colin Howarth, and the officers and doorkeepers, in many respects are the front line of Parliament. They are the people who come into contact with visitors to the House in the first place. They are most assiduous in showing visitors over Parliament House, and displaying what I would regard as their own great pride in this place. We thank them for that.

We have already expressed to Mr Bob Kerr, and the staff of the refreshment rooms, how much we enjoyed the Christmas dinner—I thought it was the best ever. Also, I think the way we are looked after in this place by them, and by the staff of the House Committee under Mr Bob Duguid, is exemplary.

To Miss Josephine McGovern, and her staff in the Parliamentary Library, we express our sincere thanks; nothing is too much trouble for them, and I thank them for the way they preserve and look after one of the finest libraries in the State.

I think a final word, and a very heartfelt one, must go to the *Hansard* staff under Mr Ron Stuart. I really think we

owe them an apology for the way they have had to record everything that has been said over such long sittings. We have admired the way they have done it, and I wish them, in particular, a pleasant break and some real rest and recreation.

I thank also the Leader of the Opposition and the Leader of the National Party for what I think is some fine co-operation in this session. This has been reflected in the working of the House, as organized by the Leader of the House, the Deputy Leader of the National Party and the Deputy Leader of the Labor Party. They have done it probably better than in most previous sessions. It might not be reflected in the hours we sit, but there has been a great deal more co-operation, and the work of the House has been expedited by their efforts. I thank them for those efforts.

I should like to express, on behalf of the Government, to every member of the House best wishes for the Christmas season.

Unless something happens to call us back earlier, the House will resume, probably, on 11 March.

Mr WILKES (Leader of the Opposition)—It is not often that I get the opportunity of saying something nice about the Government, but on this occasion I believe the Government party made an excellent choice when it chose you, Mr Speaker, to be the presiding officer of this House. I want you to know that members of my party enjoy working under your leadership and we believe, Sir, it has made the running of this Parliament much smoother. Your understanding of the Standing Orders in the short time you have been in the chair is remarkable. While we may not always have agreed with you rulings, you may have perceived that we have never moved a notice of dissent against them. That may or may not be indicative of the situation, but seriously I thank you for the way in which you have presided over the affairs of the House, as seen by the Labor Party.

I also thank the Clerks, and wish them the compliments of the season. The Clerks and I have not always seen eye to eye, but the Opposition sees the Clerks in a different situation perhaps than the Government. I can say this: On the occasions I have had to ring any one of the table officers, Mr Campbell, Mr McCarron or Mr Boyes, they have always shown me and members of my party the courtesy and expertise that one would expect from Clerks in this Chamber, and indeed in this Parliament. I want them to understand that, if on any occasion I have disagreed with them, it has been in the heat of the moment. Nevertheless, I have appreciated the co-operation they have extended to me over a long time and, in particular, during this last session of Parliament.

To other officers who work within this Chamber, and outside the Chamber, I extend on behalf of members of my party, our thanks for the co-operation they have given us, just as I do to Mr Duguid and the House Committee staff, and the Library staff.

Like the Premier, I appreciate the work that *Hansard* does. I am not in the habit of reading my speeches. It was suggested in the press that they were not good enough, so I have taken the hint and I do not bother to read them these days. There is no doubt that *Hansard* makes them more respectable than they should be, or more interesting than what members of the Government have to listen to when they are being made.

The staff in the dining room, the catering staff, have done an excellent job this session. They have worked very long hours, and I do not know how they have been able to cope with them.

In the 23 years that I have been here, I have not known the House to sit in a spring sessional period for as many long hours as we have done over the past fortnight. Of course, it has been necessary to get the Bills through, but I am bound to say to you, Mr Speaker, that there must be a better way of handling legislation than to sit until 4 a.m. in an attempt to plough through something when everybody has reached the point of exhaustion. I do not think the public outside appreciate our efforts, and they

may be right. There must be a better way of being able to handle the legislation than to sit here till 4 and 5 o'clock in the morning, attempting to push through legislation. I understand that we are not in Government but in Opposition, and I suppose it is easy to say that if you do not have to have legislation passed, as the Government certainly does.

Mr Speaker, I thank you for your innovative method of introducing the temporary chairmen into the chair of the House. That has gone a long way in encouraging all parties to undertake the significance of having temporary chairmen, and it has certainly allowed the temporary chairmen, in the role of Acting Speaker, to learn and glean something of the running of the House. The innovation is very worth while. Many other people help to make Parliament function, not all of them associated directly with this Chamber or the Parliament, but they are in and around this establishment. They are too numerous to mention. I thank them, and let them not feel that their efforts have been forgotten.

The press and other people play an imporant role in projecting the affairs of Parliament to the outside public. In my experience here, the press project the happenings of Parliament to a far greater extent than they did a decade or two ago. At one time there was little news in the daily press about the Victorian Parliament. Today it is common to see reported almost everything that happens and that reflects on the ability of members of the press gallery in this Parliament. I extend to the members of that gallery, and to any other person associated with the proper functioning of this Parliament, on behalf of my party, the compliments of the season.

I wish the Premier personally, the Deputy Premier and other Ministers the best for the festive season and I trust that we can all come back in the same spirit in the March sessional period and create the same sort of liveliness that has been created during this period, not only in the interests of Parliament, but in the interests of Victoria.

During this sessional period, I have had some rapport with the Leader of the National Party. He, the Premier and I have had occasion to have conversations which have been in the best interests of Parliament and which have facilitated the running of the House. I wish each of those gentlemen and members of their parties, the compliments of the season.

Mr ROSS-EDWARDS (Leader of the National Party)—I join with the Premier and the Leader of the Opposition in wishing all members a very happy Christmas with their families. I thank the Premier and the Leader of the Opposition for their friendship over a long period.

To you, Mr Speaker, I say that it has been an interesting six months. You have been blooded and have come through well indeed. It has been a tough session for a new Speaker, and you have come out with great respect from all in this Chamber.

I join with the Premier and the Leader of the Opposition in thanking everybody. I will not detail their names, but I thank all those who have made this place work for doing so with wonderful grace.

As the Premier said, the *Hansard* staff in particular have had an impossible task, particularly over the past three days, something of which we are all somewhat ashamed and on behalf of the Parliament I ask their forgiveness.

One thing can be learned from another place in handling the business of the House. I say this particularly to the Leader of the House. When we have an item on the Notice Paper, let us deal with it as they do in another place. We seem to get tiddly-winking things on the bottom of the Notice Paper and sometimes they stay there for six weeks. If we have time, why not deal with them?

One other thing: I ask all honorable members to play their part in combatting the road toll between now and mid-January. The dreadful road carnage brings tragedy to families throughout the State, not only in death but in injury. There is not one of us who will

not have some connection with somebody who will be killed or injured on the roads during that period. As people of some influence in the State, in our electorates and in the circles in which we move, honorable members should do whatever is possible to decrease this dreadful slaughter, in the interests of the people of this State.

On behalf of my party, I wish all members of the Parliamentary staff a very happy Christmas and I look forward to the resumption of Parliament in March.

The SPEAKER (the Hon. S. J. Plowman)—I thank the Premier, the Leader of the Opposition and the Leader of the National Party for their remarks. To members of staff and to all those people who make this place a well-oiled machine, I express my thanks. I thank them for their remarks to me personally, remarks which are somewhat flattering. If they continue in that way, I am concerned that I shall shortly be needing a new wig. My head will be swelling. It has been a most interesting session of Parliament from which all members have probably learned a great deal. I certainly have.

In my position as Speaker, I have relied heavily on the advice of the Clerks who serve all members of this Parliament without bias and with distinction. In a quiet way, they have been of tremendous help to me in my position as Speaker. I have had other advice, too —from the phantom note-dropper who has left notes on my desk regarding the Speaker's sense of humour! That is one thing all members must remember in this place—that when the going gets a bit rough, a sense of humour is the one weapon which helps us all to survive. We have also needed a fair deal of stamina and much tolerance during this session.

I thank my Chairman of Committees and the temporary chairmen of committees, who have assisted in the running of this House in a most able manner. I am delighted to see temporary chairmen assisting the Chairman of Committees and taking their place in both the Chairman's chair and in my chair to assist with the running of Parliament.

Members have mentioned all sorts of people who have contributed to the running of this place, but one or two were left out—the gardeners who beautify the surroundings, the cleaners who keep us neat and tidy, the policemen who look over us and who go through extreme boredom from time to time, the doorkeepers to whom we all owe a debt of gratitude for their efficient assistance in a most helpful and courteous manner. I thank them all for that assistance. I thank the relieving officers who have come to the table for the first time for their assistance. They have helped in the running of this place and have taken some of the load from the three Clerks during this lengthy session.

To *Hansard* staff, I echo the remarks of those members who have spoken. My thanks to them for their tremendous effort in keeping up with the pace set by members of this House.

Finally, I echo the remarks of the Leader of the Opposition when he said recently that the effectiveness of members in this place is not necessarily related to the number of times they speak or the length at which they speak. I think that is true. New members are learning what I at least like to preach, that brevity is the soul of wit.

I wish all members, all members of staff and all those who have helped make this place what it is, Christmas felicitations. I look forward to a worth-while start to the 1980s when we all return to this place in March next year.

The motion was agreed to.

Mr MACLELLAN (Minister of Transport)—I move:

That the House do now adjourn.

Mr CRABB (Knox)—I take this last opportunity to raise a matter for the attention of the Minister for Youth, Sport and Recreation. The Minister will recall that in debates earlier this sessional period he undertook to provide to the House a copy of the valuation of land purchased by the Trotting Control Board at Keysborough whenever it became available to him. It has come to my notice that it was expected that the

Valuer-General's Department would provide a valuation by the end of this week. Although it was having difficulties in arriving at a valuation at the present time, it was not having difficulty about a valuation of the land at the time it was bought.

It is incumbent on the Minister to inform the House of the situation regarding the valuation and whether he has received it. If the honorable gentleman has received it, he should present it to the House as this is the last opportunity before March on which to do so. I remind the Minister that when he obtained a private valuation of $1·5 million based on the price that the Trotting Control Board paid for it, he had no hesitation about making that available to honorable members and everyone else. To repeat the alacrity with which he produced that valuation, the honorable gentleman ought to produce the Valuer-General's valuation or an explanation of why not.

Mr COLLINS (Noble Park)—As the honorable member for Noble Park, within whose electorate lies the proposed trotting complex known as Keysborough, I should like to put a couple of propositions to the Minister for Youth, Sport and Recreation for 1980. As I understand it from the Department of Youth, Sport and Recreation's latest report the Racecourses Development Board issues and reissues licences for all country greyhound trotting and racing tracks and the Minister is responsible for the issuing and reissuing of licences for metropolitan courses. Therefore, this proposition rests clearly in the Minister's court. I make no bones about the fact that as the member representing the area, I support the Keysborough project.

During the current sessional period of Parliament much debate has taken place on this matter. Much of that debate has been of a negative nature and on occasions has denigrated the characters of people outside the Parliament who have not had the opportunity of defending themselves. I still have much faith in the members of the Trotting Control Board. Some were elected by that successful industry and some were appointed by the Minister. The Minister has the responsibility for issuing the licences, and Keysborough cannot go ahead without his approval. Honorable members have been concerned about the value of the land since that matter was raised by the honorable member for Geelong North. However, I am also concerned about the credibility of the men who are all volunteers and have given their time, some for many years, in service on this board.

I request the Minister to advise this Parliament as soon as possible of the results of the valuation. All honorable members would like to know what will happen at Keysborough. If the decision is in the affirmative, all very well but if it is in the negative, equally fine, so long as the industry will know where it is going.

More importantly, let us get that board together. I believe it is the prerogative of the Minister for Youth, Sport and Recreation to call the board together and ask its members to work together as a united force for trotting. The Government appointees, in particular, who were appointed by the signature of the Minister, have that obligation. They should represent the interests of the Minister, the Government and the Parliament at all times.

As a New Year resolution I ask the Minister, hopefully in 1980, to issue a licence for Keysborough under the right conditions. It may be a partial licence to begin with. The local community has considerable expectation regarding this development. Only two weeks ago the City of Springvale reaffirmed its complete support for the complex. Many people on that side of the Yarra would like to see the start of a significant trotting development there.

I believe trotting needs to be marketed. It has not been properly marketed before. The honorable member for Geelong North will agree that trotting needs to be marketed with a fresh approach. With that fresh approach there will be no trouble filling the membership of the new trotting club at Keysborough. The purchase of the land will be vindicated by the board's

development in the future. The parcel of land is almost unique in the south-eastern sector of Melbourne. I have great faith in the members of the board who should be given every opportunity of doing their job with the whole support of Parliament. Let us cut out all the back-biting that has been going on within sections of the industry which have vested interests and do not want that project to go ahead. The year of 1980 should be a good year for trotting. Let us start at Keysborough.

Mr B. J. EVANS (Gippsland East)—Early in the sessional period I drew to the attention of the Premier the situation of the old township of Goon Nure on the shores of Lake Victoria, one of the Gippsland lakes. The owners of the blocks of land in that old township were successful in a Town and Country Planning Board Appeals Tribunal request to obtain building permits for blocks in their subdivisions. Subsequently the Premier indicated that the Government would be prepared to purchase some of these blocks because they intrude into an extremely popular daytripper area known as Wattle Point. The Premier indicated that a sum of money would be available and that a working party would be set up to determine which of the blocks would be purchased.

The owner of the blocks has since indicated to me that an offer to the Government of these blocks has not even been acknowledged. I understand that the owners have already placed the blocks on the market. It would be most regrettable if they were sold on the basis of residential occupancy in the immediate future. I believe the vendor is interested in disposing of these blocks to the Government, and certainly the people of Bairnsdale and surrounding districts are most anxious that the Government should acquire the blocks. I ask the Premier to look at the question as a matter of urgency because the sale of these blocks could be under way.

Dr VAUGHAN (Glenhuntly)—I raise a matter for the attention of the Assistant Minister of Education. It concerns the library at Caulfield South Primary School, No. 4315. On 14 August 1973 the school was originally advised by the department that under a new departmental policy it would be eligible for an art and crafts room and a library. I refer here only to the library. In recent correspondence from the secretary of the school council, the experience of the school community concerning the library is summarized as follows:

> Each year the Department issues and re-issues lists of major works programmes. These lists are subject to an extraordinary amount of shuffling and reshuffling in a seemingly endless departmental game of semantics. The programme is renamed or reorganised; the result being that our school is progressively further away from obtaining the library promised in August 1973.

The school community is most upset about the deal it has received, and it has requested that I bring the matter to the attention of the Minister. I refer the honorable gentleman to a press release on the letterhead of the Minister of Labour and Industry, dated 8 May 1975 under the heading "Exclusive Local Press, Big School Works". It read:

> The Caulfield High School and the Caulfield South Primary School are to get new Commonwealth libraries at a total cost of over $500 000.
>
> The Minister of Labour and Industry, Mr Rafferty, said today that he had been advised of this by the Minister of Education, Mr Thompson.
>
> Mr Rafferty, who is M.P. for Glenhuntly, said Caulfield High School would also get a new science room, and staff improvements would be carried out at the Caulfield South primary school.
>
> He said tenders would be let as quickly as possible.
>
> Mr Rafferty said the Caulfield High project would cost over $400 000 and the additions at Caulfield South school would cost over $130 000.
>
> "I am very pleased that approval has been given to these very important projects," Mr Rafferty said.
>
> "They will be an enormous advantage to both students and teachers."
>
> Mr Rafferty has been making strong representations to the Education Department for the works.

As a postscript, Mr Rafferty was held in very high regard by the people of Glenhuntly, and remains so. I do not think he was telling an untruth!

I would like the Minister to clarify for the benefit of the school community at the Caulfield South Primary School the status of their library.

Mr MACKINNON (Box Hill)—My remarks are addressed to the Minister for Community Welfare Services and relate to the payment of benefits to lone parents. It was foreshadowed in the Budget that there would be changes in the method whereby payments are made to lone parents. Some of those parents who reside in my electorate have become concerned and agitated after hearing claims that action being taken by the Victorian Government on lone parent benefits could affect their income entitlements. There have also been claims of lack of planning and of cold heartedness on the part of the Government.

I have assured my constituents and those lone parents who have called on me that the claims are without foundation, but probably there are lone parents elsewhere who may be equally agitated about the impending change which I understand is to commence from the beginning of the new year.

I would welcome an assurance from the Minister on what is happening and what action is being taken, and can the Minister supply the House and myself with some details?

Mr HANN (Rodney)—I wish to refer a matter to the attention of the Premier. It is approximately two months since the Chernov report was first presented to the Government after the completion of the inquiry into the Co-operative Farmers and Graziers Direct Meat Supply Ltd. Whilst I realize it is probably a voluminous report, particularly in regard to charges which may be laid, it is a matter of concern to the directors of the co-operative that no charges have been laid as yet and, in addition, that the report has not been tabled by the Government.

As the Premier is well aware, the co-operative is seeking to make a share issue. The purpose of that issue is to seek financial support from the farming community of this State to pay back part of the loan which the co-operative has borrowed from Barclays Bank and which is guaranteed by the Government.

In order to gain confidence among the farming community, it is essential that either charges be laid as a result of the report or the report be tabled. I ask the Premier to endeavour to ensure that urgent action is taken by the appropriate area of Government to see that charges, if any, are laid very quickly and preferably before the end of the legal year which I understand is 19 December, so that the share issue can then proceed and the matter clarified.

If charges are not to be laid, the Government should make the report available as a public document so that it can clear the air for the co-operative. I ask the Premier to intervene as a matter of urgency.

Mr JOLLY (Dandenong)—I direct my comments to the Treasurer and it concerns one of the State's largest statutory authorities, the Melbourne and Metropolitan Board of Works, which has seriously manipulated its accounts in order to understate its operating surplus.

In particular, I refer to the fact that the Board of Works has departed from previous accounting practices in presenting its financial statements this year. It has occurred in the Metropolitan General Fund and the changes in the accounting techniques are two-fold. These are made clear in the Supplementary Report of the Auditor-General.

First of all, on the treatment of pay-roll tax payments, management expenses were charged with an amount of $416 161 for pay-roll tax payments due as at 30 June 1979. In previous years, pay-roll tax due at the balance date has not been charged in the accounts until actually paid. The new treatment has resulted in an understatement.

Secondly, the Auditor-General points out that the Insurance Fund was credited with an amount of $929 000 as representing interest earned on the flat rate of return on the board's investments at the balance date, and standing to the credit of the Insurance Fund on 1 July 1978. In previous years, all interest earned on investments has formed part of the Metropolitan General

Fund, which included the Insurance Fund, and was credited to the Metropolitan General Fund. The effects of these transactions is that the operating surplus in the Metropolitan General Fund is reduced by $1 345 161.

That is a substantial sum of money to be manipulated through accounting techniques and, in fact, when one looks at the total surplus of the Metropolitan General Fund of $24·705 million, there has been more than a 5 per cent reduction in the surplus of the Board of Works Metropolitan General Fund because of the manipulation and there has been a distortion of performance caused by using different accounting techniques.

In my view that is a disgraceful state of affairs because it makes it extremely difficult, if not impossible, to evaluate the performance of the Board of Works. I ask the Treasurer, in view of those circumstances, what steps will be taken to ensure that statutory authorities such as the Melbourne and Metropolitan Board of Works, do not use arbitrary accounting techniques to distort their proper performance.

Mr WILLIAMS (Doncaster)—I draw to the attention of the Acting Minister of Health, the scare campaign being conducted about the risk of fluoride poisoning, particularly by the *Truth* newspaper. In its edition of December 8, the *Truth* had a huge headline, "Millions Risk Poisoning. Women and Children in Fluoride Peril". The article drew attention to a report of an investigation carried out by a North Queensland dentist which had indicated that 32 children attending a local primary school had developed mottled teeth, which is said to be the first symptom of fluoride poisoning.

I pay a tribute to the Queensland Government which investigated the story printed by the *Truth* newspaper. Apparently the findings of the *Truth* investigating team were made available to the investigation conducted by the Queensland Health Department. The report of the Queensland officers, tabled in the Queensland Parliament on 1 November this year, completely refuted the statements reportedly made by a dentist and published in the *Truth* newspaper. An investigation was carried out into the children receiving treatment at the Proserpine Dental Clinic, which was the subject of a so-called investigation by the *Truth* newspaper, and of 339 children who were examined, it was found that no child had suffered from this alleged fluoride poisoning.

The survey found three very mild cases in the town where there was fluoridation and where there was not it found twelve mild and nine very mild cases.

An interesting sidelight of the survey was that, in comparison with the non-fluoridated area, it was found that in the fluoridated area of Proserpine there had been a substantial reduction in dental caries ranging from 70 per cent at age six to 40 per cent at age ten.

The Queensland report is a complete refutation of the nonsense and scare tactics peddled by anti-fluoridationists and I urge the Minister to establish and publicize the results of a similar survey in Victoria.

Mr GAVIN (Coburg)—From time to time reports have floated up and down and sometimes out of VicRail. I remind the Minister of Transport of his remarks of 27 November relating to the McKinsey report. An abridged copy of the report was made available today and the Minister handed out a number of copies of the report. In commenting on the report on the radio the Minister made reference to the fact that the report was not the plan under which VicRail was operating. That implied that there was a plan under which the railways were operating.

I therefore ask the Minister whether that plan is the Keane report, which was completed in 1978 but has not yet been made publicly available. Does the honorable gentleman know of the Keane report. What is in the Keane report? Will the honorable gentleman table it in the Parliamentary Library? If the Keane report is not the plan, which report is the plan? If it is some other report, will the Minister table that?

Mr McINNES (Gippsland South)—Following correspondence with the Minister for Police and Emergency Services concerning the need for the provision of a temporary police station at the beach-side town of Seaspray in Gippsland, I have been asked to request that the present arrangement should apply during the peak holiday period.

All honorable members are aware of the problems that can arise with an influx of holidaymakers. The police say that they can command the situation from Sale by reaching the town in 25 minutes. I know they make every effort to do so, but the people of Seaspray believe the policeman who is at present based there in a caravan has had a salutory effect in making visits to the town more pleasurable.

Although it may not be necessary to have a policeman based there for the whole of the holiday season, it would be useful during the peak period. I ask the Minister for Police and Emergency Services to ascertain whether, at this late stage, with Christmas less than a fortnight away, that can be arranged.

Mr DIXON (Minister for Youth, Sport and Recreation)—During the Christmas felicitations offered by the Leaders of the various parties no felicitations were offered to the grapevine. I should like to do that. It is extremely efficient.

I made the previous valuation prepared by Bissett and Johnson available at the first opportunity and I now have pleasure in making the Valuer-General's valuation available. The only comment I make is the one I have consistently made: I believe that at the time the Trotting Control Board paid, bearing in mind the atmosphere at the time, a fair and reasonable price.

I have laid a copy of the valuation on the table in the Library, as I undertook to do when I was asked the question by the Leader of the National Party. I also have a copy for the Labor Party and one for the National Party, which I will make available at the conclusion of my reply.

The covering letter from the Valuer-General is important. As the matter has been debated at some length and has created some interest, I should like to read it because it gives the full details. It is addressed to Mr Keddie and states:

Re: Trotting Control Board

Springvale and Hutton Roads,
Keysborough

Further to your letters of 23 November and 3 December 1979 requesting various valuations of the above-mentioned property, the following comments are provided for your information.

Investigation has revealed (and a copy of the Contract of Sale confirms) that the Title particulars given in your first letter are the current Title particulars, although they were not in existence at the date of contract. The valuation attached hereto made as at the date of contract, has been based on the Title particulars as indicated in the contract.

Your second letter requests that consideration be given to the terms and conditions of the Contract of Sale. It was understood that a condition therein was to provide for the sale of the property to be subject to the purchaser obtaining a permit for a sporting complex.

Investigations have revealed that research and negotiations undertaken by the Trotting Control Board resulted in an agreement being reached in September 1973 to purchase the property subject to such a permit condition. However, it is noted that this condition was not included in the final draft of the Contract of Sale due to:

(i) expressions of concern by the vendor at the considerable delay in reaching finality on the terms of the purchase and his unwillingness to continue to make the sale conditional upon anything other than registration of a Plan of Subdivision; and

(ii) the purchaser, relying upon the assurances of the appropriate responsible zoning authorities, conceded its requirement that the sale be subject to the obtaining of a planning permit in consideration of an extension of time for payment of the balance of purchase monies from 1 April 1975 until 1 August 1975.

Having regard to the above-mentioned permit condition, a fair value as at September 1973 subject to that condition, is estimated to be $1 500 000.

The terms and conditions of the Contract of Sale require that the purchaser be liable for additional items of expenditure, namely:

Half Agent's Commission	$14 365
Relocation of driveway	$14 000
Fencing—new boundary (estimate)	$2 000
Relocation of services (estimate)	$5 000
Survey and subdivision (estimate)	$5 000
Solatium	$20 000
	$60 365

It has been considered necessary to also allow for loss of interest and risks associated with the estimating of costs unknown at the time, while offsetting against these costs the amount received in compensation from the Country Roads Board for land acquired for the duplication of Springvale Road. Having regard to these conditions, the market value of the property at the date of the contract is estimated to be $1 096 000.

The valuation as at today's date, also enclosed, is based on current title details, present zoning, a current Town Planning Permit for a sporting complex and preliminary information concerning the extent of any mineral deposits which may lie beneath the surface.

It is further pointed out that following the decision of the Trotting Control Board to investigate the possibilities of obtaining a site suitable for the establishment of a second metropolitan night trotting venue to cater for the eastern and south-eastern metropolitan areas advice was sought from the responsible planning authorities resulting in a list of prerequisites. These are as follows:

1. Location should be close to population centres, preferably growth areas, so that development occurs around the complex and it services the public from all directions.
2. Area should not be less than 50 hectares but should be considerably larger if large scale training activities are envisaged.
3. It should be on a multi-lane highway preferably with access to a side road to allow the patrons to enter and leave the course from different directions.
4. It should be close to a freeway network to avoid traffic congestion.
5. There should be no or minimal environmental limitations.
6. The course must be close to services (power, water and sewerage) as these are costly to install. Sewerage is most important as large numbers of people will be present and training facilities require this service.
7. The land should be relatively flat and present no major construction problems.

It is considered that the subject property completely meets these requirements.

If, at any time, it is contemplated that the property be sold, a detailed evaluation of mineral potential should be obtained from the Department of Minerals and Energy, particularly in regard to sand and/or fine clays, prior to any request for a valuation for sale purposes.

SUMMARY OF VALUATIONS

(*a*) Valuation as at 27.5.1974 = $1 165 000

This is the Valuer-General's valuation:

(*b*) Valuation as at 13.12.1979 = $1 240 000

This is the current valuation:

(both of the above valuations are made in accordance with the provisions of the Valuation of Land Act i.e. market value as zoned).

(*c*) Estimate of Value as at 27.5.1974 having regard to terms and conditions contained in the contract of sale =$1 096 000.

It is interesting to note that, although the permit was not contained within the conditions of contracts of sale thus enabling the Trotting Control Board to purchase it at a lower price, the permit was subsequently obtained. The letter ends:

(*d*) Estimate of Value as at September, 1973 having regard to the original proposed contract conditions, particularly the condition of sale that a permit issue for a sporting complex = $1 500 000.

I believe the valuation supports the case which has been consistently put by the Government.

In reply to the honorable member for Noble Park, the Department of Youth, Sport and Recreation has given two options so far as Keysborough is concerned. One is that a small development should take place. The second is that the development should be deferred pending further funds being accumulated by the Trotting Control Board. There has as yet been no resolution of that matter. It is still under consideration, but every effort will be made to get together with the Trotting Control Board and the Racecourses Licences Board to reach an early decision concerning those matters.

I am aware of the conflict within the trotting industry. The department will do all it can to reach the appropriate resolution of the problem that will be in the best interests of trotting and entertainment of the people of Victoria.

Mr HAMER (Premier)—I thank the honorable member for Gippsland East for mentioning the Goon Nure subdivision on the Gippsland Lakes. Funds were set aside for the purchase of certain blocks to protect the public area there. I was not aware that there had been any holdup, but I will investigate and expedite the purchases.

The honorable member for Rodney raised the matter of the Chernov report. I know investigations are proceeding with a view to laying certain charges, but I will investigate the situation and let him know.

Mr LACY (Assistant Minister of Education)—The honorable member for Glenhuntly raised the matter of undertakings he said had been given to the Caulfield South Primary School concerning the provision of a library for that school. It appears, from photographs the honorable member kindly showed me, that the staff and parents of the school have shown initiative and have made use of an empty class-room as a library. It may be possible to modify another area of the school for a library. I will have officers of the department investigate and will report to the honorable member.

Mr JONA (Minister for Community Welfare Services)—The honorable member for Box Hill raised the question of income security for lone parents in Victoria. I am pleased to inform him and all other honorable members that agreement has been reached with the Commonwealth this week on the implementation of the new scheme for the payment of benefits to lone parents in Victoria. A simple explanation of the change is that the Victorian State Government has transferred the responsibility for lone parent payments back to the Federal Government which properly should be responsible for income maintenance programmes.

I assure honorable members, and the public, that no one will be disadvantaged by the changeover. On the contrary, there will be a benefit to the recipients of this pension.

I have prepared a position paper on the history and background to this change, the current situation and the details of the new scheme that will apply as from 1 January and I will be making a copy of this position paper available by mail to every member of the House tomorrow.

In answer specifically to the question raised by the honorable member for Box Hill, there were absolutely no grounds for the claims which have been made about any threats to income security or lack of planning or other half-heartedness on the part of the Government in respect of this matter. The reverse has been the case.

As of 1 January 1980 all new applications for lone parent pensions will go direct to the Commonwealth Department of Social Security. These applicants, if eligible for assistance, will receive the Commonwealth special benefit and a State benefit allowance for children bringing the total income to the level of a class "A" widow's pension, which is $4.70 in excess of an amount which those lone parents are currently receiving under the State benefit. Lone parents currently receiving State benefit as at 31 December this year will continue to receive the State benefit at the higher rate of $76.40 a week for the remainder of their first six months. When that six months has been completed they will transfer over to the Commonwealth benefit. Honorable members will see that this change is very much in the interests of Victoria. It represents a substantial increase in the benefits that will be available to lone parents in this State and prepares a path for the introduction of the national arrangement which I hope will soon eventuate where all lone parents throughout Australia will be transferred over to a class "A" widow's pension at the Commonwealth level.

Mr THOMPSON (Treasurer)—The honorable member for Gippsland South requested that the forces of law and order be brought close to the shores of Seaspray, particularly in mobile form. I will investigate that suggestion.

The honorable member for Dandenong drew attention to certain innovative accountancy practices introduced by the Board of Works which of course makes it more difficult to compare the performance of the board between one year and another and the performance of one statutory authority and another. I will investigate what has been done and will write to the honorable member to tell him what action is being taken.

Mr WOOD (Acting Minister of Health)—The honorable member for Doncaster raised a matter relating to fluoridation. I am examining the report quoted by him and having it compared with another report on children under

treatment at the Prosperine Dental Clinic and recently tabled in the Queensland Parliament.

Mr MACLELLAN (Minister of Transport)—The honorable member for Coburg is continuing his fascination with documents pertaining to the Victorian Railways. The honorable member can confirm that I handed to him two copies, one of each volume, of the McKinsey report in which the honorable member has previously evinced some interest. The honorable member will be aware that the union publication refers to a report dated May, whereas the copies I gave to the honorable member are dated July 1976, some three years ago. The honorable member for Coburg will now be aware that the union has had made available to it, through some means best known to it, a draft report and not the actual report which was eventually given to the railways.

There are copies of that draft report within the railways organization. I understand that one copy of that report has remained for some three years in a drawer, and obviously came to the attention of somebody who had access to a photo-copying machine. This enabled them to photocopy the document and palm it off to the unions as if it were the original report.

The first report was partly accepted by VicRail and the Government and was the basis of its organization and management. The second report, which has been the basis of a publication by the unions, was considered and rejected by VicRail and the Government and is not the basis for further reorganization in the railways.

The honorable member then followed that by referring to a further report. That report does exist; I am aware of it; I will consider the matter raised by the honorable member of whether I might or might not make it available in the Library or anywhere else, and I shall advise the honorable member of my decision in due course.

The motion was agreed to.

The House adjourned at 1.6 *a.m.*

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

FORMER QUEEN VICTORIA MEDICAL CENTRE SITE

(Question No. 173)

Mr MATHEWS (Oakleigh) asked the Minister of Health:

What developments have occurred in connection with the—(*a*) valuation; (*b*) re-zoning; and (*c*) site of the former Queen Victoria Memorial Medical Centre site in Warrigal Road, Burwood, since the answer to the question without notice reported on page 4184 of *Hansard* on 26 September, 1978?

Mr BORTHWICK (Minister of Health)—The answer is:

There has been no further action on this site since the reply on 28 September 1978.

MALVERN CLINIC

(Question No. 381)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the Malvern Clinic, whether a final decision has been made concerning the functioning of the clinic; if so, what is the decision and what effect it will have on psychiatric services in the area?

Mr BORTHWICK (Minister of Health)—The answer is:

There has been no final decision made, as yet, concerning the functioning of Malvern Clinic. The Mental Health Authority had previously planned the proclamation of Malvern Clinic as a psychiatric hospital within the meaning of section 24 of the Mental Health Act 1959 but due to opposition from local residents this plan has not been put into effect. There has been no alteration to the psychiatric services provided by Malvern Clinic.

AMBULANCE SERVICE FOR SUNBURY

(Question No. 1121)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the proposal that the Sunbury Community Ambulance Committee receive an allocation of funds for the establishment of an ambulance service in Sunbury:

1. When the submission was received by him or his predecessor?

2. What action has been taken on the submission?

3. Whether it is expected that funding will be made available; if so, when, and on what basis?

Mr BORTHWICK (Minister of Health) —The answer is:

1. 11 April 1979.

2. Approval in principle has been given by the Health Commission for the development of a Sunbury Branch of the Central Victoria District Ambulance Service. Preliminary planning has commenced, including a study of case load in the area as well as the development of sketch plans for branch premises.

3. Subject to the findings of the case load study, the Health Commission will include estimates for branch premises, vehicles and staff for the 1980–81 year.

NURSE EDUCATION

(Question No. 1245)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of nurse education in the Gippsland area:

1. Whether the Health Commission or its predecessor, the Hospitals and Charities Commission, has considered the establishment of a School of Nursing at the Gippsland Institute of Technology; if so, when and with what result?

2. Whether any reports have been prepared in the commission concerning the development of such a school; if so, what were the conclusions of those reports?

3. Whether any recommendations have been made to Commonwealth authorities on this matter?

Mr BORTHWICK (Minister of Health) —The answer is:

1. Neither the Health Commission nor the Hospitals and Charities Commission has or did consider the establishment of a school of nursing at the Gippsland Institute of Technology.

2. No report has been prepared in the commission.

3. No recommendations have been made to Commonwealth authorities.

FISHING VENTURES

(Question No. 1292)

Mr FOGARTY (Sunshine) asked the Minister of Health, for the Minister for Conservation:

Whether the Commonwealth Government sought the co-operation of the Victorian Government in negotiating joint fishing ventures or feasibility studies involving fishing in waters within 200 nautical miles of the Victorian coastline; if so, what are the names of each company involved in each joint fishing venture or feasibility study, including the name and nationality of the foreign component?

Mr BORTHWICK (Minister of Health) —The answer supplied by the Minister for Conservation is:

The Victorian Government has been advised and consulted by the Commonwealth Government on a number of feasibility fishing studies involving the use of foreign fishing boats in waters adjacent to the Victorian coastline. I understand that the companies involved in these feasibility fishing proposals are:

(1) Squid Feasibility Fishing Project—Joint venture by Nippon Reizie Kabushiki Kaisha of Tokyo, Japan (Nichirei) and Lakes Entrance Fisherman's Co-operative.

(2) Squid Feasibility Fishing Project—Joint venture by Three Oceans Fisheries and Holly Bros. of Japan.

(3) Squid Feasibility Fishing Project—Joint venture by South Australian Fishermen's Co-operative (S.A.F.C.O.L.) and Chuo Gyogyo Kosha Pty. Ltd. and C. Itoh and Co. Ltd. of Japan (Safchu).

(4) Feasibility Trawl Fishing Project—Joint venture by Mawri Bros. & Thomson (Aust.) Pty. Ltd. and Dalmor Deep Sea Fishery and Fishing Services Enterprises (Poland).

(5) Squid Fishing—A proposal by Craig Mostyn and Co. Pty. Ltd. and Taiya Fishing Co. Ltd. of Japan.

(6) Squid Fishing—A proposal by Ocean Foods Pty. Ltd. and Daerim Fishery Co. Ltd. of Korea.

(7) Squid Fishing—Joint venture by M.G. Kailis Gulf Fisheries and Mitsubishi (Japan).

FISH EXPORTS TO JAPAN

(Question No. 1317)

Mr FOGARTY (Sunshine) asked the Minister of Health, for the Minister for Conservation:

1. What restrictions are placed on Australian-caught fish and fish products, including squid, entering the Japanese market?

2. What approach the Victorian Government has made to the Commonwealth Government to secure free access to the Japanese market for squid caught by Australian fishermen off the Victorian coastline at a time when Japanese fishermen are fishing the areas with Commonwealth Government permission?

Mr BORTHWICK (Minister of Health) —The answer supplied by the Minister for Conservation is:

The honorable member will appreciate that this is a matter for the Commonwealth Government. However, from enquiries which have been made I am informed that the following

restrictions in the form of Tariffs and Import quotas are placed on Australian fish and fish products entering the Japanese market:

Tariffs

Prawns

(Australia's main export to Japan $86 million in 1978–79). Attracted a duty of 4 per cent. This is to reduce to 3 per cent under the recent multilateral trade negotiations (MTN).

Following recent negotiations in Geneva a number of tariff reductions have been agreed to by Japan. These are to be implemented over an 8 year period, beginning 1 January 1980 and includes customs and tariffs on prawns and squid.

Whole cooked lobster

(Exports $19·1 million 1978–79) is dutiable at 5 per cent as are most species of fresh and frozen fish of the type currently exported to Japan such as Whiting. Fish such as Herring, Mackerel and Jack Mackerel attract 10 per cent duty when frozen or smoked.

Abalone

a higher rate. 10 per cent on frozen and 12

(Exports $17 million 1978–79) is dutiable at per cent on canned. These duties have not been reduced in the Geneva agreements.

Squid

The duty on frozen squid is to fall from the current 10 per cent to 5 per cent over the 8 year period.

Quotas

Japanese import quotas affect few products of interest to Australia at present. The fisheries products subject to import quota restrictions are:

(*a*) Fresh, chilled or frozen, salted, in brine or dried Herring, Cod, Yellow tail, Mackerel, Sauries, Sardines, Horse Mackerel and "Niboshi" (small boiled and dry fish for seasoning use), Scallops, Adductores of Shellfish.

(*b*) Cuttlefish and squid.

Currently Australia's export to Japan do not include significant quantities of any of these items. Although there is a possibility of an increase in trade in squid and to a lesser extent Jack Mackerel and Mackerel.

The quota is determined on the basis of "flag of ship" not on country of origin or place of catch product. Thus squid caught in Australian waters by Japanese vessels is not counted against general quota. Further separate allocation is made for the non-Japanese companies with more than 40 per cent Japanese participation.

Overall it seems the quota system has little influence on the quantity resources of Japanese fisheries imports. There is no evidence that Australian exports have been restricted because of the trade barriers and in the case of squid and Jack Mackerel competiveness and ability to meet Japanese market requirements will be considerably more important in developing exports. Further it is the established policy of the Japanese Government to increase quotas and reduce tariffs where possible. This can be expected to continue in the future.

2. None.

MANSFIELD AUTISTIC PLAYSCHOOL

(Question No. 1514)

Mr ROPER (Brunswick) asked the Treasurer:

Whether he has received advice from the Minister of Health concerning grants to the Mansfield Autistic Playschool; if so, when he received that advice and when it is expected that a grant for 1978–79 will be provided?

Mr THOMPSON (Treasurer)—The answer is:

Advice was received from the Minister of Health on 10 October and I approved of a special grant of $17 000 for 1978–79 for the Mansfield Autistic Playschool on 23 October 1979. A cheque for this sum was paid to the playschool on 4 December 1979.

AMERICAN EXPRESS INTERNATIONAL INC.

(Question No. 1526)

Mr ROWE (Essendon) asked the Minister of the Arts:

1. Whether permission was obtained by American Express International Inc. to use the National Gallery and the service attendants with a mock-up of an American Express credit card superimposed on Burke and Wills for the purpose of the preparation of an advertisement for that company; if so, who granted such permission?

2. What payment was received by the gallery and the attendants in respect of the project?

Mr LACY (Minister of the Arts)—The answer is:

1. Yes; permission was obtained from the Director of the Gallery.

2. None.

DEER KEEPING

(Question No. 1567)

Dr COGHILL (Werribee) asked the Minister of Health, for the Minister for Conservation:

When proposed regulations to lay down specifications for deer keeping will be proclaimed under the Wildlife Act 1975?

Mr BORTHWICK (Minister of Health)—The answer supplied by the Minister for Conservation is:

The proposed wildlife regulations which lay down specifications for deer keeping will be proclaimed when staff presently being recruited are adequately trained as wildlife officers.

WORKS RE-DESIGN PROGRAMME

(Question No. 1693)

Dr COGHILL (Werribee) asked the Minister for Youth, Sport and Recreation:

Further to the answer to question No. 1315 given on 28 November 1979:

1. What are the purposes for which the allocation of $5000 will be used?

2. What is the period for which funds have been approved?

3. What are the hours per week worked by the manager, indicating the manager's rate of pay and the source of income?

4. What is the value and sources of non-government income of the work co-operative?

5. Whether any further work co-operatives are to be established, indicating where, when, and the number of unemployed persons to be involved in each case?

Mr DIXON (Minister for Youth, Sport and Recreation)—The answer is:

1. To cover the salary and administrative expenses of the manager for a period of four months.

2. Four months.

3. The hours worked by the manager vary, but exceed 40 hours per week. He is paid at the rate of $1000 per month. The source of income is VEC grant, sale of goods and services and a grant from the Hawthorn Community Chest.

4. Sale of goods and services and a grant of $500 from the Hawthorn Community Chest.

5. Consideration to giving financial assistance to the establishment of further work co-operatives will be dependent on the receipt of suitable applications and compliance with the requirements of the Co-operation Act 1958 (as amended).

LEMONS

(Question No. 1736)

Mr FOGARTY (Sunshine) asked the Minister of Agriculture:

1. Whether production of lemons in Victoria has increased during the past four years; if so, to what extent?

2. Whether lemons fall within the definition of "Citrus Fruit" as detailed in Division Id of the Marketing of Primary Products Act 1958; if not, why this commodity is not included?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

1. Annual production figures for lemons and limes in Victoria are included below. The Australian Bureau of Statistics does not report separate statistics for lemons but limes would be only a very small percentage of the total. The figure for 1978–79 is preliminary and subject to revision. The figures show an upward trend, but it is not possible to determine the extent to which production has increased over the last four years because there are large year-to-year fluctuations.

Production of Lemons and Limes in Victoria

Year	(Tonnes)
1972–3	5037
1973–4	4728
1974–5	4945
1975–6	4682
1976–7	6000
1977–8	5361
1978–9 (*p*)	6507

2. Lemons do not fall within the definition of "Citrus Fruit" as detailed in Division Id of the Marketing of Primary Products Act 1958. The citrus industry specifically asked that lemons should not be included in the definition because the Victorian Citrus Fruit Marketing Board co-operates closely with the New South Wales Area Board which does not handle lemons.

Legislative Council

Friday, 14 December 1979

The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 2.3 p.m., and read the prayer.

VICTORIAN FISHING INDUSTRY COUNCIL BILL

This Bill was returned from the Assembly with a message relating to an amendment.

It was ordered that the message be taken into consideration later this day.

WRONGS (ASSESSMENT OF DAMAGES) BILL

This Bill was returned from the Assembly with a message relating to amendments.

It was ordered that the message be taken into consideration later this day.

STATE EMPLOYEES RETIREMENT BENEFITS BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

ABSENCE OF MINISTERS

The Hon. A. J. HUNT (Minister of Education)—I have to advise the House that the Minister for Local Government is absent on Government business and will not be present in the House today. The Minister for Conservation is attending a funeral and will be present shortly.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—It makes the asking of questions without notice somewhat difficult if the Labor Party cannot direct questions to the relevant Ministers.

The Hon. A. J. HUNT (Minister of Education)—By leave, I move:

That questions without notice be taken later this day.

The motion was agreed to.

STATUTE LAW REVISION COMMITTEE

Imperial Acts Application Bill: Imperial Law Re-enactment Bill: Constitutional Powers (Request) Bill

The Hon. JOAN COXSEDGE (Melbourne West Province) presented a report from the Statute Law Revision Committee relating to evidence on the Imperial Acts Application Bill, the Imperial Law Re-Enactment Bill and the Constitutional Powers (Request) Bill.

It was ordered that the reports 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:

Forests Commission—Report for the year 1978–79.

Housing Commission—Report for the year 1978–79.

National Parks—Report of the Director for the year 1978–79.

Poisons Act 1962—Proclamation of 27 November 1979 amending Schedules to the Act.

Water Supply—Report of the State Rivers and Water Supply Commission for the year 1978–79. (2 volumes.)

On the motion of the Hon. E. H. WALKER (Melbourne Province), it was ordered that the reports be taken into consideration on the next day of meeting.

STATE EMPLOYEES RETIREMENT BENEFITS BILL

The Hon. A. J. HUNT (Minister of Education)—On behalf of the Attorney-General, I move:

That this Bill be now read a second time.

The purpose of the Bill is to provide retirement benefits for employees in Government departments and instrumentalities who do not have access to any of the existing superannuation schemes. There is provision for the scheme to be extended by Order in Council to other areas of Government employment. The new scheme will apply, in the main, to persons employed by the Public Service Board under certificate of exemption and to employees of the Country Roads Board, all of whom will be eligible to enter the scheme. The scheme has been designed to include part-time employees who are employed for not less than half the normal hours of duty.

Honorable members may recall that the Premier made an announcement earlier in the year that the Government and the Trades Hall Council were working closely together on framing the new scheme.

The Bill provides for the establishment of the State Employees Retirement Benefits Fund from which will be paid benefits up to a maximum of a lump sum equal to three times adjusted final salary, and a life pension equal to 25 per cent of such salary, together with pensions for spouses, and children of deceased members. The scheme also covers the payment of disability benefits and also provides for half-yearly updating of pensions. Benefits under the scheme have been designed to integrate with social security pensions as far as possible.

Contributions by members will be geared to their pay levels and will range from 3·5 per cent to 6 per cent of wages. Employer contributions will be fixed by the board every three years on actuarial advice in order to cover the estimated outgoings from the fund, after allowing for contributions received from members and interest earnings on investments.

The fund will be controlled by the proposed State Employees Retirement Benefits Board of three members, including an elected representative of members. I commend the Bill to the House.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 20 were agreed to.

Clause 21 (Contributors to the fund)

The Hon. K. I. WRIGHT (North Western Province)—Members of the National Party believe this is a good Bill, and will support it. I bring to the attention of the House the position of electorate secretaries to Parliamentarians. The excellent work that they do, the responsibility they accept, and the terms of their employment are well known. The salary paid to them is lower than the normal salary paid for that type of position. My electorate secretary has been offered an additional $50 a week to go elsewhere.

I believe superannuation should be available to our electorate secretaries, and it is essential that this be examined as well as the level of salary paid to them. A superannuation scheme could probably be provided under a Bill such as this, and I commend it to the Government and to the Minister.

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

The Bill was reported to the House without amendment, and the report was adopted.

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

That this Bill be now read a third time.

I noted the comments made during the Committee stages of this Bill. I can understand the importance of them and I will pass this information on to the responsible Minister for his attention.

The Hon. J. V. C. GUEST (Monash Province)—I wish to speak on this Bill because as honorable members now know, it will go through without a hint of opposition in any place. I am concerned about the gross irresponsibility of this Parliament as a whole in dealing with a matter that involves substantial future expenditures. I do not say that they are wrong expenditures. I make the point very strongly that there is no basic reason why white collar workers should have superannuation schemes vastly superior to blue collar workers, and the time is long overdue for superannuation for employees in the community to be looked into.

It is not entirely a digression to speculate on how the present distribution of superannuation benefits between white and blue collar workers came about. I am not fully aware of the history of it. It is the kind of thing that a feudal king or lord—I am not sure, Mr President, whether you are about to indicate that I am digressing.

The PRESIDENT (the Hon. F. S. Grimwade)—The honorable member has not invited my opinion, but perhaps I shall give it to him anyway. It would seem to me that if Mr Guest wanted to

make a speech exploring the extent to which this Bill affects the people he is talking about, then it would have been more appropriate during the second-reading debate. If he wanted to discuss details of the clauses of the Bill, he should have done that during the Committee stage. I was about to discuss this matter with my adviser, but on the third reading Mr Guest should confine himself to generalities, and almost particularly to the motion that the Bill be now read a third time.

The Hon. J. V. C. GUEST—I can do that and come to a conclusion. The matters that I shall put forward will lead to the conclusion that I will give at the end of my speech.

Without going into general questions about the issue of superannuation as a whole, I draw attention to the fact that superannuation is just another form of remuneration, part of the total remuneration package, one which Mr Landeryou has pointed out will be a live issue in the future for reasons which have much to do with the introduction of private schemes—generally for reasons of taxation, amongst other things.

Clearly, one cannot say that this scheme or one like it is justified or not justified without first looking at the total remuneration package. The scheme provides an additional benefit worth perhaps 10 per cent or 15 per cent of salary quite outside indexation guidelines. It provides, for employees of 30 years' standing who have now reached 65 years of age and who might already have retired without making any contributions to the scheme or who will retire within the next few weeks without making any contributions, a present value of perhaps $45 000 to $50 000 in lieu of the gratuity of something less than $5000 they would have got. That will be the consequence of the passing of this Bill, and the benefits will be larger for those who later become contributors and contribute to the scheme.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! The honorable member should relate his remarks to the question, which is that the Bill be now read a third time. I suggest that he does just that.

The Hon. J. V. C. GUEST—I accept your guidance, Mr President. It is unfortunate that I am not able to explain that the Bill can be regarded as if it were dealing with the sort of public works to which Mr Menzies, later Sir Robert Menzies, referred in the speech he made which I quoted in my speech when I moved the adoption of the Address-in-Reply to His Excellency's Speech on the opening of Parliament.

The PRESIDENT—The honorable member may not quote from the speech.

The Hon. D. R. WHITE (Doutta Galla Province)—On a point of order, Mr President, my understanding was that on the third reading of a Bill an honorable member could merely state his objections to the Bill and could not argue them at length. That would be more properly done during the second-reading debate or during the debate on the clauses. At the third reading an honorable member should merely state that he objects to the Bill and refer to the arguments he made during the second-reading debate.

The PRESIDENT—I accept the point of order and I ask the honorable member to confine his remarks to the question.

The Hon. J. V. C. GUEST (Monash Province)—My objections to the Bill are simply that it is one which has not been considered properly by Parliament. Mr Menzies, later Sir Robert, suggested that all expenditures should be considered before they are made so that they can be properly considered with all relevant matters in mind. This Bill is one which will entail substantial expenditures. It is well out of line with any private-sector schemes and will be a pace setter. Although it may be a good Bill, it is not one which has been examined in such a way as to demonstrate proper Parliamentary responsibility for expenditure.

I had better leave it at that, because apparently I misconstrued the extent to which one may address one's remarks on the third reading of a Bill, but I hope I have made my point.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—On behalf of the Labor Party, I congratulate the Government for its co-operation in the speedy passage of the Bill through this House. The Labor Party has taken Mr Hamilton's advice to heart on this occasion and will not debate at length on a money Bill. I congratulate the Government and commend the Bill to the House.

The motion was agreed to.

The Bill was read a third time.

WRONGS (ASSESSMENT OF DAMAGES) BILL

This Bill was returned from the Assembly with a message relating to amendments.

Assembly's amendments:

1. Clause 3, omit this clause.

2. Insert the following new clause to follow clause 2:

"AA. Section 28A of the Wrongs Act 1958 shall apply to and in relation to all claims for damages for deprivation or impairment of earning capacity or for other personal injury, including claims made before the commencement of this Act, unless at the commencement of this Act—

(*a*) the person making the claim and the person against who it is made have agreed on the amount to be paid in respect of the claim or in respect of the claim and another claim or claims; or

(*b*) a court has fixed the amount to be paid in respect of the claim or in respect of the claim and another claim or claims, whether or not the amount fixed is subject to appeal."

The Hon. HADDON STOREY (Attorney-General)—The purpose of the amendments is to clarify the position of actions where judgment was entered before the Bill came into effect and I move:

That the amendments be agreed to.

The motion was agreed to.

PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL

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

That this Bill be now read a second time.

Legislation such as proposed by this Bill is commonly or popularly referred to as sunset legislation. Such legislation provides for the automatic cessation of Government boards, agencies and committees at a set point in time unless they are renewed by the Parliament.

Honorable members will be aware that the Government has been at pains to control growth in public service numbers and to that end has, amongst other things, imposed staff ceilings and allowed increases in staff only where they can be fully justified.

This Bill continues that process of review and control of Government activity. The Bill as proposed will ensure that Government boards, agencies and committees will not be able to continue in existence *ad infinitum*. This measure provides a means by which such bodies will have to justify their existence and whether their current level of activity and expenditure is warranted.

The Bill establishes a Public Bodies Review Committee which is a joint committee of the Council and the Assembly consisting of eight members. This committee has the power to review a public body—a body established by or appointed pursuant to an Act or established by or appointed pursuant to any rule, regulation, by-law, order, Order in Council, proclamation or other instrument of a legislative character—when it is nominated for review either by resolution of the Council and the Assembly or by the Governor in Council. The committee will then examine in detail the role and function of the public body, the need for such a body, the manner in which it operates and the extent to which it is fulfilling its role. The committee has to report on its review to the Parliament.

If the committee is not satisfied the body reviewed is performing a worthwhile function after applying the criteria set out in the Bill and reports that it should go out of existence, it will automatically go out of existence at the end of twelve months after the report is tabled, unless Parliament otherwise decides. Alternatively there is provision for the review committee to report to the Parliament any changes it sees as necessary or desirable to the structure, membership or mode of operation of the body in order that it may function more

effectively and efficiently for the future. The committee may well consider that the body under review should be amalgamated with another body and thereby effect a saving in resources and expenditure.

In order to conduct a review, the committee may commission a report to be prepared on the body which would cover such aspects of the body's functions and activities as are deemed relevant by the committee for the purposes of the review. The body itself may prepare a report and shall, if requested by the committee, do so. Except in the case of special circumstances, reports commissioned by the committee must be made available to the public. Reports prepared by the body under review will as a matter of course be made available to the public.

The committee will, prior to delivering its report to Parliament, hold a public hearing at which any person who has relevant submissions to make in respect of the body under review will have the opportunity of doing so. The committee will determine its own procedures. However, no party appearing before it will be able to be legally represented. On the other hand, the committee will be able to conduct its deliberations in private. In the event of the committee recommending that a body should go out of existence, that body shall cease to exist and its members shall go out of office one year after the report of the committee is laid before the Parliament unless the Parliament takes positive action to ensure its continued existence.

The Bill makes provision for the winding up of the affairs of any body that ceases to exist pursuant to the provisions of the Bill.

This type of measure is comparatively new and has not before been introduced in Australia. However, it is a means by which Government programmes, boards or agencies that have outlived their usefulness can be terminated. It is also a means by which boards or agencies that duplicate each other's work can be brought together. The main advantage, however, of this type of measure is that it provides a means by which the performance of all public bodies can be reviewed or monitored in terms of their functions. This will inevitably result in increased efficiency and effectiveness in such bodies with resultant benefits for the general public in terms of better service, greater utilization of resources and real savings in money terms.

Legislation such as this makes government overall not only more efficient but also more accountable. One indirect but nevertheless positive advantage of this Bill should be the creation of a consciousness in Government bodies that they are subject to review. This should encourage them to continually review their own performance to ensure that they are operating effectively.

To assist honorable members with the details of the Bill, clause notes have been circulated with the Bill. I commend the Bill to the House.

On the motion of the Hon. D. R. WHITE (Doutta Galla Province), the debate was adjourned.

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

QUESTIONS WITHOUT NOTICE

ANSETT TAKEOVER

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I ask the Attorney-General a question concerning the public interest in the takeover of Ansett Transport Industries by what I understand to be News Ltd or the conglomerate arising from Mr Murdoch's financial interest and the fact that a major shareholder in Ansett Transport Industries has been, by way of a shareholding agreement with Sir Reginald Ansett and his interests, prevented from participating in an offer to purchase those shares. In view of that quick thumbnail sketch background, is it the Government's intention to take action in the public interest to protect the minority shareholders of Ansett Transport Industries who have been prevented

from selling their shares in the market place where one would normally expect such forces to move freely?

The Hon. HADDON STOREY (Attorney-General)—As reported in the press, one shareholder has sold shares to another person who owns shares in that company. There was nothing in the Companies Act to prevent any such transaction. It is not a transaction which comes within the ambit of the Company Take-overs Committee. As honorable members are aware, a company take-overs Bill has been introduced in the Federal Parliament as part of a national scheme for companies and securities industry law, which I hope this State will be able to adopt next year. Under that Bill there would be circumstances in which a person who held shares and desired to acquire more than 20 per cent, would have to comply with certain requirements. However, that is not the law in Victoria at this stage and no action can be taken by the Government in relation to that transaction.

NEGOTIATED PLANNING

The Hon. K. I. WRIGHT (North Western Province)—I ask the Leader of the House a question in his capacity representing the Minister for Planning. It concerns an offer of $1 million in relation to planning in Queensland, in relation to rezoning for a shopping centre project. I am not saying this is undesirable because the community provides the facilities for which a developer should pay, to an extent up to the increment in value of the land. What is the situation in regard to the legislation in Victoria? If it does not cover such contributions, is an amendment considered necessary?

The Hon. A. J. HUNT (Minister of Education)—There are two provisions under which what is known as negotiated planning, referred to by Mr Walker yesterday in this House, is possible in this State. The first relates to conditions of a permit. It may be a condition that the guarantee gives back to the community at least some of the added value created by the granting of the permit. The other provision is in the third schedule to the Town and Country Planning Act which provides that where the planning scheme so states, the responsible authority shall have power to enter into agreements with owners. Under those two provisions this can occur.

The Government has always made it clear that the prime requirement is openness. Any offer of this kind must be known to the public and be capable of being queried. The second is that an offer of doing something for the public or giving back some of the added value created by the public should never be a substitute for proper planning considerations. In other words it should be available only where, on the planning merits in any event the permit could be granted or the rezoning properly effected.

Seen in those terms this talk of bribes is complete nonsense. The principle is simply acknowledging that the value of the land has, as a result of the permit or scheme, been substantially increased by public action and the person concerned is merely providing a return to the public. The principle of negotiated planning recognizes that, other things being equal, the developer who is prepared to do the best for the public should be the one who gets the opportunity to proceed.

BRUMBIES

The Hon. N. F. STACEY (Chelsea Province)—I congratulate you, Mr President, on allowing Christmas to come into this House. I should like to direct a question to the Leader of the House representing the Premier. There have been a number of newspaper reports in the past few days about the proposed importation of brumbies into Victoria from Alice Springs and Dry Creek. Can the Minister ensure that the despatchers of these brumbies are informed of the requirements of Victorian law, particularly in relation to the marketing provisions for animals and the provisions regarding cruelty to animals? Will the Minister use his best

endeavours to ensure that the despatchers of the animals know those provisions? I ask the honorable gentleman to investigate the matter.

The PRESIDENT (the Hon. F. S. Grimwade)—Before the Minister replies, I would like to draw to the House Standing Order No. 49, which reads:

> If at any sitting of the House, or in Committee, any Member shall take notice that strangers are present, the President or the Chairman (as the case may be) shall forthwith put the question "That strangers be ordered to withdraw" without permitting any debate or amendment: Provided that the President or the Chairman may, whenever he thinks fit, order the withdrawal of strangers from any part of the House.

I hope no honorable member will draw my attention to strangers.

The Hon. W. V. HOUGHTON (Minister for Conservation)—The question was asked of the Minister representing the Premier. The responsibility for the prevention of cruelty to animals is now vested in me, as successor to the former Chief Secretary. Like Mr Stacey, I deplore the fact that these animals may be transported in a state of near starvation, as has been reported. When stock are carried on the Victorian Railways, the railways are responsible for feeding them and the owners are responsible for paying for that feed. I will contact the Minister of Transport to ensure that those provisions are observed. If any cruelty is involved which is contrary to the law action will be taken.

GELLIBRAND PARK

The Hon. J. M. WALTON (Melbourne North Province)—Can the Minister for Conservation indicate at what stage negotiations are with regard to the purchase of land for Gellibrand Park and whether the matter can be expedited?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I understand that the purchase of land for Gellibrand Park is at present being negotiated. All parties to the negotiations are agreeable that the Government purchase the property which it does not own at present. It is a matter of negotiating a price and finding the money. In the meantime the park is safeguarded for public use.

SHORTAGE OF SCHOOL LIBRARIANS

The Hon. B. P. DUNN (North Western Province)—Is the Minister of Education aware that numerous schools in Victoria will have library facilities unused or idle because librarians, although they are available, are unable to be employed due to the freeze on permanent teacher positions? Is the Minister aware that these schools require librarians within their establishments? What action will the Minister take to ensure that specialist teachers are employed when insufficient teachers are available from within the premanently employed Teaching Service?

The Hon. A. J. HUNT (Minister of Education)—It is up to the school to nominate what particular specialists it wants. I take Mr Dunn's question to suggest that in some fields they are insufficient.

The Hon. B. P. Dunn—Exactly, librarians.

The Hon. A. J. HUNT—I am certainly not aware that there are insufficient librarians to meet the requests of high schools for the appointment of librarians. I will double check on that fact forthwith.

PRESBYTERIAN SCHOOLS BILL

The Hon. H. R. WARD (South Eastern Province)—I address my question to the Leader of the House and it follows the receipt of a message from the Assembly at the commencement of the sitting. I noticed there was no reference to the Presbyterian Schools Bill which was passed by this House and went to the Assembly. I desire to know whether the Assembly is returning to deal with this Bill or whether it will ever be returned to this Chamber with a message that it has been passed? I was of the view that it was to be dealt with by the Assembly. Can the Leader of the House advise what is the future for the passage of this Bill?

The Hon. A. J. HUNT (Minister of Education)—Before I announced to the House yesterday that the Assembly would be meeting today, the Attorney-General had been in touch with a number of honorable members on the other side who had made it very clear that the Assembly, having failed to carry out one of the proper steps to enable the Bill to be dealt with in time, would need to come back today to deal with that Bill. The Assembly has not come back today. I regret that it has not dealt with the Bill. If, having passed on information received, I inadvertently misled the House, I apologize, but I fully expected that the Assembly would come back and deal with the Bill. It was my understanding that it would do so, and it is a matter of regret to everybody.

SCHOLASTIC ACHIEVEMENT

The Hon. D. R. WHITE (Doutta Galla Province)—Following the debate which occurred in the House last week, can the Minister of Education now indicate whether he is prepared to make a Ministerial statement or a statement of some form during the next sessional period, outlining the level of scholastic achievement in year 12 in the State sector, that is, in the major high and technical schools in the State, and also in the private sector, and what the aims and objectives of the Government are with respect to scholastic achievement in the State and private sectors over the next five to ten years?

The Hon. A. J. HUNT (Minister of Education)—I indicated in a statement made to the House earlier this week that the review of education was proceeding. There are two stages still to go and some of the matters inquired of by Mr White will form part of that review.

SHOOTING OF DEER

The Hon. J. W. S. RADFORD (Bendigo Province)—Is the Minister for Conservation aware of press reports about spotlight shooting of deer in this State?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I must say that I am not aware of press reports about spotlight shooting of deer in this State. However, I am aware that the practice is engaged in by some, and it is an illegal practice.

TOXIC CHEMICALS

The Hon. JOAN COXSEDGE (Melbourne West Province)—As a matter of urgency, I ask the Minister for Conservation to ascertain the facts surrounding the ban by union workers at the General Motors-Holden's Ltd plant at Fishermen's Bend, where the workers have imposed a ban because of their fears over the contents of a number of 4-gallon drums that they have been asked to bury under the foundations of the new plant, especially in the light of the secrecy which has been surrounding the operation. These workers believe the drums contain highly toxic chemicals which would be extremely dangerous to the environment because they would lie beneath the water table and flow into the Yarra River and eventually into Port Phillip Bay. This urgent matter should be investigated.

The Hon. W. V. HOUGHTON (Minister for Conservation)—The allegations sound very sinister and if they are true, it is an urgent matter. I will see that investigations are carried out.

FREE ENTERTAINMENT IN PARKS

The Hon. N. B. REID (Bendigo Province)—I address my question to the Leader of the House who is representing the Minister for State Development Decentralization and Tourism. Can the Minister advise whether the Victorian Government Travel Authority has decided to extend its programme of free entertainment in the parks; whether it has an increased budget to provide more entertainment for free entertainment in the parks, and whether that will embrace more entertainment in the programme?

The Hon. A. J. HUNT (Minister of Education)—As I am only representing the Minister who normally represents the Minister for State Development Decentralization and Tourism, it is not a subject on which I am able to comment. However, I will obtain an answer for the honorable member.

SUPERANNUATION (AMENDMENT) BILL

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

The Hon. W. A. LANDERYOU (Doutta Galla Province)—This matter has been thoroughly canvassed in another place quite recently. It is not my intention to traverse the same ground which has already been covered other than to say that the Labor Party supports the points of view put forward so eloquently by its spokesman in another place.

The Hon. W. R. BAXTER (North Eastern Province)—The National Party supports the passage of this measure on the same basis as do members of the Opposition. It is obviously desirable that all pensions and superannuation payments be indexed half-yearly instead of yearly which is, as I read the Bill, the principal purpose of the measure. The National Party certainly supports the passage of the Bill.

The motion was agreed to.

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

VICTORIAN FISHING INDUSTRY COUNCIL BILL

The message from the Assembly relating to the amendment in this Bill was taken into consideration.

Assembly's amendment:

Clause 15, lines 30-31, omit "in the Treasury in the Public Account as part of the Trust Fund a trust account" and insert "a fund".

The Hon. W. V. HOUGHTON (Minister for Conservation)—I move:

That the amendment be agreed to.

Apparently the Treasurer was not prepared to accept the wording of the Bill and the amendment is designed to simplify the wording and to indicate that the fund will be kept for the purposes of the Victorian Fishing Industry Council.

The Hon. E. H. WALKER (Melbourne Province)—The Opposition offers no opposition to the amendment.

The motion was agreed to.

PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL

The debate (adjourned from December 12) on the motion of the Hon. A. J. Hunt (Minister of Education) for the second reading of this Bill was resumed.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—On 17 April this year the Premier, speaking at the Malvern Town Hall on behalf of the Liberal Party, made this promise:

> We became the only Parliament in Australia to provide for disclosure of private interests by members, and we have corrected the weaknesses shown by the Gowans Inquiry into Housing Commission Land Purchases by expanding valuation procedures and by setting up an expert group in a new Department as a "second-opinion" watchdog on all major land purchases by government.
>
> Now we intend to go further: We will establish a Parliamentary Expenditure Review Committee to ensure maximum economies by departments.

The words do not match the performance the Government envisages Parliament should accept, because the Bill goes nowhere near what the Premier promised the people. At policy speech time the Premier tends to speak off the cuff and makes all sorts of promises that the highly-priced public relations consultants who advise the Liberal Party tell him to make, but his performance never matches the promises.

The Bill is a gigantic fraud. An expenditure review committee of the sort envisaged by the Bill already exists but it has more power than the proposed committee. I refer to the Public Accounts Committee, which is a committee of the Legislative Assembly. It has wider powers than the committee proposed by the measure. One would have been entitled to believe, having listened both publicly and privately to some members of the back bench of the Government party, that they would have been prepared to fight out this issue in the party room and, to the extent that they could not win there, that they would at least allow their consciences to dictate the attitude they will take to the Bill. I only hope those who justify the existence of this Chamber and the enormous public expenditure it entails

will review the measure properly, honestly and having due regard to their public and private comments and their consciences.

The second-reading speech of the Minister suggested that the Government was expanding the philosophy of Government control over public expenditure. In fact, the Bill will diminish the power that has already been given to the existing Public Accounts Committee. At present, as I understand it, that committee consists of eight members of the Legislative Assembly and is governed by Part I sections 4 to 6 of the Parliamentary Committees Act and Standing Order No. 220 of the Legislative Assembly, which provides, *inter alia*:

> The duties of the Public Accounts Committee shall be as follows:—
>
> (*a*) To examine the accounts of the receipts and expenditure of the State and to bring under the notice of the House any items in those accounts, or any circumstances connected with them which it may consider appropriate;
>
> (*b*) To report to the House any alteration which may appear desirable to be introduced in the form of or method of keeping the Public Accounts, or in the mode of receipt, control, issue, or payment of the public money;
>
> (*c*) To inquire into and report upon any questions which may have arisen in connexion with the Public Accounts;
>
> (*d*) To inquire into and report to the House upon the investment of and dealings with the funds of Commissioners of the State Savings Bank of Victoria; and
>
> (*e*) To deal with any special references that may be made to them by the House.
>
> Upon motion made in the usual manner by any Member of the House any matter of public account of any question of finance may be referred to the Committee.

There is no beating about the bush. It is clear that the Bill, which proposes to replace the Public Accounts Committee by a twelve-member Public Accounts and Expenditure Review Committee made up of members from both Houses of Parliament, will not fulfill the promise of the Premier or the expectations that were entitled to be raised on this side of the House, having listened to members of the Liberal Party who have spoken about that promise and their interpretation of it. The Public Accounts Committee may exercise all the powers conferred on it by any Act or Standing Order or otherwise, but this Bill is to change that to "may exercise all the powers conferred on it by this Act or otherwise". Perhaps that could be taken as merely a change in drafting style, but it is my understanding that Acts usually originate with the Executive Government, and Standing Orders can be altered only by the House.

It seems to me that is a fair test of what is to come. Although the Standing Orders I have read from the Legislative Assembly contain a list of the five duties of the Public Accounts Committee, they also empower the committee, upon motion made in the usual manner by any member of the House, to investigate any matter of public account or any question of finance.

This Bill contains a list of four functions of the committee but the crucial power to investigate matters of public account or any question of finance is missing. In addition, three of the four functions of the proposed committee are virtually identical with three of the five I have just read to the House of the existing committee. The new committee will lose two of the duties that exist with respect to the Public Accounts Committee, namely, to inquire into and report to the House upon the investment of and dealings with funds of Commissioners of the State Savings Bank of Victoria, and, to deal with any special references that may be made to it by the House. These two duties are lost, in addition to losing that very important catch-all power to investigate any matter of public account or any question of finance.

The only new function the Public Accounts and Expenditure Review Committee will acquire will be to consider and report to Parliament how, if at all, the administration of Government policies and programmes can be carried out more efficiently, effectively and economically. Indeed, in my view, the catch-all phrase or power which the Public Accounts Committee already has, which is about to be lost because of this measure, could have been truly covered by the committee without creating a new committee.

The reality, therefore, is that the existing Public Accounts Committee possesses every power it is proposed to grant to the new committee, plus a number of other specific duties which will now be excluded.

The Hon. J. V. C. Guest—It hasn't got the staff and research support this committee will have.

The Hon. W. A. LANDERYOU—Various considered pieces have been written by various academics with respect to that problem, including the findings of the Senate Select Committee and the attitude of Mr David Hamer—a man Mr Guest has often quoted—to such a committee and the problems which arise in relation to staff. The Senate found that it was obvious in the consideration and preparation of reports that the committee should have free and open access to draw on whatever staff was available within the Public Service if it thought it could assist it in its deliberations.

The whole concept of an expenditure review committee and the concept of public accounting is hardly new because it goes back to Gladstone in 1861. Mr Guest should be aware of that philosophy. It is clear that when the Liberal Party was in the centre of one of the greatest scandals this State has seen in land deals before the last election, its public relations machine decided it had to give the Premier something to say, so he said he would establish the sort of committee I have talked about, but not the sort of committee that this Bill sets up.

In that sense, it is a great fraud on the Parliament to propose something that is clearly not what the Premier announced. One can only presume it is offered to the Labor Party as a sop because it was felt there was a need to give back-bench members of this House a specific function in addition to their duties as members of this House. I suppose it arises from discussions a number of members of Parliament have had from time to time to seek an additional purpose for this House; from the frustration that has been expressed in this House about the way in which a document that authorized the expenditure of $3 billion was rushed through Parliament so quickly; and from the frustration of the Labor Party about attitudes to this Chamber.

Above all, this Bill should keep faith with the people whom members of Parliament represent. The Bill amounts to nothing more than a sop to the Labor Party because of its criticism of the lack of supervision and the expenditure of vast amounts of money, and as a sop to the Liberal backbenchers who have joined in that criticism in one way or another.

It is clear from the budgeting expenditure rate of this Parliament—and from the reviews that have been made with respect to expenditure and economic activity and the extra budgetary activity—that perhaps what we are really talking about is only 40 per cent of the expenditure by Government in this State. There is not a definitive work on that question, but sufficient work has been done on the subject by people like Rosemary Kelly, and Dr Foley and Mr White in this Chamber, to whet the appetitites of honorable members generally.

The Government has failed to propose, by way of legislation, a real watchdog over the financial dealings of Victoria, and Victoria's non-departmental agencies, either in this Bill or the proposed so-called sunset legislation. This strengthens the case for a special finance reserve committee as proposed in the private member's Bill which will be presented to the Legislative Assembly at an early date. The Labor Party believe this Bill should be withdrawn. Therefore, I move:

That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to (*a*) provide for an Expenditure Review Committee to be established whilst retaining the Public Accounts Committee in its present form; and (*b*) specifically provide for the appointment of sufficient specialist and other staff to service the Expenditure Review Committee."

It can be seen that the Labor Party takes the attitude that the Public Accounts Committee can continue with its important work because it is a

respected committee of the Parliament and has a function to perform. But the Public Accounts and Expenditure Review Committee has a different concept. The need for such a committee has been amply demonstrated and justified in on-going debates over the few years I have been a member in this Chamber, and is also clearly demonstrated by reading speeches made by members like the late Jack Tripovich. He, of course, was no pioneer of that thinking; many former members of this House share the view that has been put forward in one way or another by others over a considerable period that an expenditure review committee is needed. My immediate predecessor was also a champion of such a cause, although he called it by a different name. During his long membership of this Council he saw the need for Parliament to act as a watchdog over the vast amounts of moneys that are spent directly by Governments and their agencies. There is very little overall examination by Parliament of the enormous amounts of money spent by the Government in this State.

It would have been far better if the Premier, to honour at least the spirit of his promise, had proposed legislation for that purpose. If it had not been possible to do so on the basis I have suggested, at least some of the proposals that have been put forward in the House from time to time should have been examined. However, that is not what this proposed legislation does; it hobbles the committee to the extent that it will not be able to investigate matters that it wishes to investigate; it can do that only with respect to decisions which are made by the Government. Therefore what the Bill proposes is a sham.

The proposal by the Government arose, as I said, from an election promise, but it does not implement that promise. It will restrict the power of the proposed new committee and curtail the existing powers of the Public Accounts Committee. It will not give the expenditure review committee the sorts of powers which its name implies it ought to have—that is, to review the expenditure of the Government and its agencies. The committee will not have that power; it will be able to investigate only those matters which the Government decides to direct to it, and we all know what that means. The legislation is quite clear on what it is about, and that is set out in clause 2, which states that the functions of the committee shall be:

> (*a*) to examine the accounts of the receipts and expenditure of the State and to bring to the notice of the Parliament any items in those accounts, or any circumstances connected with them which it may consider appropriate;
>
> (*b*) to inquire into and report to the Parliament on any question in connexion with public expenditure which is referred to by the Council or the Assembly;

After the Government, using its numbers, rejects the logic of the Opposition, I shall propose to insert a new clause to provide that the committee may on its own motion investigate those matters which it sees fit to examine. Some members of the House have been told that the committee will have the sort of power envisaged by my proposed amendment. However, it is crystal clear from reading the list of functions of the committee set out in the Bill that it will be restricted; it will not be able to investigate land or financial dealings or expenditure of, for instance, the Education Department at a time when that department will be required to spend enormous amounts of money. It will not be able to examine some of the other agencies of government.

Part of the problem—this is almost a philosophical objection—is that Victoria has almost government by proxy. The State Government regularly sets up a new agency to establish itself and perform a function which would ordinarily be done by a Minister who was directly accountable to Parliament. The expansion and growth of government in Victoria over the past 25 years has served to separate the Minister from as much public criticism as possible by putting in some commission, some board or other public servant who would publicly be the scapegoat if something went wrong. That is how government in Victoria has developed over the past quarter of a century.

Therefore, what is essential, in my view, is for Parliament to have a properly authorized and qualified committee with the necessary back-up staff to investigate not only matters which the Minister, the Executive, the Cabinet, the Government and the Houses of Parliament want investigated, but also other matters which the member of that committee consider should be investigated. That is not what the Bill will enable the committee to do. Regardless of what has been said in the Liberal Party room, that is not what the Bill provides, and for that reason I believe it should be withdrawn so that it can be redrafted and re-presented to Parliament to provide for a committee which would have the sorts of powers that I have talked about and which the present Public Accounts Committee has.

If that is not done, and particularly if the proposed expenditure review committee will not have access to suitable staff, the Bill will be a sham. The committee will not be able to perform its functions, limited as they are by the Bill, and it will not do the sort of job that has been done by the Public Accounts Committee in the past.

It cannot be claimed that it is difficult to have access on a loose or *ad hoc* basis to the Public Service, because that kind of contact occurs almost every day as a result of the interlocking relationships of the various departments. The committee would be a milestone for Victoria in honest, open and proper government if an all-party committee had the sorts of powers that the Labor Party has advocated for some time. Members of the Liberal Party have joined in that advocacy and in one or two cases have even initiated public comment on it. Certainly, the Premier picked up that promise and took it on board for his election campaign and went to the people on the basis of that promise, but the Bill does not give effect to it. Therefore, the Bill should be withdrawn and redrafted along the lines suggested in the proposed amendment.

The Hon. B. P. DUNN (North Western Province)—I listened carefully to Mr Landeryou, and although he put forward a strong argument to support his case, he has not really convinced me that the proposed committee will not have the teeth that Parliament intends it to have. I have studied the clauses of the Bill fairly closely and compared them with the provisions of the Legislative Assembly Standing Orders relating to the Public Accounts Committee, and have seen that the Bill provides for the committee to have wide powers. My interpretation is that it will be able to examine and inquire into terms of expenditure and receipts of the State, and I take that to include any Government or semi-Government authority. I do not see anything in Mr Landeryou's argument to convince me otherwise.

As I understand the provisions for the functions of the committee, it will be able to consider departments such as the Education Department, its funding and financing, and will be able to look at wide-ranging areas of Government receipts and expenditure. Frankly, I think Mr Landeryou's concern is unfounded. Only experience will tell. However, the committee will operate under a wide charter. If one considers the Standing Orders of the Assembly, as they relate to the Public Accounts Committee, one discovers that all the powers are there except those contained in proposed section 5 (*d*) which provides, *inter alia*:

> To inquire into and to report to the House upon the investment and dealings with the funds of customers of the State Savings Bank of Victoria.

Of course, there is the additional provision in paragraph (c) which states, *inter alia*:

> To consider and report to the Parliament how, if at all, the administration of Government programmes and policies may be carried out more efficiently, effectively and economically.

However, the committee and its functions are sufficiently wide to allow it to inquire into the range of receipts and expenditure of Government and semi-government authorities and departments. It is to be hoped that that is the intention of the Bill.

Although the role of the new committee will not be expanded past that of the Public Accounts Committee, there can be no doubt that a considerable advantage of the new committee is that it will be a committee of both Houses, and that is a major step forward. At least this House will have four members on the committee and there will be eight members of another place. This House will play a role on the committee, which previously operated through the other House.

Since that committee was established in 1895, it has performed a useful purpose. This House has had no real opportunity to contribute to a committee examining public accounts. It is pleasing that this House will be represented on that committee. Some members of this House have made significant contributions to the debates on this subject and highlighted the need for these committees. Dr Foley has been mentioned, but many other honorable members over a long period have contributed.

The committee's standing and character will increase because it will be a committee of both Houses. Therefore, the National Party supports the Bill. However, the committee will require adequate staff. I agree with Mr Landeryou's suggestion that the committee will face a complicated task and one which will be somewhat overpowering in the early stages because there are many areas of Government expenditure that need immediate attention. There are many inefficiencies, inadequacies and areas of wastage which occur through Government expenditure. It is Parliament's responsibility to ensure that money is not idly wasted without proper examination and care.

The Auditor-General's report highlights that $500 000 was mismanaged, stolen or lost last year. Because few copies of the report were made available in the Papers Room, I have had insufficient time in which to examine that report, copies of which were snapped up quickly by members in another place. It is unfortunate that I have not been able to undertake a detailed analysis of the report. I do not hold the officers of Parliament responsible in any way, but that type of report should be made available in sufficient quantities for members of both Houses. It might be a good thing that I did not have sufficient time in which to examine the report fully considering this is the last day of sitting.

The report states that there is an urgent need for the Government to bring the bureaucracy under tight financial control. Full accountability of funds and property can only be achieved by legislation requiring meaningful and timely financial reporting to Parliament. That is another matter which has been well and truly canvassed in the House.

The report states that a significant number of departments still have no effective internal audit and, consequently, lack an important aspect of financial control. The Auditor-General is of the opinion that the continued failure to establish and maintain internal audit in Government departments and large public authorities must impair the effective use of financial resources. Those comments are close to the mark and the Government should take heed.

The community has every reason to be dissatisfied with Government administration if it can be demonstrated that at least $500 000 cannot be accounted for. It is outrageous. That is one of the key roles of the Government in the years ahead, and specifically for the term of its current office.

The Hon. W. A. Landeryou—It will not be long.

The Hon. B. P. DUNN—It will not be long if the Government does not tighten up on its departments and if the Ministers do not crack down on some of the wastages and inefficiencies that are occurring.

The Public Accounts and Expenditure Review Committee will have to tackle those sorts of problems. It will need expert staff to assist it. The National Party believes in the all-party committee system. I do not agree with

what Mr Landeryou said. The committee will have sufficient power and if it does not, the National Party will ask the Government to review the legislation and ensure that the committee is vested with sufficient power. The National Party supports the Bill.

The Hon. J. V. C. GUEST (Monash Province)—In substance, Mr Landeryou said, "Let us reject the Bill", notwithstanding that he perceives a need for what the committee will do. I shall not give Mr Landeryou quite the credit for the strength of argument Mr Dunn has because Mr Landeryou's argument was based upon a comparison of what the Public Accounts Committee already does and what this new committee will be able to do.

Mr Landeryou overlooked the emphasis to be given to the proposed new section 5 (*c*) which provides that one of the functions of the committee will be:

> to consider and report to the Parliament how, if at all, the administration of Government programmes and policies may be carried out more efficiently, effectively and economically.

That is forward looking any very broad. It provides scope for a committee of twelve people to examine anything that needs to be considered in the administration of the Government and its policies in relation to a statutory authority for many years to come.

It is wrong to say that the committee will have a lot of work to do. It has invaluable power to work by way of sub-committees. If one accepts the precedent of the operation of the House of Representatives expenditure committee, one will realize that the committee will be able to cover a great deal of ground.

Then there is the matter of staff. This is not written into the Bill in a way that makes it a cast iron certainty that this committee will be adequately staffed and supported. One knows already that the Committee can work properly only if the proper spirit pervades the members of all parties, and in the Treasury and the Department of the Premier, providing support. One knows how much one depends already on the Parliamentary staff who obviously could still get by doing a lot less work than they do, and could work less and still provide admirable support for committees.

There ought to be written into the Bill some permanent provision for staffing, and no doubt the money to pay for that staff is a spurious objection. My answer to Mr Landeryou goes somewhat further, because even those provisions that are basically taken from the Public Accounts Committee's duties, as set out in the Standing Orders of the Legislative Assembly, are broader in this Bill than in those Standing Orders.

Standing Order No. 220 (*a*) is exactly the same as proposed new section 5 (*a*) of the Bill. It is a tribute to Dr Foley's work that the words "and presenting" have been added in proposed new section 5 (*d*). This is to give to the Parliamentary committee the task of reporting on the method of keeping and presenting the public accounts. That is, in a small way, a widening of the powers of this committee compared with that of the Public Accounts Committee.

Standing Order No. 220 (c) limits that committee inquiring into and reporting upon any questions that may have arisen in connection with the public accounts. The provision in proposed new section 5 (*b*) of the Bill is wider in two respects. It refers to any question, past, present or future "in connection with" public expenditure—not public accounts. Public accounts may well be taken to be simply those accounts that are presented at the time of the Budget. Public expenditure is a much wider concept of expenditure, and in that respect, too, this Bill considerably widens the scope for inquiry of the new committee as compared with the old.

Another important comparison is that although there was a fairly wide power that might have been invoked under Standing Order No. 220 (*e*)—that deals with any special references that may be made to the committee by the Parliament—proposed new section 5 (c), that I mentioned, is not as wide in its connotations. It appears in the Bill that the Public Accounts and Expenditure Review Committee does not require any

special reference from the Parliament to allow the committee to look expressly at questions in relation to the administration of Government programmes and policy, and, of course, all the means by which that administration may be carried out.

In only one small respect, the bookkeeping clause, if I might call it that, varies from Standing Order No. 220(*d*) dealing with the State Savings Bank in that something is left out of the new provision. This might be regarded as being amply dealt with by some of the provisions that are in more general terms and in any event it is to be regarded as a proper exercise for this committee with its vast task in front of it, to engage in bookkeeping which could be better done by the Auditor-General and by competent accountants employed in the State Savings Bank itself.

On this basis, Mr Landeryou has only put up an entirely specious case for rejecting the Bill, which will perform a most important task, and he suggests by his amendment nothing which would not improve with goodwill, proper support and staffing—which must inevitably depend on the Treasury and can be done under the present Bill. I support the Bill and oppose the amendment.

The Hon. Dr FOLEY (Boronia Province)—Mr Landeryou in his earlier address seemed to be stating that I, and some of my colleagues, have been traduced by this Bill. I want to assure him that my conscience is absolutely clear. I regard this as a particularly fine piece of legislation, that gives this Chamber particularly, and the Parliament in general, far greater powers than ever held via the Public Accounts Committee.

My colleague, Mr James Guest, has already pointed out the absurdity of the suggestion by Mr Landeryou that the powers of this new committee are more restrictive than those of the former Public Accounts Committee. If there are any points of rebuttal missed by Mr Guest, then they have certainly been covered by the Premier in his address in another place several evenings ago.

It is also wrong to suggest that this committee cannot, of its own notion, generate a reference. Again, the Premier in another place made that quite clear, and if one reads the Bill it is very clear. As a result of the points that have been made by my colleague, Mr Guest, I shall truncate the remarks I had intended to make, but I warn the House that they will still be somewhat lengthy because there is considerable ground that needs to be covered. I regard this Bill as one of the most important pieces of legislation to be introduced in the history of this Parliament.

If this Bill does not do what I and Mr Guest suggest it can do, that it does not have the staff which we believe, and the Premier suggested in another place, it will have, I certainly will not be supporting it. Under no circumstances would I be supporting the Bill if it had any resemblance to that suggested by Mr Landeryou.

The Public Accounts and Expenditure Review Committee is about a number of things and, quite clearly, it will mean different things to different people. It is a hard won reform, a reform of major proportions that has not been won easily. I regard this Bill as a major budgetary reform—the major benefits of which we have yet to see. It is also an historic break from a tradition that has given this Chamber no effective role in the scrutiny of public expenditure. I shall draw on some literature in a moment to illustrate that point.

I regard this Bill as a very important illustration of the position we find ourselves in, on matters as have already been mentioned by Mr Dunn, in regard to the Auditor-General's report. Mr Dunn made the point that this House does not receive the Auditor-General's report. It is tabled only in the Legislative Assembly. Honorable members may care to look at the relevant Act, which contains a rather interesting anomaly. On the one hand, section 47 (3) provides:

> The Auditor-General shall within seven days after making and signing the report if Parliament is then sitting and if Parliament is not then sitting then within seven days after the next meeting of Parliament, transmit to the Legislative Assembly the said statement accompanied by such report and by the said copies hereinbefore directed to be appended thereto.

On the other hand, section 5 (2), dealing with another matter, provides:

> The Minister shall cause to be laid before both Houses of Parliament a full statement of the grounds of any suspension of the Auditor-General with seven days after such suspension if Parliament is then sitting, or if not then sitting within seven days after the next sitting of Parliament.

I do not suggest that that is inappropriate, but do suggest the principle should be applied to the annual report.

The Bill is a tribute to the Premier, who embraced the concept and developed the measure with enthusiasm and impressive flexibility. Above all, the Bill is about Parliamentary responsibility—I agree with that aspect of Mr Landeryou's address—and its obverse in the financial sense, accountability. To put accountability in some perspective, let me quote from a book, *The Dilemma of Accountability in Modern Government,* edited by Bruce L. R. Smith, in which he says:

> The values of independence and accountability . . . should not be seen as wholly in opposition. In one sense to satisfy the need for accountability serves to protect independence.

In another place he goes on to say:

> Accountability is in a sense the price one pays for the benefits for the division of labour and of operating on a large scale. Or similarly the principle of executive accountability in the price which must be paid for the exercise of executive direction.

It is generally accepted that there are three levels of accountability, and, corresopndingly, three types of audit; they are compliance, efficiency and effectiveness. This expenditure committee clearly has the authority and the responsibility to conduct all three forms of audit on all Government expenditure and—this seems to be missing in the discussion here and in another place—revenue.

Though Parliament must address itself almost wholly to those new functions of efficiency and effectiveness audit, as pointed out by Mr Guest, I should not proceed to those issues without making some reference to the current level of compliance audit in Victoria because of what can only be described as the parlous state of the relatively simple task of compliance audit.

It should be of concern to all—clearly it is of concern to Mr Dunn since he raised the issue in the context of this debate—that the Auditor-General, who is responsible to Parliament—dare I say the Legislative Assembly—for compliance audit should make the following remark on page 199 of the 1978–79 report:

> During the year members of my staff and Treasury representatives undertook a review of the Public Accounts and Stores Regulations.

There is about half a page of this reference, Mr President, and I introduce it because (*a*) it is important and (*b*) members of this House have not received a copy of the document and, consequently, are not familiar with the information contained in it. The Auditor-General continues:

> I am of the opinion that while there is merit in this limited review, a complete review of the Audit Act is necessary to provide for new and altered accounting, audit and other procedures more suited to modern requirements of government. Such a review could also take into account recent legislation introduced in Australia and overseas to update the standard of financial management and control in government departments.
>
> There is a wide divergence in legislative requirements which affect the financial recording and reporting responsibilities of Statutory Authorities.

That is a subject on which I have discoursed on a number of occasions in this Chamber. The Auditor-General continues:

> As a result I have encountered considerable difficulty in some instances in attempting to ensure that their accounts meet present-day requirements as to format and content.
>
> While, in the main, I have received co-operation from officers of organizations concerned, when these matters have been raised, I am of the view that the concept of accountability for use of resources by such bodies can be achieved only by the introduction of legislation requiring meaningful and timely financial reporting to Parliament.

Under the sub-heading "Internal Audit" he goes on to say:

> In my last two Reports I indicated my concern at the absence of an internal audit in many government departments and organizations subject to my audit.

That range of departments and organizations which fall within his ambit is extremely limited, as I pointed out in a previous debate. It is an extremely

small proportion of the total number of bodies for which we are electorally responsible.

I seek leave to have incorporated in *Hansard* pages 205, 206 and 207. It is not, as it might sound, a tremendous amount of material, but it comes under the heading—it is appendix A1—"Endowments and Grants to Organizations not subject to audit by the Auditor-General". It is necessary to illustrate the point he is making and the theme I should like to develop to have that information incorporated.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I suggest that the honorable member refers to those pages which are in the document which will be readily available to other honorable members and other people. Rather than incorporating it in *Hansard* without reading it, it will be better that the honorable member summarizes those pages and refers to them specifically, so that people can refer to that document in due course.

The Hon. Dr FOLEY—Thank you, Sir. Your remarks and my seeking leave have achieved my objective of drawing substantial attention to this aspect of the report. The committee about which I am speaking is to be primarily involved in efficiency and effectiveness auditing and I am now talking about compliance. Let me refer to some of the information that appears in appendix A1. One find that some rather startling amounts do not fall within the ambit of the Auditor-General. For example—just talking these at random —there is $2·733 million for the Family and Community Services programme; $10·79 million for municipal and regional libraries; and $2·477 million for cultural development.

I return to the quotation. The Auditor-General continues:

> I am pleased to report that, during the year under review, the Public Works Department, the Victorian Railways Board, the Grain Elevators Board and the State Superannuation Board established an internal audit function.
>
> However, a significant number of Departments still have no effective internal audit and consequently they lack an important aspect of financial control.

That is a comment about which all honorable members should be concerned. The Auditor-General continues:

> In my opinion, the continued failure to establish and maintain internal audit in Government Departments and larger Public Authorities must impair the effective use of financial resources available to such bodies.

I turn briefly to the remarks of Mr Landeryou. I believe the committee that is in the process of being established, if it is operated responsibly by members and viewed objectively by the Executive, will, can and indeed must be of mutual benefit to individual members, to the Parliament and to the Victorian public. If it is not viewed in those terms and with a considerable sense of commitment by its members, it will fail and we, the members of Parliament, will be the losers. Parliamentary scrutiny is important, complex and extremely difficult to achieve—perhaps at present efficiency and effectiveness audit is impossible—but it is not a zero sum game.

There is a natural and perhaps proper tendency on our parts to view this committee as a logical extension of the Public Accounts Committee from which in many ways it derives, but I suggest that although that may be historically true, this is a new committee formed to meet new challenges and new complexities, and new demands for public scrutiny of the activities of Government.

Because I view this committee as being of such importance to Parliament I wish to devote my attention not to the specifics of the Bill which have been adequately covered by my colleague, Mr Guest, but to attempt to place it in a wider context, to show that it is an integral part of a major set of Budgetary reforms, the extent of which has no precedent in the history of this Parliament. I suggest that the reforms, which I will enumerate briefly in a moment, that have occurred in this Parliament in the past two years, exceed all the Budgetary reforms that have been achieved in this century. It is, I believe, important that one views this Bill in that context.

Although this is an important piece of legislation in and of itself it takes on a new significance when seen in the context of the other reforms. Some of them when looked at in isolation may not appear to be significant but when put together they represent a significant and exciting Budgetary reform package.

Before I go on to outline that context, for completeness, I should like to refer briefly to the antecedents of financial scrutiny in the Victorian Parliament. I do that for two reasons, firstly, because it happens to interest me, and secondly, because the matter has already been raised this afternoon. On 19 December 1894, Mr Best, the then Minister for Lands, who moved a motion that the Select Committee on Standing Orders be requested to consider the question of preparing a standing order to establish a Public Accounts Committee, said:

> Mr Speaker, I am gratified at the opportunity which is afforded of proposing the motion which stands in my name. In doing so I am not introducing anything new to the House.

Mr President, before I proceed, I comment a reading of this debate to members of the House is it makes fascinating reading. I am going to use that debate to briefly point out a number of issues and to explain how the Public Accounts Committee developed, and why, unlike other committees, it was established under a Standing Order and not under legislation as committees are usually proposed, and why it was not eventually an estimates committee which is what it started out to be. Having said that, I shall proceed with Mr Best's remarks:

> In doing so I am not introducing anything new to the House. I am introducing a subject that various members of this House have considered essential for a long time—a subject; which it is surprising has not been sooner dealt with. I have only to refer, sir, to what has taken place in the past, and you will remember that efforts on many occasions have been made in this direction. Various committees have from time to time reported on, and various distinguished members of this House have brought this subject under notice, and yet it happens that, notwithstanding these facts, and notwithstanding English precedent—which should more or less guide us in all matters of this kind—here we are to-day without a Committee of Public Accounts.

I might again interpolate and say that here we are today without a public expenditure committee, but hopefully as the day proceeds we will get closer to achieving that goal. Mr Best proceeds:

> So far back as the 19th May 1870, a Financial Arrangements Committee was suggested and discussed. Mr Langton, an old member of the House, who may be regarded I think as an authority on matters financial, on that date moved, by leave of the Assembly—
>
> "That the Select Committee agreed to be appointed on the 12th inst., to inquire into Financial Arrangements—

Mr Best then went on to enumerate the members of the committee, but I shall not read out those names. He then continued:

> That committee as you see, Sir, was composed of some of the most distinguished members of this House. It very closely investigated the subject, and they subsequently reported and recommended—
>
> "That there be appointed in every session a Standing Committee of this House, to be called 'The Committee of Public Accounts,' to have the same functions and powers as the like committee appointed by the British House of Commons."

He then proceeds to make comments on a report provided by Mr Langton and in introducing a letter to the then Premier, Mr Gillies, forwarded in 1887, he said:

> In the course of that letter he says:—
>
> "To describe the scope and functions of this committee, I cannot do better than quote from the well-known work *Todd on Parliamentary Government*:—'The Committee on Public Accounts is of immense utility in bringing the entire revenue and expenditure of the country under the control of the House of Commons, in pointing out abuses in the management of the public finances, and in suggesting remedies.'
>
> "To this I can add nothing, I ascertained from members of the committee, some of whom had presided over it, that the unanimous opinion is that the best remedy against unauthorized and unjus ifiable expenditure is to be found in a vigilant exercise of the inquisitorial powers of Parliament through the agency of this committee."

That quotation is interesting in the light of Mr Landeryou's comments on the limited nature of the measure the House is considering today. Mr Best's motion was agreed and carried, and subsequently became Legislative Assembly Standing Order No. 220. The committee which we are now in the

process of establishing, a committee which unfortunately of my volition I am not a member, is a budgetary reform of quite historic proportions.

I would like to enumerate for the information of honorable members the Budget reforms which have occurred in the past two years of this Parliament. As I said earlier, there have been more Budget reforms in that period than have occurred in the previous years of this century.

Without these wide reforms and the broad thrust that has led up to them, the expenditure committee might well have been nothing more than a new name for an old and inappropriate activity.

Let me quickly enumerate those other reforms or at least the major reforms.

First and most importantly, this year we have seen the separation of the portfolios of Premier and Treasurer. That is a reform of profound significance but important as it is, it is only a partial solution to the problems presented by a part-time Treasurer. For the Treasurer to be truly effective, I suggest he needs to hold the Treasury portfolio only. It seems to me to be the height of absurdity for us to have a Treasurer as a part-time occupation. Surely the task of being Treasurer of Victoria in the 1980s—if not the 1970s —is a full-time job.

This has been quite a momentous year; in fact it is a momentous week and following that line, this is quite a momentous day because the House is considering two very significant pieces of legislation—specifically implementing two major budgetary reforms.

Secondly, this year saw the formation, as members of the Cabinet will know, of a Budget committee of the Cabinet. Surprising as it might seem, Cabinet as opposed to individual Cabinet members has not until this year, at least in Liberal Governments and I cannot speak of others, had a formal role in the Victorian budgetary process. I would suggest that is both an indictment of the previous approach to the Victorian Budget and an index of the magnitude of that reform. Again, as profoundly important as that reform may be, it does not go far enough.

I further suggest that in a Cabinet as small as the Victorian Cabinet it is important that its members should be able to debate priorities with their colleagues and that that should be done in the context of a Budget committee of the whole Cabinet. Moreover, that committee of Cabinet, if it is to operate effectively, needs the services of a policy review and priorities review staff responsible to the Cabinet—I emphasize that—not the existing, inadequate state of the nation advisory group, which is staffed through the Department of the Premier and is responsible to the Premier.

The third area of major reform relates to the Budget documents. Briefly, the reforms in this area are that in the past two years there has been the introduction of two entirely new Budget documents—given more time and a different context, I should like to make some detailed reference to them. They form an important contribution to the understanding of honorable members of the budgetary process. They are a national accounting presentation of Government expenditures and a separate statement of Commonwealth payments to or for Victoria —which, as all honorable members are probably aware, is really the Victorian section of Commonwealth Budget Paper No. 7.

In addition to those new documents, the Budget Papers now include a statement of expenditure from the Works and Services Account, which is presented in a detailed, functional classification. The trust funds are grouped into separate categories, which is a significant—although I would have to say incomplete—aid to our understanding of that important area of financial operations. The most recent Budget has seen unprecedented, but nevertheless inadequate, change in the budgetary documentation.

Before I proceed to enumerate six or seven of those new developments, I make a remark that is really

addressed to the new members of Parliament—if someone who is as new as I can use that phrase. In listening, during the Budget debate, to a number of hoonrable members, such as Mr Mackenzie, criticizing the Budget documents, legitimately, I thought it was a pity that they were not aware of how far we had come in the past two years and that they were not aware of the sort of documentation that came here in 1977. So, although I am suggesting their criticism is legitimate—and I hope, as now, more of us will present constructive criticism of the Budget documents and process—I hope they might be a little more prepared to put their criticisms in the appropriate context and, where credit is due—and it is to the present Treasurer and his predecessor—that credit will be paid. We have come a long way in this area in two short years.

The examples I cite are:

1. The Budget Papers have been produced in a separate document of some 84 pages, restructured in a way that assists honorable members in understanding the context of the various tables contained in them.

2. There is a functional analysis of current account payments covering a period of years—a far cry from full programme orientation but, nevertheless, a significant step forward.

3. Additional information on payments under tax-sharing arrangements.

4. A statement showing how the appropriation from the Consolidated Fund to the Works and Services Account is arrived at and the impact of the current account deficit or surplus on that appropriation.

5. A comparative statement of Treasury balances in the public account over a period of years, together with a statement of the total payments from the public accounts with inter-fund transfers netted off.

6. Statements of the State debt, which have been improved and clarified to aid understanding of the capital liability of the State—which is not in the best condition at the moment. For example, we are now aware of where the liability is held and under what arrangements it was incurred. In 1977 we had no such information. We now have a clear picture of the interest costs of the debt.

7. There is a statement of the total capital works programmes of major Victorian semi-Government authorities, together with the sources of funding of those programmes.

8. A statement of the economic context of the Budget. Although that statement is far from adequate, as was suggested by Mr White in what I regard as the best Budget speech I have heard since I have been in this House, it is still a significant improvement on what we had before and represents considerable progress.

There has been, just this year, a much more responsible use of those categories in the Budget documents to which I drew attention last year, "General Expenses" and "Others", although there is still considerable room for improvement. I direct the attention of the House to the entry that appears on page 121 of the Estimates. The Division is No. 652 and it relates to the National Gallery. The general expenses are shown as $501 100. The total appropriation for the National Gallery is $2·730 million. That explanation of the way in which those funds might be expended is far from adequate.

In addition to those points, we have —and to my knowledge, for the first time—received in this House—I emphasize that the reforms I am talking about are all in the budgetary context—a Ministerial statement on the proceedings, if one can call them that, of the June Premiers Conference and Loan Council meeting.

I draw attention to the fourth major reform. I regard it as a significant reform and believe we have already seen the benefits of that reform in this Chamber in the past several months. It relates to the fact that for the first time in the history of this Chamber, a Chamber which purports to have the major review function, we now take note of and subsequently debate on occasions the annual reports of public bodies and

authorities. That reform has allowed this Chamber to take a peek into the dark and somewhat mysterious world of the Victorian non-budget sector.

The fifth major reform I mention is the forthcoming Public Bodies Review Committee which this House will be dealing with later today. Although that committee is primarily designed as a vehicle for introducing sunset-type legislation, it will be an extraordinarily powerful committee that will give this Parliament, for the first time in its 123-year history, a real opportunity to identify and test the efficacy—I emphasize "efficacy"—of and indeed recommend the termination of some of Victoria's many statutory and non-statutory bodies.

Finally, but certainly not least, is the major reform I am now discussing, the Public Accounts and Expenditure Committee. I wish to add my remarks to those of Mr Dunn when he suggested that in many ways as we view the terms of reference and the authority of this committee it presents a daunting task for members of Parliament. It will require a permanent highly skilled staff. It will, I believe, make demands in terms of time and intellectual commitment on members that will certainly exceed those placed on members of the Public Accounts Committee.

The final point I make about the expenditure committee is that—I suppose it is a point I should have been repeating throughout my speech—it provides the members of the Legislative Council, for the first time in 123 years, with a formal role in the scrutiny of public expenditure. As I said, the Council purports to have a review function which it does not exercise. *Ex post*, that review might be, but nevertheless members of Parliament have a formal, and, on my reading of this measure, a very firm commitment to review all Government expenditure. Today *ex post*, tomorrow *ex ante*.

This Bill gives the facility to a Parliamentary committee to examine not just compliance audits but to measure the efficiency and the effectiveness of Government expenditure or activity. Because those two concepts—efficiency and effectiveness—are so central to this Bill and are in essence its main new element, the Bill introduces Parliamentary scrutiny. I wish to conclude by reading into *Hansard* a generally held definition of those two terms.

If in fact efficiency and effectiveness as they appear in the Bill do not have the same meaning as the definitions I present to the House suggest, then indeed I have been misled and I would not support the Bill. If "efficiency" and "effectiveness" are not what I suggest them to be, the committee will not be able to do much more than the Public Accounts Committee.

I quote from a recent monograph by the Australian Society of Accountants entitled "Efficiency audits in Government". It reads:

> Accountability may be defined in a hierarchy of increasing usefullness but corresponding increasing operational difficulty. First, the lowest level of accountability may be seen as fiscal or fiduciary accountability, which is defined exclusively in terms of the actual expenditure of funds and procedures by which that expenditure is accounted for. In general, the question is likely to be defined in terms of accounting conventions and reporting procedures which demonstrate the propriety and legitimacy of expenditure within the activity or programme. This concept of accountability relates then entirely to inputs, and does not deal, except by implication, with the outcomes attributable to these inputs. By definition such analysis of the use of funds will occur *ex post*, i.e. after the activity or programme has been concluded, or at some defined point in its life. With particular respect to the public sector, this type of accountability may be considered to correspond to the traditional control-oriented or input-oriented stage in budgetary evolution, there budgetary allocations were made with respect to detailed inputs or object of expenditure, outcomes were ignored, and accountability was related to the checking on the use of funds in the detailed manner prescribed.

Mr President, I wonder if it might not be appropriate, since the House is aware of the general thrust and that this paragraph is really defining compliance audit and the next paragraphs efficiency and effectiveness, if I seek leave to have the material incorporated in *Hansard*.

Leave was granted, and the material was as follows:

> These skills required for analysis under the first concept of accountability may be considered to be entirely those of conventional financial auditing. Accountants and conventional

accounting practices may thus be held to dominate the field under this first head of accountability. It is difficult to translate this first concept of accountability into anything which might be called efficiency. More properly, it might be seen as regularity or financial proprietary. Perhaps we might be allowed to say, however, that the performance assessment which is carried on in the context of fiduciary accountability has as its objective the determination of Efficiency I. Correspondingly, we use the term "financial audit" to describe the auditing procedures appropriate to the determination of Efficiency I, synonyms in the literature are compliance audit, regularity audit, and traditional audit.

We now go along the spectrum to distinguish a second and more sophisticated form of accountability which we call efficiency accountability, associated with the pursuit of . . . Efficiency II, and determine through what we call efficiency auditing—synonyms for which include performance auditing, management auditing, and operational auditing. Efficiency accountability is defined in terms of the ratio of some physical measure of output from the activity or programme to the costs of that activity or programme. The crucial distinction between this level of accountability and the first level lies in the inclusion of outcomes, and their juxtaposition in one way or another with costs. . . . Efficiency I must not be sacrificed to, or forgotten under, the pursuit of, Efficiency II.

Analysis under this second head of accountability will generally occur *ex post*, but may be relevant in an *ex ante* sense, inasmuch as productivity targets, etc. may be set. Too much should not be made of this *ex post/ex ante* distinction; clearly, *ex post* analysis of this year's activities or programmes contributes in decision making on next year's programmes in an *ex ante* sense . . . Efficiency accountability clearly has a place in both the public and private sectors, but it must be apparent that efficiency accountability would be difficult to pursue in large segments of the public sector which do not produce physical outputs of any kind, or, at least, physical outputs which are directly related to the objectives of the organization in question. Again with specific respect to the public sector, the phase of budgetary evolution which corresponds to efficiency accountability may be called the management-oriented or performance-oriented phase, in which expenditure inputs were specifically related to outputs of public programmes defined in physical terms.

The analytical skills required under this second form of accountability may still be considered to be dominated by conventional accounting skills, though now by a wider and deeper set of accounting skills which go beyond conventional auditing procedures to include concepts and procedures of costs and management accounting.

If we accept that the pursuit of Efficiency II and its examination through efficiency auditing require the analysis of organizational and technical matters, and there is agreement in the Australian literatures that this should be so—then we may also envisage that the skill of social psychologists and related specialists in personal and organizational behaviour would also be necessary.

The third and most sophisticated form of accountability . . . we call effectiveness accountability, associate with the pursuit of what we call Efficiency III, and determine through effectiveness auditing—the most frequent synonym for which is programme auditing. We digress briefly to pursue the distinction between efficiency and effectiveness. The efficiency of an organization may be defined in terms of its capacity to achieve results for the given expenditure of resources—in short, the ratio between organizational inputs and outputs. Effectiveness may be broadly defined to refer to the degree of success an organization enjoys in doing whatever it is trying to do—in short, its degree of success in the achievement of its objectives. The two concepts are clearly related but need not always coincide; for instance, an organization's attempts to husband its resources in the interests of efficiency may seriously limit its effectiveness. Depending on the measures that are used, efficiency may be either complementary to, or in conflict with, effectiveness. The distinction lies in the fact that output is usually closely related to, but may not be identical with, the objectives of the organization. Efficiency defined simply as . . . the ratio of physical output to dollar costs will be related to but clearly need not coincide with—indeed, in some instances, may conflict with—the measure of effectiveness.

The stage in the evolution of budgetary practice to which effectiveness accountability corresponds is what is generally referred to in the literature of programme budgeting as performance budgeting. Much as effectiveness accountability and the corresponding stage in budgeting are much more complex than simpler notions of accountability and budgetary equivalents, so the nature of analysis and the role of analysts in effectiveness accountability is both more extensive and intensive. In this case the traditional role for the accountant, even in its expanded, efficiency accountability form, provides only a small portion of the information required.

In the case of effectiveness accountability, the analytical input requires the activities of technical analysts such as economists and operations researchers, to examine activities and programmes in techno-economic terms, behavioural analysts, such as social psychologists and political scientists who examine activities and programmes in terms of implementational feasibility, looking at questions of individual and group capacities, attitudes, motivation, organizational structure and control, the nature of the programme environment, etc. and a range of other analysts, including crucially those trained in the statistical procurement and analysts of data.

Effectiveness auditing is a complete or comprehensive approach to auditing, embracing all the dimensions of the spectrum. It is the assumption . . . of this paper that a definition of efficiency which does not include the dimension

of Efficiency III is, at best, partial and may be unless there definitional constraints defined above are observed, downright misleading.

The final comment I wish to make is that if there is any aspect of this Bill that I have any regrets about it is that the person who played a major role in its development is not now in Parliament. For this and many other major budgetary reforms the Victorian Parliament and the public at large owes a very great debt to I. F. McLaren, Esq., O.B.E.

With the retirement of Ian McLaren, Victoria has lost a major impetus to Parliamentary reform. I miss him very much; I miss his wise counsel and his intellectual stimulus.

Mr McLaren, on 18 October 1978, in a perceptive and typically well-rehearsed address to the Legislative Assembly, really drew the outline of the legislation that I am now discussing.

There were a few other points that I wanted to make, but they can wait for another day. I could not finish on a more appropriate note than to quote the following small extract from pages 1211 and 1212 of *Hansard* of 19 December 1894:

> There is another very important matter, which Lord Lytton particularly refers to, in regard to the Budget Committee of the French Chamber, and which is completely applicable to the English Committee of Public Accounts.

I would add that it is also completely applicable to the Victorian Public Accounts and Expenditure Review Committee.

> He says—
>
> "The Commission du Budget is a school for rising talent in the Chamber. The opportunity afforded its members to personally inspect the work of the different Ministries gives them special insight into the administrative machinery of the country. Its report not only analyses the different parts of the Budget, but prepares immediate changes, amendments, and reforms, and suggests future lines of financial policy. Finally, the Commission du Budget submits the Government projects, as amended by itself, to the Chambers to be taken into consideration. It is for the Minister then to decide whether or not to agree to them. Should he prefer to keep to his original proposals, he has to do so in the form of amendments."

I commend this portentous Bill to the House, and look forward to the fruits of its operation.

The Hon. Dr Foley

The House divided on the question that the words proposed by Mr Landeryou to be omitted stand part of the motion (the Hon. F. S. Grimwade in the chair).

Ayes	26
Noes	11
Majority against the amendment	15

AYES

Mr Baxter	Mr Knowles
Mrs Baylor	Mr Lawson
Mr Bubb	Mr Long
Mr Campbell	Mr Radford
Mr Dunn	Mr Reid
Dr Foley	Mr Saltmarsh
Mr Granter	Mr Stacey
Mr Guest	Mr Storey
Mr Hamilton	Mr Taylor
Mr Hauser	Mr Wright
Mr Houghton	
Dr Howard	*Tellers:*
Mr Hunt	Mr Block
Mr Jenkins	Mr Ward

NOES

Mr Butler	Mr Mackenzie
Mrs Coxsedge	Mr Walker
Mr Eddy	Mr White
Mr Kennedy	*Tellers:*
Mr Kent	Mr Thomas
Mr Landeryou	Mr Walton

PAIRS

Mr Chamberlain	Mr Sgro
Mr Crozier	Mr Trayling

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Public Accounts and Expenditure Review Committee)

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

Clause 2, line 33, omit "and" (where second occurring).

Clause 2, line 38, after "public money." insert—

"(*e*) to consider and report upon the annual estimates of revenue and expenditure and any supplementary estimates transmitted to the Legislative Assembly; and

(*f*) to investigate and report to the Parliament on any matter relating to the public finances of Victoria which it sees fit to examine."

If the Bill is what the House has been told by the Minister of Education, Dr Foley and Mr Dunn, my amendments have little significance. However, it does not say what others are interpreting it to say. If it is the Government's intention to pick up and take on board the argument the Labor Party has advanced, my amendment makes considerable sense. It makes it quite clear and removes any doubt whatsoever about the power of the committee.

From my experiences on two Parliamentary committees—a joint committee and a House committee—the chairman and the clerks advising the chairman have been sticklers for procedures in terms of a strict interpretation of what is the function, powers and responsibilities of the committee. I recall on one occasion, on the Statute Law Revision Committee, being involved in a discussion about adoption when the committee required access to certain records. The committee was told by a public servant, correctly as it turned out, that committees could not have access to those records.

It was found subsequently that the Statute Law Reform Committee had no power to summon persons and papers with respect to that area of Government activity because the Act, which set up the births, marriages and deaths register, ensured that certain information remained confidential. There may be good reasons for that.

If it is the Government's intention to appoint a committee which would have power to investigate and report to Parliament on any matter relating to public finances—not just the Budget document —my amendments should be supported by the Committee.

I would only be repeating arguments that have already been presented if I were to continue, other than to reassert the position of the Labor Party. If my amendments are not adopted, the committee will not have the power it needs to investigate matters of its own motion if it thinks fit.

The Hon. N. F. STACEY (Chelsea Province)—I tried to listen to what Mr Landeryou had to say. I must confess that it is sometimes hard to hear him when he is not emotionally involved in something. Mr Landeryou mumbles something as he mumbles somewhat. The amendments are designed to ensure that annual estimates of revenue and expenditure and supplementary information is available for the committee. Mr Landeryou did not present a factual argument in support of his amendments. What he said was not common sense, because what is available to Parliament is available to the committee without a distinction between Houses. Mr Landeryou's proposed new section 5 (*e*) does not achieve anything and, for that reason, I reject it.

Proposed new section 5 (*d*) already does what Mr Landeryou's proposed paragraph (*f*) seeks to do. Again, I rely upon common sense because paragraph (*d*) provides that the committee shall report to the Parliament and that is what Mr Landeryou's proposed new paragraph (*f*) provides. Proposed new paragraph 5 (*d*) states "or in the mode of receipt, control, issue or payment of the public money". That would cover any matter relating to public finances. In other words, the existing paragraph (*d*) covers the whole gamut of what is listed in the proposed new paragraph (*f*). I therefore repect the amendments proposed by Mr Landeryou.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—My amendments were designed to remove any doubts about the power of the committee on its own motion to examine any matter relating to the public finances of Victoria. Proposed new section 5 (*a*) and (*b*) qualifies the powers of the committee. Paragraph (*a*) relates specifically to receipts and expenditure. Paragraph (*b*) deals with the broader question of public expenditure but it is qualified to some extent by the inclusion of the words, "which is referred to by the Council or the Assembly". The committee will require a matter to be referred to it outside of the receipts or expenditure before it embarks upon an investigative review. That is not what the Premier said in his policy speech, nor is it what the Labor Party understood the Bill was intended to achieve.

My amendments seek to ensure that there is no doubt that the committee, on its own motion can follow a course that it decides upon rather than a path decided upon by the Executive or Cabinet.

That is the issue taken by the Opposition, and that is why we believe the whole question of considering and reporting on the annual Estimates, revenue and expenditure, and the Supplementary Estimates, transmitted to the Legislative Assembly, should be included. As I understand it, that is the way the Governor sends his message to that House. That is why the amendment is worded that way—not because matters associated with Budget documents that would be available to the Legislative Assembly would not be available to the committee.

It is Parliamentary drafting, but as I have already explained a couple of times to the House, and now twice again to the Committee, I believe the matter is quite clear. The Opposition has doubts about what this exercise means. This amendment clarifies the position and remove any doubt about the matter. Members of the committee will know that they can investigate any matter of public finance in Victoria if they can persuade a majority of the committee of the need for such an investigation.

The Hon. A. J. HUNT (Minister of Education)—The well developed arguments of my colleagues, Mr Guest and Dr Foley, have indicated the great breadth of the powers that already exist in the clause, and the fact that there is no need for their further extension, I adopt those arguments and, accordingly, the Government will not support that amendment. If, however, there were any doubt, Mr Landeryou has it in his own hands for the future, or, if there is a matter which he believes ought to be examined by the committee and doubts are raised, he simply has to bring it to this House and invite the House to refer the question to the new committee for examination pursuant to proposed new section 5 (*b*).

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

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

ADJOURNMENT

Christmas felicitations—Post secondary education—Venus Bay—School books — Recall of House — Unemployed teachers—Drugs—Export of horses—Landmark competition — Time of meeting

The Hon. A. J. HUNT (Minister of Education)—I move:

That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each honorable member by telegram or letter.

In moving that motion, I extend to all honorable members felicitations and best wishes for a happy break from the session. I hope that those who have suffered during it will recuperate fully during their time away. I also extend those wishes to myself.

I should like to extend my thanks to Mr Landeryou, and to Mr Dunn, as Leaders of the other parties. Mr Landeryou has been elevated to Leader of the Opposition and I think that everybody will agree that his capacity has been amply demonstrated during this sessional period. He has been a firm but fearless fighter, and we look forward to many jousts across the Chamber. He has been ably supported by his deputy, Mr Walker, who, although new to the Chamber, has proven himself a man of very great ability. We have long known the ability and fairness of Mr Dunn, and his co-operation, along with that of the Leader of the Opposition, has assisted in the smooth flow of business in the House, and I trust that those arrangements will continue for the benefit of the institution of Parliament, this House, and indeed all its members. I point out that the smooth flow of business is not in the interests of members alone. It is in the interests of the public of Victoria.

To my own deputy, the Honorable Haddon Storey, I give my thanks for a job well done. He has been thoroughly reliable at all times and has taken over the duties of Leader in my absence. To

the Ministers supporting the Government, I express thanks for the way in which they have conducted their business.

To the new members, and particularly to the two ladies who graced this Chamber for the first time, I express congratulations on the way they joined in the work of the House in their first sessional period. I thank the Whips for the job they have done behind the scenes.

To the officers and staff in the Chamber, and indeed of the House, we all owe our gratitude, particularly, if one can single out any, *Hansard*, who made many of our speeches much more readable than they otherwise would have been. To all of those, to everyone who assists in the smooth running of Parliament, in the service of the public, I extend Christmas felicitations. I would not be prepared to resume my seat without adding a special word of thanks and good wishes to you, Mr President. The first session as President of this Chamber must be even more difficult than the first session as Leader of a Party. You, Mr President, in the view of your colleagues, have performed your duties with excellence and we wish you a well earned rest. We have long been accustomed to the practised manner in which your deputy, the Chairman of Committees, performs his duties and assures the speedy conduct of business in the House.

I extend Christmas greetings to all honorable members and to everyone associated with Parliament.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I join with the Leader of the Government in wishing all members of the Council the compliments of the season. I do that not only in terms of the old members but especially the new members, and without wanting to be politically biased I congratulate those members of my party who joined us at the last election. They have been of immeasurable assistance to me.

I have noted with interest the participation by some of the new members of the Government party in the debates and I am sure that in the years ahead, in the life of this Chamber—brief though I hope it will be—we will receive contributions which will be worthy of members on both sides of the House.

I also join with the Leader of the Government in congratulating you, Mr President, on the way in which you have conducted the proceedings of the Chamber—with the exception of one rare moment of injustice—during your first term in the high office which you hold as President of the Legislative Council. I look forward to many years of your participation with the same degree of judicious propriety and skill as you have presided over the debates during this sessional period.

It goes without saying that it would be impossible for me—and, indeed, this applies to many members of this place —to perform my functions without the skill and ever-ready advice of Mr Bruce McDonnell and his staff. We say that every year in one way or another, but I assure the Clerk and his staff that I am most appreciative of the fact that one can go to him at any time—I have even had to ring him at home, on occasion—and, without any trouble or hesitation on his part, his advice is always forthcoming.

To the other staff in the Parliament, both in the House and outside, I express thanks on behalf of my party. They make life here with our miserable group of thirteen barely manageable and bearable. Without them, life would be far worse than it is. To Mr Oliver and his House staff and their loved ones, I wish the very best for the coming year and a warm embracing of the spirit of the season.

The Leader of the Government concluded by extending compliments of the season to me as Leader of the Opposition. I hope that everyone in the House is now satisfied that my deputy and I have performed creditably as the Deputy and the Leader of the Opposition. Now that we have served our apprenticeship, we are ready to take over on the other side of the House.

To all, I extend the compliments of the season.

The Hon. B. P. DUNN (North Western Province)—I join in the traditional speeches in the closing stages of the sessional period. Firstly, I thank the people who, as Mr Landeryou said, make our lives much more pleasant than they may otherwise be. I refer to the staff around Parliament House. When members of my party come to Melbourne during sittings of Parliament, this is a home and we appreciate very much the friendliness, the courtesy and the helpfulness of all those associated with this Parliament. We have an outstanding staff in all sections of the Parliament and great credit is due to each of them. They make our lives much easier.

From the Clerks of this House, the officers of the Parliament, we receive great courtesy and helpfulness at all times.

I comment on the very intense work of *Hansard* in an extremely difficult task which they perform during the long sessions of this House.

I thank Mr George Oliver and his assistants for the courtesies that they show us on all occasions; as also I thank the staff of the Papers Room, the dining room, the Library, excellent people who are all only too ready to help. I want them to know—and I think I speak for all honorable members—that we sincerely appreciate the help, advice and courtesy that they extend to us not only during the session but throughout the whole year. I extend thanks to the telephonist, Dianne Helman. I thank them all for their courtesy and I hope they have a very happy and enjoyable Christmas.

I congratulate the new members of the House. This is their first full session of the Parliament. They have probably learnt some hard lessons. I give them one piece of advice for the future: They should not let it upset them too much. For the ten years I have been a member, I have thought that one of these days we will have an organized sitting and that we will finish without sitting for long hours into the night. I suggest that the new members do not get too upset about it, because it has not happened in my time and I doubt if it will happen in theirs!

The Hon. A. J. Hunt—It has not been too bad.

The Hon. B. P. DUNN—It has not been too bad in this House, although we have had our frustrations. That is part of Parliamentary life and one either likes it or lumps it.

I extend congratulations to Mr Landeryou and his deputy, Mr Walker, who have both performed creditably in the House and clearly have a great contribution to make, as do many of their members.

I also congratulate the Leader of the House, and his other Ministers in this place. They have a difficult role to play in that there are relatively few of them to handle every Bill that is dealt with by Parliament. It is not easy to have a grasp of every Bill which must pass through their hands but they do an excellent job. I congratulate them on their work, especially the Leader of the House for his efforts and his co-operation.

The Whips of the other parties, Mr Ward and Mr Eddy, have carried out their duties ably and have made a significant contribution towards the easy running of the House.

I thank the Chairman of Committees, Mr Campbell, who has an important role to fulfil in this place.

My party and I thank you, Mr President, for the fairness you have shown in the period you have held this high office. We have every confidence in you and I am sure that you will fill your position most capably and responsibly for many years to come. We certainly wish you the best in that respect.

I conclude by thanking my own members, Mr Wright and Mr Evans, for their contributions, and I thank my deputy, Mr Baxter, for the able support he has given me. Between the four of us, we have attempted to carry out our duties in this Parliament to the best of our ability and to make a worth-while contribution on behalf of the people we represent.

I thank all of the people I have mentioned and I wish each of them a very enjoyable Christmas with their families and friends. I look forward to meeting you all again in the new year.

The Hon. RALPH HOWARD (Templestowe Province)—A former member of this House, Mr Doug Elliott, was in the habit for many years of offering on this day in the session just prior to Christmas a Christmas poem. Honorable members may recall that last year in anticipation of his retirement, I joined Mr Elliot in double harness in a small work, "The Yuletide Laureate Departs". Now he has departed from the House and finding myself in single harness with this task, with your indulgence, Sir, I offer a minor opus which acknowledges the advent to this House of women. It is called, "Women on Velvet" and goes:

Drape us on velvet,
Go lightly with ermine,
The fate of the State
We're set to determine.

The Council is tranquil,
The other's like Hades;
We haven't got Lords.
But now we've got Ladies.

The voters last time
Gave us Baylor and Coxsedge,
We sail to the future
Like a ship from the dock's-edge.

We'll stand many a gale in her—
God bless all who sail in her.
Merry Christmas to all.

The PRESIDENT (the Hon. S. F. Grimwade)—I thank the Leaders of each of the parties for their kind words and for their co-operation. I also thank their deputies for the way in which the business of the House has been organized. It would be of interest to honorable members to know that the House handled 37 or 38 Bills in the past four days, which is an achievement in itself.

I thank the Whips, Mr Ward, Mr Eddy and Mr Baxter, for getting the whips cracking and getting the business in front of us all. I sincerely thank the Chairman of Committees, Mr Campbell, for the way in which, at a moment's notice, he has taken over the chair when it has been necessary for me to do other things. I should also like to thank the Temporary Chairmen for the work they have done in the House.

The table officers I must thank on behalf of all honorable members. I particularly refer to the absence of Mr Bob Evans who has undergone an operation. I hope he will recover rapidly and be back with us when next the House sits. In the meantime I welcome Mr Wayne Tunnecliffe, the Clerk of the Papers, in the Chamber. It has been pleasing to see a little more of him. On behalf of all honorable members I give thanks for the wonderful work of Mr George Oliver and the members of his staff. Without them it would be impossible for this House to operate in any manner at all. They look after even the most minute of matters.

There are a number of departments of Parliament to which I should pay thanks—to the Library, Miss McGovern and her staff; to *Hansard*, Mr Stuart and his staff; to the House Committee, Mr Duguid and his staff who look after not only us but our electorate offices; to Mr Kerr and the staff of the Refreshment Rooms where there is such a friendly feeling of service. I thank all those people.

There are other groups within the Parliament whom we do not see so often but who nevertheless have an important role to play. I refer to the gardeners, the typing pools and the other support staff. I thank them all.

I thank my own support staff who look after me so well—Miss Green, Mr Fleming and Mr Rezzara.

I wish everybody a pleasant and happy Christmas and hope you return safely after the holiday break refreshed and with renewed vigour.

The Hon. E. H. WALKER (Melbourne Province)—I am sorry to have to raise such a serious matter after such felicitations. I have been approached by two colleges which are members of the Victorian Post-secondary Education

Commission which are concerned about proposed cuts in student intake being prepared at present for 1982-84. Will the Minister of Education confirm that such cuts are occurring and if so, will he advise me whether there is any real indication in that regard?

I should like to make another short request. Will the Minister of Water Supply give me an answer, if he has one, on the response of the Environment Protection Authority in relation to Venus Bay?

The Hon R. A. MACKENZIE (Geelong Province)—I raise a matter with the Minister of Education and the Attorney-General. It is an important issue because it deals with a New South Wales firm of school library suppliers. This firm sends out information to every school library in Victoria. A short time ago it sent a brochure indicating that it had a marvellous bargain available for school libraries—*The Rivers of the World Series,* priced at only $6.95 each. It was stated in the brochure that the books were priced at $10.50 but could now be obtained for the bargain price of $6.95.

A school librarian in the province that I represent went into this matter a little further and he found that the *Australian National Bibliography* states that the recommended retail price for this book is $5.95. Further, an investigation with private book suppliers, Holt Saunders Pty Ltd, has indicated that it sells the book at $5.95. D. W. Thorpe Pty Ltd, in Spencer Street, also has the same book for $5.95. This is a case of false representation by the New South Wales firm and I ask the Minister of Education to take up the matter and let the school libraries know, in case they are caught in the same way again. I will pass on this information to the Minister if required.

The Hon. J. V. C. GUEST (Monash Province)—I take up a matter with the Leader of the House. Will he consider perhaps a one day sitting of the Parliament so that honorable members can be appointed to the new committee and also so that perhaps the Presbyterian Schools Bill can be dealt with?

The Hon. C. J. KENNEDY (Waverley Province)—I ask the Minister of Education to spare a thought for the 1500 unemployed teachers, and in particular, for those who are lucky enough to obtain a day's work or six weeks' work or whatever. They are paid a starvation wage of $43 a day with no holiday pay and no sick pay. This compares with people employed under clerks' awards who do part-time work with no holiday pay and no sick pay and receive $43 a day, but there is a big difference. The secondary teacher must have a tertiary qualification, usually a degree with a Diploma of Education, whereas the clerk requires no qualifications. People such as night watchmen who are employed on a part-time basis are paid $50 a day. This is debasing a degree to the last oomph. It might be better if the unfortunate people with degrees considered, instead of a job at $43 a day with no holiday pay and no sick pay, taking a job as a tram conductor or a railway porter.

The Hon. D. M. SALTMARSH (Waverley Province)—In view of the serious and dramatic growth, to what amounts to epidemic proportions, of drug abuse at present in the community, a problem which is rapidly growing day by day, and in view of the consequent dramatic increase in crime as a means of paying for the drugs, will the Government give urgent and immediate attention to the possibility of introducing a broader range of rehabilitation services including, for example, the British system, whereby addicts are registered. Under that system there are various outlets, including chemists, hospitals and drug centres, where they are able to obtain quantities of clean heroin at a price which they are able to afford, thereby reducing crime. Will urgent consideration be given in an attempt to help overcome this worrying problem.

The Hon. H. A. THOMAS (Melbourne West Province)—I bring to the attention of the Minister for Conservation a matter reported in the daily press on 27 November. It is in marked contrast to the eat, drink and be merry situation

we have just experienced for it is a sad and sorry tale which has been occurring for some time. I refer to the plight of 180 horses, or brumbies, which have been brought to Melbourne from the Northern Territory. Some were dead on arrival and others had to be shot later because of their poor condition. A photograph in a local newspaper showed the horses wandering around the yards at Newmarket eating what they could. To get to Melbourne, the horses had to be transported through three States, and I do not know whether the Commonwealth Government had any control over the journey or whether it was a State responsibility. Apparently it has gone on for a number of years. Usually nineteen horses are cramped into a railway truck for the whole journey. I refer to the Protection of Animals Act which provides—

The PRESIDENT (the Hon. F. S. Grimwade)—Order! A question along similar lines was asked this afternoon. Unless Mr Thomas has a slightly different question to raise he would be out of order.

The Hon. H. A. THOMAS—It is different in one way, and I refer to what has appeared in the newspaper, if honorable members do not want to listen to the provisions of the Act. There is an old saying about man's inhumanity to man, but what about man's inhumanity to animals? Some people look after animals well while others treat them as animals and do not look after them properly.

The article in the newspaper points out that the Royal Society for the Prevention of Cruelty to Animals in South Australia and Victoria are aware of the shipment of 1000 horses from Alice Springs in 86 railway trucks scheduled from between 16 and 19 December. At least 300 of those horses have already been in yards for one week with little food or shelter. Clearly if these shipments continue, it is a national disaster.

The Hon. D. R. WHITE (Doutta Galla Province)—I address a matter to the Leader of the House as representing the Premier. I draw his attention to an article appearing on page 2 of today's *Age* refering to the landmark competition. Can the Minister inform the House whether it is the Government's intention to announce the winner of the landmark competition in the near future? Is the article correct in pointing out that there are approximately 47 winners of the competition and is it further correct in claiming that there has been significant disagreement among the members of the committee in choosing the winning design? Can the Minister indicate what progress is going to be made by the Government over the next two years towards roofing over the railway yards.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I pose a question to the Leader of the House which is becoming in the nature of a hardy annual. In some respects, Mr President, it could also be addressed to you, but I initially raise it with the Leader of the Government. My question relates to calling the House back and when. It seems to me that we should not go through the farce, as we have in all the time I have been a member, of each year pretending to come back and meet when there is no Government business.

On this occasion the House is adjourning and there is only one item of Government business remaining on the Notice Paper, a matter which the House could have dealt with, although probably it would not have made much sense to do so in a hurry.

However, it would seem to me to be far better and in the interests of the House and its reputation, and of the Parliament generally, to ensure that the Legislative Council is not called back prematurely just because that is what tradition has demanded or because that is what is demanded by the Premier or the Government. I submit that proper regard should be given to the work load of honorable members, which should be taken into consideration rather than going through the farce of calling the Parliament back and meeting on the Tuesday for a few hours and then going away for another week and doing the same until the stage is reached when Bills arrive from the Legislative Assembly.

I point out to the Government and the Leader of the House that there is no real need to call the Legislative Council together until the Government has prepared business to put before the Council.

The Hon. A. J. HUNT (Minister of Education)—I find a little inconsistency between the issues raised by Mr Walker and Mr Kennedy. Mr Kennedy has expressed concern, as have all honorable members, on the future of unemployed teachers, whilst Mr Walker has, in essence or by what he says impliedly at least, urged that the intake to teacher training institutions be maintained at its present level.

The Hon. E. H. Walker—I did not put a value judgment on it.

The Hon. A. J. HUNT—That was the implication of the question and this is causing further unemployment. If Mr Walker has read my paper on the implications of the changing school enrolments, he will recall that I indicated more care will need to be given to the numbers of students admitted to teacher training institutions unless the expectations of students are to be cruelly dashed. That was said advisedly.

This week, the Chairman of the Victorian Post-Secondary Education Commission met, so I understand, representatives of the teacher training institutions and reported on, and elaborated in detail, the same point.

I believe he put to them the figures of likely admissions of teachers over the forthcoming years and indicated the undesirability of training vastly more teachers than can be expected to obtain employment. As I understand it, no pressure was placed upon them to accept a given result, but they were invited to use discretion and not to compete against each other in attracting undue numbers of students which could not be accommodated with jobs at the end of their courses.

That is sound advice. I have not yet seen the text of his remarks, but I believe they were from a prepared paper or from notes, one or the other. I understand that is the gist of what he had to say. I believe honorable members would regard that advice as sensible and it should be taken into account by all honorable members who are concerned.

Mr Mackenzie raised the case of a bookseller who may perhaps be misleading schools or at least engaging in a "hard sell" campaign. Mr Mackenzie has offered to pass to me the material he has. I have not heard of the particular firm or of any of the incidents that he related, but I will certainly have the matter investigated.

Mr Guest and Mr Landeryou were at opposite ends of the scale in the remedies that they proposed. Mr Guest wanted a one-day sitting to do a number of things, including the appointment of members to the two committees referred to in two Bills which have been before the House today.

The Parliamentary Committees (Public Boards Review) Bill has not been passed because there was no point in its being passed. The members to be appointed to the committee cannot be appointed until the parties have made their choices, Parliament resumes and the appointments are made by both Houses.

Mr Landeryou has urged that the Council should not return until there is a substantial amount of Government Business on the Notice Paper. I point out that a number of further Bills are to be introduced by the Government, some in this House, some of which will require time for honorable members to think about and obtain information upon. Listed on the Notice Paper for the first day of meeting are the Parliamentary Committees (Public Bodies Review) Bill, the Post-Secondary Education (Amendment) Bill, the Instruments (Powers of Attorney) Bill and the Local Government (General Amendment) Bill.

I am not able to say that all of those Bills will be proceeded with on the first day of meeting—some may have substantial amendments as a result of the public comment that will arise from leaving them on the Notice Paper—but

it is the Government's intention to ensure that there will be a reasonable amount of business for the first day. I shall take Mr Landeryou's remarks into account and consult with him and the Leader of the National Party before tendering any advice to the President, who exercises the final discretion as to the day on which the House resumes.

Mr White referred to the Landmark competition. When announcements are to be made, they will not be made second hand, they will be made by the Premier. I do not desire to pre-empt or usurp his function in this matter.

The Hon. W. V. HOUGHTON (Minister for Conservation)—Mr Saltmarsh raised a matter concerning drugs and their association with crime. The Government is as concerned about the serious problem of drug addiction as he is. I am not able to say whether the British system of registering drug addicts and providing drugs so that they will not commit crimes in order to satisfy their requirements can be adopted. I will ensure that the Minister of Health gives the matter the necessary consideration.

Mr Thomas raised a matter Mr Stacey had raised at question time. The answers I give Mr Thomas are the same as the answers I gave Mr Stacey: I expressed the concern of myself—and I am sure of all other honorable members—about cruelty to animals and I indicated where the responsibilities lie. I also indicated that, when the law is breached, action will be taken.

The Hon. F. J. GRANTER (Minister of Water Supply)—Mr Walker asked about Venus Bay. I have received a report from the Environment Protection Authority and it appears that since 1975 there have been nineteen complaints. All but one have been examined and dismissed. As the matter comes within the portfolio of the Minister for Conservation, I will refer the report to the honorable gentleman and ask him to communicate with Mr Walker in writing.

The House adjourned at 5.34 *p.m.*

Session 1980—229

QUESTIONS ON NOTICE

COST OF EDUCATION

(Question No. 262)

The Hon. D. M. EVANS (North Eastern Province) asked the Minister of Education:

What is the total cost per student to the Government this year in each of the following categories: State primary, registered primary, State secondary, registered secondary, and technical?

The Hon. A. J. HUNT (Minister of Education)—The answer is:

Costs of education in Government schools are detailed in the Minister of Education's annual report to Parliament.

This report embraces all education expenditure from which is calculated a cost per primary pupil and a cost per secondary, including secondary technical, pupil in the previous financial year.

The report for financial year 1977–78 shows recurrent costs of:—

$1039 per primary pupil

$1859 per secondary, including secondary technical, pupil.

The report does not record a cost per pupil at non-Government schools but rather lists recurrent costs of $60 277 000 attributable to approximately 203 500 students at those schools; Treasury capitation formula is based on the estimated class-room expenditure for primary and secondary schools in the current financial year.

TEACHER EMPLOYMENT POLICIES

(Question No. 303)

The Hon. N. F. STACEY (Chelsea Province) asked the Minister of Education:

(*a*) What are the threats to job security of teachers because of changes in teacher employment policies?

(*b*) What effect is it expected these policy changes will have upon school children?

The Hon. A. J. HUNT (Minister of Education)—The answer is:

(*a*) There is no threat whatever and never has been. Teacher unions have been given unequivocal assurances on this from the start. All teachers in the service, whether permanent or temporary, will retain precisely the same job security and tenure rights as they now have. New teachers employed as from the beginning of next year will also be employed upon the same basis as in the past and with the same security.

The changed policy relates solely to new teachers engaged to fill vacancies which arise during the course of the school year in a period of declining school enrolments. As the maximum number of teachers on leave at any one time exceeds the minimum number on leave by more than 2000, the employment of teachers on an ongoing basis to fill short term vacancies created by leave would result in a further expansion of the teaching service by at least 2000 during 1980 despite declining enrolments. There are no funds provided in the Budget for such a course, nor could they properly be provided in present circumstances.

Short term vacancies can only be filled in the short term. To do otherwise would be a waste of the people's money, without real benefit to children; it would be silly and unbusinesslike, and would amount to "feather-bedding".

Vacancies which arise from resignations, retirements and deaths need to be filled in the longer term after full opportunity to all teachers in the service who are qualified and interested to apply for permanent appointment to the vacancy. Any other course would be a denial of established rights of teachers. Meanwhile the vacancy needs to be filled in the short term, in the same way as a temporary vacancy created by leave.

Those who gain short term employment to fill temporary vacancies from whatever cause, will have the opportunity to establish and develop their dedication and potential for teaching, and to apply for permanency, whether or not their initial appointment has expired. This is the fairest method which my department could devise for determining who should obtain permanent appointments in a period of limited opportunities caused by declining enrolments.

(*b*) None! It has always been recognized that the replacement will normally be with the class for a limited time only. Because of generous teacher leave provisions there has been over the years lack of continuity in some classes. That unavoidable fact will not change. One fact that will change is that those who prove themselves most effective during short term employment will be those who get the long term jobs which become available.

The Government has already promised to continuously increase staffing ratios in primary schools over the next three years and this should contribute to consistent improvement in children's education, as well as creating job opportunities which would not otherwise exist.

Misleading propaganda causing teachers wrongly to believe that their security is at risk has already caused some damage to teacher morale, and if it continues could cause detriment to children. An assurance that there is no such risk should assist to avoid that prospect.

Legislative Council

Tuesday, 11 March 1980

The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 4.50 p.m. and read the prayer.

ABSENCE OF CLERK

The Hon. A. J. HUNT (Minister of Education)—I have to announce that the Clerk is unavoidably absent owing to illness. He is recuperating from a small operation and hopes to be well enough to attend tomorrow. Therefore, I move:

That the Clerk-Assistant perform the duties of the Clerk of the Council during his absence, and take the chair at the table.

The motion was agreed to.

The PRESIDENT (the Hon. F. S. Grimwade)—I have directed that appropriate support staff be available to assist at the table during the absence of the Clerk.

SENATE VACANCY

The PRESIDENT (the Hon. F. S. Grimwade)—I have received the following message from His Excellency the Governor:

The Governor transmits to the Legislative Council a copy of a despatch which has been received from the Honorable the President of the Senate notifying that a vacancy has happened in the representation of the State of Victoria in the Senate of the Commonwealth of Australia.

Your Excellency,

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I have to notify Your Excellency that a vacancy has happened in the representation of the State of Victoria in the Senate, through the resignation of Senator the Honorable James Joseph Webster, which occurred on 28 January 1980.

Yours faithfully,

CONDOR L. LAUCKE

President of the Senate