Legislative Council

Tuesday, 15 June 1982

The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 3.4 p.m. and read the prayer.

LOCAL GOVERNMENT (BOARD OF REVIEW) BILL

This Bill was received from the Assembly and, on the motion of the Hon. W. A. LANDERYOU (Minister for Economic Development), was read a first time.

MOTOR CAR (BREATH ANALYSING INSTRUMENTS) BILL

This Bill was received from the Assembly and, on the motion of the Hon. R. A. MACKENZIE (Minister of Forests), was read a first time.

QUESTIONS WITHOUT NOTICE

ACCESS TO GOVERNMENT DOCUMENTS

The Hon. HADDON STOREY (East Yarra Province)—I direct a question without notice to the Leader of the Government. On 13 April, the Premier announced that the Government would introduce guidelines for obtaining access to Government documents prior to the coming into operation of the freedom of information legislation later this year. This morning, the Premier said that Cabinet had approved of those guidelines. Will the Leader of the Government lay on the table those guidelines and ensure that the fullest publicity is given to them so that people are informed of the way in which they may obtain access to Government documents?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I take the view that that is a matter for the Premier in his capacity as Attorney-General. I will take up with the Premier the question raised by the Deputy Leader of the Opposition and inform the House on the matter at a later time.

AMENDMENTS TO WHEAT MARKETING ACT

The Hon. B. P. DUNN (North Western Province)—I raise with the Minister of Agriculture a question referring to the Federal Government's recent approval of a number of amendments to the Wheat Marketing Act to allow the Australian Wheat Board to operate more commercially. Is it a fact that the Minister was not aware of those amendments and their full ramifications when they were announced last week? Has the Minister now had sufficient time to study the proposals and can he indicate to the House whether they will be supported by his Government? Will he move to have complementary legislation introduced into this Parliament at the earliest opportunity to allow those vital amendments to operate before the end of the year?

The Hon. D. E. KENT (Minister of Agriculture)—I was informed only a couple of days before the decision was made by the Federal Government, so there was little consultation and I had reservations about some of the proposed amendments. I still believe some of them need further consideration. That consideration will be given and, if the amendments are approved, complementary legislation will be introduced.

FORESTS COMMISSION PUBLICATIONS

The Hon. G. A. S. BUTLER (Thomastown Province)—I understand that the Minister of Forests has recently withdrawn several Forests Commission publications from distribution. I wonder whether he would advise the House of the reasons for his action and of how many publications have been withdrawn.

The Hon. R. A. MACKENZIE (Minister of Forests)—I have withdrawn several publications from Forests Commission offices and other places where the commission distributes its literature. The Forests Commission publishes dozens of excellent pamphlets and brochures. Of these, I withdrew four which did not agree with the Government's policy and pre-empted decisions of the Government.

The Forests Commission has a responsibility to provide information and advice to the public. Its role is not to buy into public debate or controversy, especially if its opinion is contrary to the policy of the Government.

BUILDING UNION SITE ALLOWANCES

The Hon. D. K. HAYWARD (Monash Province)—I direct a question without notice to the Leader of the Government in his capacity as Chairman of the Industrial Relations Task Force. I refer to the instructions which have been issued to Government departments and instrumentalities to negotiate site allowances for members of building unions. Is it not a fact that such site allowances are contrary to the relevant building awards, both Federal and State? If so, will the Minister ensure that those instructions are withdrawn?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—It is a pity that members af the Liberal Party, and some on the front bench, do not understand the nature of the problem. The difficulty is simply that—and the shadow Minister for Economic Development and the shadow Minister of Education and Mr Bubb will explain what it is—in the building industry, there are those employees who are covered directly by Federal awards and their rates of pay, conditions and site allowances are a matter for determination by the Commonwealth Conciliation and Arbitration Commission. Government employees are in that category, but, when a private employer engages employees when the Government or some statutory authority is the client, those employees are in a different category. They are not necessarily covered by the relevant Federal award. Some may be covered by a State award. In those circumstances, it is not possible for the Arbitration Commission to make a determination or award. If Mr Hayward had conferred on the matter with the relevant shadow Minister, he would have discovered that the shadow Minister received legal advice to that effect some time ago.

The difficulty the matter presents to the task force is simply that we, as a Government, want conciliation to be the first emphasis and, if we cannot reach agreement, arbitration will then follow. In any event, whatever agreements are negotiated at whatever level, they will be, where appropriate, referred to the relevant arbitral authority.

PROPOSED SKI LIFT

The Hon. JOAN COXSEDGE (Melbourne West Province)—Can the Minister for Conservation indicate whether a decision has been made to permit Mount Smythe Associates to build a gondola ski lift to the top of Mount Feathertop through one of Victoria's most beautiful national parks, the Bogong National Park?

The Hon. E. H. WALKER (Minister for Conservation)—There has been an application before the Government—and it was before the previous Government for some time—for a permit to build a gondola ski lift from Harrietville to Mount Little Feathertop——

The Hon. D. M. Evans—To Bungalow Spur.

The Hon. E. H. WALKER—Thank you, to Bungalow Spur. We have examined the proposal very closely and I told Mr Handley, who leads the group that wants to build the lift, that the Government would not mess him around and would give him a decision in short order. The Government has worked hard on the matter and there have been a number of meetings with Mr Handley. We have examined a model and the assessment section of the Ministry for Conservation carried out a careful assessment.

Last week, on my advice, Cabinet determined not to offer a permit for the construction of the ski lift. I have called Mr Handley to advise him that the answer is "No" and, on the telephone, I gave him the three main reasons why that was the answer. Today, I am drafting a letter to send to him.

The Hon. A. J. Hunt—You mean you called Mr Handley and Mrs Coxsedge.

The Hon. E. H. WALKER—Mrs Coxsedge is interested in matters of environment and asks careful questions concerning them. The reality is that Mr Handley is a man of great capacity and I told him on the telephone that the Government would be pleased to use his entrepreneurial capacity in the ski-ing industry. I have referred him to the Minister for Tourism, because I believe a man of his capacity and skills can be used.

It was not acceptable to have a gondola ski lift built through a national park; nor was it possible, in the view of the Government, to create ski slopes on land that was shown to be unstable and poorly vegetated. The decision has been made and passed on.

NUCLEAR-FREE STATE

The Hon. B. A. CHAMBERLAIN (Western Province)—Can the Minister for Conservation advise whether it is a fact that the Government announcement of a nuclear-free Victoria was made in exchange for an agreement with the Socialist left faction that the number one Senate spot would be given up to either Senator Evans or Senator Button?

The Hon. E. H. WALKER (Minister for Conservation)—I have great difficulty in determining whether it is a legitimate question. Mr President, would you care to give a ruling?

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I had intended interrupting the Minister. He spoke before I gave him the call. I fancy the question is frivolous and, therefore, I rule it out of order.

SUNRAYSIA VEGETABLE GROWERS

The Hon. K. I. M. WRIGHT (North Western Province)—I refer the Minister of Soldier Settlement to the disastrous severe frosts of which there were six in succession in the Sunraysia district which caused damage estimated conservatively at $1 million, to lemon, avocado and citrus fruit, vegetable and other crops. As a result, consumers in the city will be paying greatly increased prices. What action will the Minister and his department take to alleviate the situation? Will officers be sent to the area to investigate the damage and to make recommendations for further action?

The Hon. R. A. MACKENZIE (Minister of Soldier Settlement)—I am aware of the disastrous frosts that occurred in the Sunraysia region which caused considerable damage to fruit and vegetables. I have spoken to the Rural Finance Commission, which is under my administration as Minister of Soldier Settlement, and at this moment one of the commissioners, Mr Malcolm Smith, is in the area investigating the situation. I am looking at the question of providing carry-on finance to bona fide growers providing that they can show that their whole livelihood depends on that industry. Each case will be reviewed independently and decided on its merits.

MOUSE PLAGUE

The Hon. R. J. EDDY (Thomastown Province)—Following the disastrous mouse plague that virtually destroyed wheat crops approximately two years ago, will the Minister of Lands inform the House what steps the Vermin and Noxious Weeds Destruction Board intends taking to prevent the problem recurring?

The Hon. R. A. MACKENZIE (Minister of Lands)—It is kind of Mr Eddy to refer to the matter today. All honourable members will remember the seriousness of the mouse plague some two years ago which created enormous damage to crops and homes throughout the wheat-growing areas. The Vermin and Noxious Weeds Destruction Board has commenced a research programme in co-operation with the Department of Agriculture, with the South Australian Vertebrate Pests Control Authority and the Commonwealth Scientific and Industrial Research Organization.

At present, they are carrying out tests on biological control and similar techniques. They are not trying to develop another type of mouse trap but are aiming to develop proper techniques, better farm management and forewarning devices through studying

the habits of the mice when they are about to reach plague proportions so that action can be taken before the problem occurs. It is hoped the research will be completed before the plague cycle begins again.

TRADE UNION GRANT

The Hon. CLIVE BUBB (Ballarat Province)—I refer the Minister for Economic Development to the $100 000 grant given to the Victorian Trades Hall Council, I presume, for training union health and safety representatives. Given that public funds are already being made available to the Trade Union Training Authority, what terms and conditions attach to the grant, what priorities will be pursued in safety and what safeguards are attached to the significant sum of public money given to the trade union movement?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I thank the honourable member for his question. The Government views as a matter of concern the need for improved health and safety training and is anxious to obtain the views and support of that concept by the organized employees and employers of Victoria. I am not aware of the precise details. However, I will undertake to check them with the relevant Minister and supply the honourable member with the details.

WHEAT MARKETING

The Hon. W. R. BAXTER (North Eastern Province)—Will the Minister of Agriculture indicate which aspects of the proposed wheat marketing changes he has reservations about and the nature of those reservations? Is the honourable gentleman aware that the proposed changes are endorsed by the Australian Wheatgrowers Federation, and has he contemplated the potential loss to Australian wheatgrowers if he decides to introduce complementary proposed legislation in time for the forthcoming harvest?

The Hon. D. E. KENT (Minister of Agriculture)—I am aware that the amendment has the support of the Australian Wheatgrowers Federation. That organization intends to discuss the matter with me this week, having not done so earlier. I realize implications are involved and, as I stated to Mr Dunn, the matters will be judged on their merits.

POTENTIAL LEBANESE MIGRANTS

The Hon. G. A. SGRO (Melbourne North Province)—I direct my question to the Minister representing the Minister for Federal Affairs. Will the Minister undertake to urge the Federal Government to give serious consideration to facilitating the entry to Australia of people from Lebanon who wish to migrate as a result of the suffering created by Israel's invasion of their land?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—The Government would review sympathetically the problems faced by various people around the world and, like all members of this Chamber, is committed to the concept of peace. The matter is outside my direct jurisdiction, but I will ensure that the matter is referred to the appropriate Minister.

LIVE SHEEP EXPORTS

The Hon. D. G. CROZIER (Western Province)—I direct my question to the Leader of the House in his capacity as chairman of the so-called Industrial Relations Task Force. Is the Minister aware that at a large public meeting held at the Portland Civic Centre on Wednesday last at which the transport, shearing and waterside industries including the local branch of the Waterside Workers Federation of Australia were represented as well as farmers, overwhelming support was expressed for the continuation of the live sheep export trade?

Further, in view of this impressive demonstration of community support for this valuable export industry and in view of the threat of violent interference from the Victorian branch of the Australasian Meat Industry Employees Union, what initiatives has the Minister undertaken or contemplated undertaking to guarantee security to the loading operations at Portland?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I thank the honourable member for his question and appreciate the difficulty he has with the pronunciation of certain words. The problem in Portland is indeed a vexed one and I appreciate the division not only within the community but also within the trade union movement. Unlike its predecessor, from day one the Government has earnestly sought a solution to the dilemma, difficulty and dispute.

Indeed, the Government has read with some enthusiasm the report to the Federal Cabinet of the trade commission organized by that Government. The Government is waiting for some appropriate decision to be made in the area. The Government went out of its way to speak to the people who are responsible for the operation—the shipping company. The company was co-operative to the point of suggesting that, until the matter was concluded, it would not bring another ship into Portland.

The Government is anxious to ensure that it is even-handed and wishes to co-operate with the Commonwealth Government, the Australian Council of Trade Unions and, for that matter, graziers and the shipping company involved in earnestly trying to seek a solution. The Government understands the enormous problem it creates, whichever way a solution is found, for those employees whose livelihoods are affected.

TOBACCO INDUSTRY

The Hon. D. M. EVANS (North Eastern Province)—The Minister of Agriculture visited tobacco industry areas about ten days ago on what I consider was a full and informative fact-finding tour. Will he inform the House of the Victorian Government's policy on the future of the tobacco industry in north-eastern Victoria at this time?

The Hon. D. E. KENT (Minister of Agriculture)—As Mr Evans will be aware, it is not the policy of the Government to encourage smoking or the use of any other drugs. The Government realizes there is every likelihood that the tobacco industry will continue to meet a demand in this country for a long time to come. Therefore, it is the intention of the Government to continue providing the research assistance which has been made available in the past to the industry so that it may produce its products efficiently and, I hope, with maximum safety to those indulging in the commodity.

VICTORIAN TOBACCO GROWERS (DISPOSAL OF ASSETS) BILL

The Hon. D. E. KENT (Minister of Agriculture), by leave, moved for leave to bring in a Bill to make provision with respect to the disposal of assets acquired by the Victorian Tobacco Growers Association and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL

The Hon. H. M. HAMILTON (Higinbotham Province), by leave, moved for leave to bring in a Bill to amend the Health Act 1958 for the purpose of imposing restrictions on the advertising of alcoholic beverages.

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:

National Parks Act 1975—Notice of consent to the granting of an Exploration Licence in Wabonga Plateau State Park dated 22 April 1982.

Statutory Rules under the following Acts of Parliament:

Explosives Act 1960—No. 172.

Fisheries Act 1968—No. 153.

On the motion of the Hon. B. A. CHAMBERLAIN (Western Province), it was ordered that the notice of consent under the National Parks Act 1975 be taken into consideration on the next day of meeting.

HOSPITALS SUPERANNUATION (AMENDMENT) BILL

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I move:

That this Bill be now read a second time.

The purpose of this rather brief measure is to facilitate the transfer of the Hospitals Superannuation Act from the portfolio of the Minister of Health to that of the Treasurer.

Legislation to establish a Hospitals Superannuation Fund was enacted by Parliament in 1965. The scheme constituted under the Hospitals Superannuation Act of that year succeeded the Institutional Staff Superannuation Scheme then being operated for the benefit of hospital employees by the Victorian Hospitals Association. Ever since its enactment, the Hospitals Superannuation Act has been administered by the Minister of Health.

However, for a number of reasons, it is considered more appropriate that the Hospitals Superannuation Fund should come within the ambit of the Treasurer. These include the fact that the Health Commission does not have the expertise necessary to advise the Minister of Health on superannuation matters, and because superannuation is seen as a condition of employment rather than relating to the provision of health services or health care.

The Treasurer already administers the Superannuation Act and the State Employees Retirement Benefits Act and the transfer of the Hospitals Superannuation Act to the Treasury portfolio will help promote a greater consistency between the various schemes.

I might add for the assistance of honourable members that agreement to the transfer was reached between the former Minister of Health and the former Treasurer, although the necessary administrative steps had not been initiated prior to the last elections.

Although the Government has been informed that the transfer could be achieved by executive direction, some machinery amendments to the Act would nevertheless be required to clarify Ministerial responsibility with respect to several provisions.

This Bill will make the necessary "tidying up" changes to section I, section 6 (3) and section 35FA (7) to facilitate the proposed transfer to the Treasurer as from 1 July next.

The present Government believes that, the transfer of the Hospitals Superannuation Act to the Treasurer will be of advantage to the State, particularly as the Act and its supporting regulations are essentially technical and of an actuarial nature and thus best administered in conjunction with the other major Government superannuation schemes. I commend the Bill to the House.

On the motion of the Hon. HADDON STOREY (East Yarra Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, June 22.

LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I move:

That this Bill be now read a second time.

It has been the practice to introduce into Parliament towards the end of each spring sessional period a Bill to make miscellaneous amendments to the Local Government Act. These Bills have then been allowed to stand over to enable municipal councils and other interested or affected groups to make submissions.

A Bill of this nature, the Local Government (General Amendment) Bill 1981, was introduced late last sitting by the former Government.

This Government appreciates the need for such Bills. The Local Government Act is extensive, complex and largely prescriptive. The powers of councils are generally set out in detail and amending legislation is required each time a power is to be amended or extended or a new one added. Accordingly, the Act constantly needs to be fine-tuned.

To enable local government to meet the challenges of the next ten or twenty years the Government must look to giving councils more general and less restrictive powers.

The Local Government Act requires too much to be settled in Melbourne—matters that would be better left to the council and the local community to resolve.

Local government is the level of government closest to the people and it should have a greater degree of autonomy—more room to move—to enable it to take the actions needed to provide the services demanded of it.

The Government is investigating the introduction of a general power of competency to enable councils to undertake activities or provide services that are considered to be necessary or desirable for their communities. As a first step, each council has been requested to comment on the form any power of competency may take and the nature of additional activities and services that councils consider should be within the scope of local government and to advise the Local Government Department of its comments.

The Government views consultation of this nature with municipal councils as being an important means of enhancing the relationship between State and local government.

I should like to thank all those who made submissions on the 1981 Bill. Their views were of benefit to the Government in preparing the proposed legislation.

My particular thanks are due to the members of the working party, which reviewed the Bill and comments received. This group comprised representatives from the Municipal Association of Victoria, the Institute of Municipal Administration and the Local Government Engineers Association and is chaired by the Secretary for Local Government, Mr George Pentland.

A number of the amendments made to that Bill flow from their considerations. The Bill eliminates some of the requirements for a council to obtain the consent of the Governor in Council or the Minister before exercising its powers. This is a step in the right direction.

Other major matters dealt with in the Bill include: The inclusion of a requirement that a candidate for election to a municipal council cannot act as a scrutineer for himself or on behalf of any other candidate; the widening of the by-law making powers of councils to enable them to:

(I) control and regulate building and construction operations to prevent objectionable noises at unreasonable times; and

(II) regulate the time during which incinerators may be used on property used wholly or partly for residential purposes.

Other major matters dealt with in the Bill include: Making land held in trust and used exclusively for the purposes of the Australian Legion of Ex-Servicemen and Women (Victorian Branch) non-rateable; permitting councils to control the placement on roads and streets of receptacles exceeding a capacity of two cubic metres for the reception of litter and waste; authorizing councils to permit the placement on roads and streets of moveable advertising boards, signs or hoardings; empowering councils to introduce parking concessions for vehicles driven by disabled persons; providing that various fees, deposits, etc. that are presently fixed by the Act will in future be prescribed by regulation; and gathering together of a number of certificates given by municipal councils in relation to land.

One provision not included in the Bill, which was in the previous Bill, is a proposal to introduce a secret ballot for the election of the chairman of a municipality. The Government appreciates that at times the election of the chairman can be a sensitive issue. However, the Government believes that generally a community likes to see its first citizen elected in open council—as has traditionally been the practice.

Clause notes are attached to the Bill for the information of members. I advise honourable members that minor amendments have been made to the Bill in another place. I commend the Bill to the House.

The Hon. A. J. HUNT (South Eastern Province)—I move:

That the debate be now adjourned.

I suggest that the debate be adjourned until the next day of meeting. In doing so, I invite the Leader of the House to obtain, if practicable, a list comparing the changes in this Bill with the changes made in the 1981 Bill. The honourable gentleman noted one change in the explanatory second-reading notes, but there are obviously other changes that could be determined by a detailed study. I do have some knowledge of local government and, therefore, I believe that a list of proposed changes would exist. It would be of assistance if a list of the proposed changes were appended to the list of recommendations made by the working party.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until the next day of meeting.

LOCAL GOVERNMENT (BOARD OF REVIEW) BILL

The Hon. W. A. LANDERYOU (Minister for Economic Development) —I move:

That this Bill be now read a second time.

It implements aspects of the report of the Board of Review into the Role, Structure and Administration of Local Government in Victoria, known as the Bains report, which accord with the Government's policies.

Late last sessional period the former Government introduced a Bill into Parliament to give effect to sections of that report. The Bill was held over to enable local government and other interested groups to comment.

The Government has reviewed the 1981 Bill in the light of its policies and has also had the benefit of the report of a working party which was set up to consider comments received. The Bill is the result of that review.

One of the most important matters dealt with in the Bill is the question of the structure of municipal government.

One frequently hears that there is a need to reform the structure of local government in Victoria. But what does "reform" mean?

If one were to take a survey one would probably obtain responses from across the spectrum—ranging from nothing is needed to suggestions for wholesale restructuring. Equally, a wide variety of views would be expressed on the criteria to be followed in any proposed reform.

On the one hand, economic efficiency and viability would be seen as important matters for consideration. On the other hand, accessibility and responsiveness would be put forward as a prime purpose of local government.

The Government believes that one cannot look at "reform" as if it were an abstract concept. Like local government itself, it is about people—where they live, their aspirations.

In considering any change to the municipal structure many factors must be taken into consideration. Efficiency and viability are not the only criteria that must be addressed. Equally, accessibility to a council is of little use if the municipality is so weak that it cannot provide the services its residents want.

Size cannot be the only criterion. The organization may be large and efficient but it may be too remote from those it serves. However, a municipal district can also be too small—relying heavily on the support of its neighbouring councils and central Government.

In the final analysis, changes to the municipal structure are only going to be successful if there is a broad measure of agreement. To assess the views on any proposed change it is necessary to develop a mechanism to measure them.

The Bill provides for the establishment of a Local Government Commission. The commission will replace the present Local Government Advisory Board.

Divisions of the commission will be appointed by the Minister to consider proposals to alter the municipal system. Each division will consist of three members and it will carry out investigations referred to it by the Minister.

The Government believes that the proceedings of each division should be public and the Bill provides that each

division, while undertaking an inquiry, will be required to hold at least one public meeting.

The Bill specifies a series of criteria to which each division is to have regard. They are not in the form of a blue-print, which will automatically apply to every situation, and indeed the matters to be considered may well vary considerably from inquiry to inquiry.

A division will not be precluded from taking into account additional matters considered relevant to a particular situation. A division is to report to the Minister and the report will be made public.

Before any proposal is implemented to change the external boundaries of a municipal district or to establish a new municipal district there is facility for the electors most affected to require the holding of a poll to measure the extent of public opposition to the proposal.

The Minister is to have regard to the result of the poll in forming an opinion on whether to make a recommendation to the Governor in Council. I believe that there is general agreement that some alterations to the municipal structure in Victoria are required and in instances, overdue, but there is no intention to proceed with a wholesale restructuring of municipal government.

The provisions in this Bill strike a balance and provide the mechanism for bringing about change if it is desired and is shown to be in the best interest of local government and the people it serves. There are also a number of other provisions in the Bill which I would like to mention.

Many councillors make considerable sacrifices in time and money to work in the interest of their communities. The Bill provides for the payment of out-of-pocket expenses of up to $1500 a year for each municipal councillor. The maximum figure is fixed by statute but it will be left to each council to decide whether it wishes to make the payment and the amount of the payments up to the statutory maximum. The amount of the payment will be uniform between the councillors.

The Bill will permit councils the option of entering into contract agreements for the appointment of officers and also enable councils to nominate or appoint Chief Executive Officers.

The Government appreciates that there is a growing tendency amongst councils to introduce corporate management structures and this will be facilitated by the provisions I have just mentioned. The Government will watch the operation of the provisions closely. It is concerned to ensure that the contract provisions are not used to bypass the important protective measures for certain senior officers contained in section 160 of the Local Government Act.

Some councils, of course, have already appointed Chief Administrators to coordinate the work of the councils and their staffs. The Bill recognizes this situation. Any Chief Executive Officer appointed is to have administrative charge of the municipality, and in appointing a person to this position the council is to have regard to the appointee having knowledge of and experience in local government methods. The Bill does not disturb the statutory duties of such officers as the Town Clerk and Municipal Engineer.

The Bill will empower councils to delegate certain of their functions and powers. This provision is in recognition of the increasing complexity of the role of local government. However, a council may not delegate matters such as the voting of money and the purchase and sale of land. The limitations on the extent of delegation together with the inclusion of controls over any matter delegated are designed, in the interests of the community, to leave the council with ultimate control.

The Bill also extends the powers of councils to provide housing. Their present powers are too limited and do not give councils sufficient scope for action in this important area.

One notable aspect of the previous legislation not continued in this Bill is the proposed introduction of adult franchise for municipal elections. The Government has a strong commitment to broadening the far too narrow local

government franchise at present in operation. However, the Government is anxious to see that the new franchise is introduced as smoothly as possible.

With this in mind a working group has been established to develop the procedures necessary for preparing the municipal electors' rolls. The group includes officers from the State and Commonwealth Governments and representatives from local government.

The procedures for developing the voters' rolls are long overdue for revision. Indications are that the introduction of adult franchise will lead to the voters' rolls being prepared on a co-operative basis between the Commonwealth and State Governments and local government, thereby making best use of available resources and avoiding unnecessary and wasteful duplication between Government agencies and local government.

Legislation to extend the franchise, and also dealing with a number of other aspects concerning the election of councils, is proposed for the next sitting of Parliament. The Government's announced policy to return an elected council to the City of Melbourne this year will have a bearing on this proposed legislation.

This Bill is an important measure, but is only the first step. The Government believes that many of the restraints that currently restrict the activities of municipal councils should be eased so that councils can more adequately meet the needs of and be accountable to, the communities they serve.

The Bill does not deal with all matters in the Bains report, which the Government accepts. Other legislation will follow. I commend the Bill to the House.

The Hon. A. J. HUNT (South Eastern Province)—I move:

That the debate be now adjourned.

I propose that the debate be adjourned for two weeks, and desire to give reasons. The Leader of the Government has twice today commended the practice of allowing local government Bills to lie on the Notice Paper so that councils can be forewarned of them and can make their comments. It is true that the predecessor of this Bill did precisely that and the comments of local government representatives were received and have been taken into account.

However, this Bill, compared with its predecessor, contains at least four major changes which have caught local government completely by surprise. They were certainly not known to many local councils before the Bill was introduced in another place.

Indeed, most councils received advice of those changes only last week from the Municipal Association of Victoria or from local members of Parliament at a stage when the Bill was being brought on for debate in another place, and honourable members on all sides of the House would undoubtedly have received telegrams complaining about one aspect or another of the changes on which they have had no opportunity of commenting.

The telegrams to date have come from council officers rather than councillors, and over the next fortnight many councils will be meeting, and it will be a matter of putting into effect the very principle that the honourable gentleman espoused—and I congratulate him on having done so—because it is a practice which has been adopted on both sides of the House that reasonable time should be allowed for discussion of such measures. That is the reason for seeking an adjournment of two weeks.

The Hon. W. R. BAXTER (North Eastern Province)—I support the Leader of the Opposition in seeking an adjournment of the debate for two weeks. It has been customary, as he noted, for local government Bills to be widely circulated. There are a couple of very significant changes in this proposal compared with the Bill circulated by the previous Government, and councils are only just becoming aware of them.

A classic example of this occurred at Government House on Thursday night when I was speaking with two senior councillors who are well connected with the Municipal Association of Victoria; they were unaware of one

of the major provisions of the Bill concerning the 5 per cent variation in the population of wards.

It would be unbecoming for Parliament to rush this proposed legislation through all former traditions. I urge the Leader of the House to accept the period of adjournment suggested by the Leader of the Opposition.

The Hon. W. A. LANDERYOU (Minister for Economic Development) —The Government accepts the proposal for the adjournment of the debate for a fortnight. I hope by that time that everybody will have had an opportunity of doing their homework, and I look forward to the discussion.

The Hon. A. J. HUNT (South Eastern Province) (*By leave*)—It is not a question of doing one's homework. I assure the honourable gentleman that I am ready to proceed at this moment. On the other hand, it would be quite unfair to local government, which at least deserves an opportunity of giving its comments on the changes made in the Bill.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Tuesday, June 29.

MOTOR CAR (BREATH ANALYSING INSTRUMENTS) BILL

The Hon. R. A. MACKENZIE (Minister of Forests)—I move:

That this Bill be now read a second time.

This Bill is designed to correct a problem in the drink-driving legislation brought to light by a recent decision of the Supreme Court. It will validate the use by police of some 50 breathalyzers which, because of a technical defect in the legislation, have been deemed by the court not to be approved breath analysing instruments for the purposes of the Motor Car Act. This decision has placed in jeopardy the successful prosecution of many motorists who have been charged with exceeding a blood alcohol level of ·05 per cent.

On 30 April this year, the Supreme Court dismissed an application for an order to review a decision of the magistrate at Prahran Court to dismiss a charge of driving over ·05 per cent. The court so decided on the basis that, because the breathalyzer used in the case was endorsed with an abbreviation of the word "patent", it was not a breath analysing instrument for the purposes of the Motor Car Act.

The Act provides that where the question as to the percentage of alcohol in the blood of any person at the time of an offence is relevant in court proceedings for certain offences, evidence may be given of the percentage of alcohol indicated to be present in the blood of that person by a breath analysing instrument. A breath analysing instrument is defined as apparatus of a type approved for the purpose of this provision by the Governor in Council by notice published in the *Government Gazette*.

The most recent approval of the Governor in Council was given in September 1973, and approved of two models of breathalyzers, both of which bore the same patent number but on which the expression preceding the number differed; one referred to "U.S. Patent", the other to "USA Patent No.". Both machines are identical save for the different methods of expressing the patent number.

However, at some time since 1973, new breathalyzers purchased by the police were endorsed with an expression preceding the patent number which contained an abbreviation of the word "patent". The breathalyzer that was used in the case to which I have referred bore this expression and the Supreme Court held that as this specific expression was not included in the Governor in Council's notice of approval, the reading obtained from the device was not prima facie evidence of the defendant's blood-alcohol content.

To correct this situation, the Governor in Council issued a new notice on 11 May which approved all breathalyzers which bore the patent number irrespective of how that number was expressed on the machine.

Although the Governor in Council's approval validates the use of all breathalyzers from that date, there are some 3000 to 4000 outstanding charges based on blood alcohol readings obtained from

the more recently acquired breathalyzers. The police have applied for or intend to apply for adjournments of all of these cases pending resolution of the problem. To this end an appeal against the decision of the Supreme Court has been made to the High Court.

Without knowing the outcome of this appeal, the Government is concerned that these motorists should escape a penalty on a "technicality" in the method of identifying a breathalyzer as a breath analyzing instrument. They have been charged with an offence which is known to be a major contributor to the road toll and, as such, they should not be excluded from the due process of the law. Failure to take action would result in numerous motorists continuing to drive who may otherwise suffer the mandatory cancellation of their drivers' licences.

The Government is determined to maintain the steady inroads into the road toll which have been achieved in Victoria over the past decade. A major contributor to that reduction has been the armoury of drink-driving legislation available to the police and no chinks in that armour must be allowed to go unrepaired.

This Bill will put the issue beyond doubt. It provides in the Act itself that a breath analysing instrument means a breathalyzer bearing the patent number however that number is expressed. Further, it deems this provision to have been in operation since 1 August 1971, the date on which the 0·05 provisions were included in the Motor Car Act. All outstanding charges will be dealt with on the basis of the law as amended and the technicality of the method of expressing the patent number on the machine will not be available as a defence.

At this stage, I foreshadow an amendment to the Bill in Committee. The amendment is necessary to avoid requiring breathalyzer operators to attend the court hearings of all outstanding charges to give evidence that the instrument they used at the time of a breath test bore the word "Breathalyzer" and the patent number. Certificates stating that the instrument used was of a type approved by the Governor in Council have been issued to all defendants and the amendment deems this statement to be a reference to a breathalyzer bearing that word and the patent number. I have arranged for copies of the amendment to be circulated to all honourable members.

Notwithstanding these retrospective amendments, the decision of the Supreme Court to which I have earlier referred will be saved by the Bill. That decision will be considered on appeal to the High Court on the basis of the legislation as it currently stands. I commend the Bill to the House.

On the motion of the Hon. N. B. REID (Bendigo Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, June 22.

STAMPS (MATRIMONIAL SETTLEMENTS) BILL

The debate (adjourned from June 8) on the motion of the Hon. D. R. White (Minister for Minerals and Energy) for the second reading of this Bill was resumed.

The Hon. N. B. REID (Bendigo Province)—The Opposition does not oppose this Bill which corrects a situation that existed last year and does not effect a major change to the law. The Bill corrects an anomaly which was brought about by a decision of the High Court and it restores the exemption so that transfers of land made pursuant to or for the purpose of an order of the Family Court or a maintenance agreement approved or registered under the Family Law Act in circumstances of matrimonial breakdown will not attract duty. The exemption will operate retrospectively from 1 January so that any person who has paid duty in these circumstances on or after that date will be able to obtain a refund.

As many honourable members are aware, matrimonial breakdown is distressing for the people involved at any time, and the Opposition does not wish to add to the upset by opposing the Bill. When the Minister introduced the measure the Minister said that the

exemption applied to all land transfers. Members of the Opposition believe the exemption does not go far enough. On many occasions the Government has said how efficiently it will operate the State, and this was spelt out again in the second-reading speech of the Minister when he said that the Government was committed to removing anomalies and inefficiencies from the States' revenue raising structures. I believe the Government should have looked at the total field of settlements between parties when a matrimonial breakdown occurs and a settlement takes place. The exemption should apply also to shares and other property such as cars where duty is payable, but this aspect has not been considered by the Government.

The Hon. B. P. Dunn—Did you take it into account?

The Hon. N. B. REID—The Government has had the opportunity of looking at the anomalies. In the second-reading speech of the Minister the honourable gentleman said that the Government would correct any anomalies or inefficiencies. That should have been done in this Bill. The Opposition does not oppose the measure.

The Hon. B. P. DUNN (North Western Province)—This Bill has been adequately explained by the Minister and by Mr Reid. The National Party certainly supports the measure because it deals with an anomaly. Land transfer between partners or persons involved in a matrimonial breakdown, which is prevalent today, should not be subject to duty. The simple effect of the Bill is to provide for that exemption. Mr Reid mentioned other anomalies which may well be an area that the Government should consider when it has sufficient time to do so.

The National Party supports the provisions contained in the Bill, which are made retrospective to 1 January. Normally the House is reluctant to accept retrospectivity, but in this case it would really be an injustice to the people who have already paid duty on land that has been transferred in those sorts of cases to meet that requirement, so they in fact will be able to obtain a refund once this measure is passed. It therefore has the support of the National Party.

The Hon. H. G. BAYLOR (Boronia Province)—I support the comments of the previous two speakers, Mr Reid and Mr Dunn, in their general support of the Bill. The opinion must be fairly unanimous that when people consider the trauma and heartbreak of the breakdown of a marriage and family any assistance that can be given to these people is to be welcomed. The Opposition supports the measure.

I am somewhat disappointed because the deficiencies in the Bill were brought to the attention of the Government in another place but it has not seen fit to amend the Bill before it reached this House. I refer to the matters referred to by Mr Reid, namely, the conveyancing of real property between partners.

The Hon. B. P. Dunn—You could move an amendment because you have the numbers.

The Hon. H. G. BAYLOR—In my view the exemption should have been extended. It would have been a simple process to extend the exemptions beyond real property to settlements between parties relating to chattels, particularly the important asset of the family motor car. In the breakdown of the marriage, the ownership of a motor car may be transferred from the husband to the wife or vice versa and that transfer attracts stamp duty. People will still be penalized in that regard.

It is unjust under the spirit of the measure to allow those anomalies to continue. Likewise, the transfer of parcels of shares could be part of a settlement when agreement is reached between the parties as to the division of the matrimonial property.

I draw attention to the shortcomings and deficiencies of the Bill. At the same time, I welcome the measure and do not oppose it.

The motion was agreed to.

The Bill was read a second time.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—By leave, I move:

That this Bill be now read a third time.

I thank Mr Reid, Mr Dunn and Mrs Baylor for their support of this measure. I note the comments made by Mr Reid and Mrs Baylor in respect of exempting stamp duty on shares and other chattels and indicate that the Government does not intend to proceed with that matter at this stage.

The motion was agreed to, and the Bill was read a third time.

STAMPS (FIRST PURCHASES OF LAND) BILL

The debate (adjourned from June 8) on the motion of the Hon. D. R. White (Minister for Minerals and Energy) for the second reading of this Bill was resumed.

The Hon. H. G. BAYLOR (Boronia Province)—The Opposition sought the adjournment of the debate on this Bill because the measure fell somewhat short of the promises made by the Government prior to the election. It fell short of what the general public of Victoria, particularly young couples contemplating buying their first home, had been led to believe.

I believe that was a gross deception as part of the Labor Party's campaign prior to the election. By moving that the debate be adjourned, the Opposition gave the Government a chance to put right what had already been pointed out with regard to the deceptive nature of the Labor Party campaign in making the promise to relieve first home buyers of stamp duty.

I have heard nothing to convince me that the Government should not have proceeded along the lines which it led people to believe it would follow, namely, to exempt people purchasing their first house up to a value of $50 000 from having to pay stamp duty. From reading debates that have taken place on this matter in another place, we learn there was some fine print which pointed out to people that that was not so. I point out to the Ministers and members of the Government that people cannot be expected to pick up the fine print, if indeed it exists, informing them of the qualifying clauses which now appear in this measure. It is grossly inept to believe that people would pick up this sort of minor matter concerning the promise. Generally, people believed, if the Labor Party won Government on 3 April, they would not have to pay stamp duty on the first home purchased.

I commend the Government for introducing the Bill as quickly as it has. Nonetheless, the qualifying clauses are so serious that they will inhibit more than 50 per cent of first home buyers in this State because they provide that the combined income of a two-income family shall not exceed $18 000. That is unrealistic. I would have thought the members of the Government, who have been very much *au fait* with wage rises in this State and who have been involved in fighting with the unions for substantial wage rises, would certainly be in a position to appreciate that for a husband and wife to be working together a combined income not exceeding $18 000 is somewhat unrealistic today.

If, for example, the husband earned $12 000 and the wife earned $10 000 they would be very minimum salaries on today's wage scale. I cannot think of many people who are working full time who would be on those very low wage levels. However, to take as an example, if the wife is earning $10 000 and the husband $12 000, that gives a total of $22 000, it would render them ineligible for the stamp duty benefits.

A very large section of the community is being discriminated against. It is another example of how the Government appears to be looking after some of the population but not all of the population. We find more and more when we examine proposed legislation which is coming through that the people who benefit from many of the promises that were made prior to 3 April are not going to be across the board, as people were led to believe, but just some of the people. Which people will it be? Will it be those people—less than 50 per cent I estimate—who are on a combined income or a single income of less than $18 000 a year? No mention was made of that prior to the election. There was no suggestion that it would

be tied in with Commonwealth grants and the measure appears to be extremely discriminatory when I consider the alternative proposed by the Liberal Party prior to the election.

The Hon. R. J. Eddy—Which proposal was that?

The Hon. H. G. BAYLOR—It was a much fairer proposal.

The Hon. W. A. Landeryou—Which proposal was that—Mr Fraser's, Mr Thompson's or Mr Kennett's?

The Hon. H. G. BAYLOR—I am referring to the combined housing policies which were proposed by the Liberal Party and which were linked with the Commonwealth proposals. It was proposed that the people who did not benefit from the Commonwealth policies were to be assisted by a Liberal Government with a subsidy of 1 per cent on their interest rates. I might add that the Government, within one month of taking office, allowed interest rates to rise in Victoria by more than 1 per cent.

With many fine words the Labor Party indicated how it would help the first home buyers, that it was going to provide an exemption from stamp duty and hold interest rates and so on. What has happened? Interest rates have risen within one month, with very little said about it, and this Bill has been introduced which will discriminate between people to the extent that only a small proportion of first home buyers will be able to benefit. It is for that reason that I am most critical of the Bill and I am sorry that the Government has shown an insensitivity and a total lack of concern for those people who may be in difficult circumstances in attempting to buy their first home.

I do not in any way criticize the price limit at $50 000. That is fair but to couple that qualification with income qualifications is most discriminatory and I condemn the Government for having been so divisive and discriminatory. This tendency is discovered in so many measures and actions which the Government has already implemented. Although the Liberal Party will not impede the progress of the Bill, I register my protest strongly against the discriminatory nature of the qualifications on people who are purchasing a home and who will receive exemptions under the Bill.

The Hon. GLYN JENKINS (Geelong Province)—I support the comments made by Mr Reid and Mrs Baylor. The Opposition has indicated that it is not opposing the measure on the basis that half a loaf is better than none. This is another example of the Cain "Honest to Goodness" Labor Government reneging on a promise. In speeches and comments made in another place it has been said that the definition of a first home buyer was contained in another document, but the Australian Labor Party, to its credit, produced a 49-page document on what it would do in the housing area.

One would have thought that one of the key elements of the policy was spelt out in the 49-page document which would have put forward the exact details of the proposal. The Government is sheltering behind a definition in another document. There is no question that the Australian Labor Party's objective on housing and helping first home buyers to purchase their home should have been spelt out clearly and unequivocably in the 49-page document. What was the value of that document? The Opposition is told to go off and read another comment in an economic document—and to try to find out what it really means, or what is in the mind of the Minister.

The Minister for Minerals and Energy would be aware of another situation in regard to assistance given to people under section 120A of the Sewerage Districts Act. This policy was carefully spelt out in a two and a half page document and the people are now not getting what was promised. Everyone believed that the moneys involved would be repaid in full by a Cain Labor Government over the next 10 years. This will not happen. Other programmes have been put forward but they also have not been spelt out. No one has any idea what is in the mind of the Minister—perhaps he does not even know himself!

The Cain Government will fall if it continues to dishonour the promises it made to the people of Victoria. It won the election by proposing what it believed to be sound economic management and a series of progressive programmes for the people. It won the election convincingly and it is, therefore, entitled to put forward those programmes and implement them in legislation. It was not elected to back off on any promises it gave, and when the Opposition challenged the Government during the election campaign on the cost of these programmes, it said, "Little Rob Jolly will find the money all right. We will have the Victorian Development Fund to fund all these promises." On my estimate, this programme will cost $7·2 million.

The "Jolly Bank" went to the wall and the Government now has to find the funds to implement these programmes. It even put off the establishment of the Victorian Development Fund for the next eighteen months to two years, and the proposed fund was the key element in Labor's piecemeal programme. The fact is that the Government has already found out—under Dr Peter Sheehan who is on $50 000–$60 000 a year—that all the programmes that were promised and the economic theories that it named to fund its promises were not going to work.

Prior to the election, the Liberal Party said the Labor Party, if elected, would be unable to find the money for these programmes, but it was rubbished. If one tackled the Minister for Minerals and Energy during the election campaign on how the policies would be implemented, the honourable gentleman said, "Mr Jolly has assured us that we can find the money". Well the facts are that the Treasurer cannot find the money.

Although I will not be a member of the Legislative Council, I predict here and now that the Cain Government will not find the money. I will be reading *Hansard* with great interest over the next two and a half years to find out: Firstly, how many promises the Government has dishonoured; and, secondly, how it failed to raise the $675 million for the Victorian Development Fund but miraculously, at the same time, not to have raised significantly any rates, taxes or charges in Victoria. It was the greatest confidence trick and there were literally thousands of young couples who believed they would gain some benefit from this measure. They believed that if they were buying their first home they would save $1000 in stamp duty. However, they did not go on and read the fine print in another document—I forget which one it was, whether the Frank Wilkes document or the John Cain document—because the cover was changed last year.

The fact is that the Government has not implemented its policy or the promises set out in the 49-page document on housing. If a young couple both work and the man earns more than $346 a week, they are not eligible to receive full benefits. If between the two of them they earn $417 a week, they miss out completely.

The Minister for Economic Development would have to admit that he would be failing in his duty as former President of the Storemen and Packers Union if he could not do better than that for his workers. I am not speaking about professional workers but the ordinary workers who are carrying out their duties as members of the Storemen and Packers Union. If that member could not earn $346 a week for his wife and young family then there is something wrong, and the Minister for Economic Development and his cohorts have failed in their objective of obtaining proper wage justice for their members. What the Government has done is to disenfranchise or disallow thousands of young couples in Victoria who had thought that they would be given assistance after reading the "shiny, white clean" Cain Labor Government document. They believed the Cain Labor Government would help everyone and act absolutely honestly in everything it did but they will find that when this measure finally emerges from Parliament that that is not what will really happen at all.

The Hon. D. R. White—You are going back into the jungle with all your other feral cats.

The Hon. GLYN JENKINS—On the question of feral cats, I did not survive. Generally speaking they do, but there always has to be an exception. I have no hard feelings about losing. I will go on working, and I might be back to haunt the Labor Party yet. If the Labor Party Government goes on breaking promises as it has already done, I might be back quicker than it thinks.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Exemptions and rebates on purchase of first dwelling)

The Hon. N. B. REID (Bendigo Province)—I am disappointed with the Government's decision on this Bill. The debate was adjourned for seven days so that the Government could consider an amendment to clause 3 relating to the exemptions and rebates on purchase of a first dwelling. For a long period the Government built up the expectations of people who wished to purchase a first home. The Government had an opportunity of re-examining the Bill during the past week, but it is regretted that the Government has acted as it has done in this Bill.

It is worthy of note that the undertaking on this matter by the Government goes back as far as 23 September 1981 when the Leader of the Australian Labor Party said that, if elected, his Government would abolish stamp duty on first home purchases up to $50 000. That was said in a debate in another place during September 1981. The word "abolish" was used.

On 11 February 1982, the State Parliamentary Labor Party issued a news release which stated:

> The ALP will help first home-buyers by providing a 100 per cent exemption on stamp duty payment for homes costing less than $50 000. This will mean a saving of $1000 on an average home purchase.

This expectation of a saving of $1000 on an average home purchase was built up in the community by the Labor Party saying that sort of thing to young home buyers. This is just another example of Labor Party promises which the Government is reneging on.

In March 1982 Mr Cain said:

> We will be able to ease the strain of buying a house by doing such things as abolishing stamp duty on first homes up to $50 000.

The document containing that announcement was widely circulated and it had the headline:

> How can any Government afford so many mistakes?

Obviously Mr Cain was talking about what his Government is doing now. It is all in these documents for Mr Landeryou to see. There is the headline:

> First homes $1000 less . . . This means $1000 you don't have to find.

The Labor Party made that promise and it is now reneging on it.

On April 5 1982 the Cain Government, in a headline in the *Age*, said:

> The promises Labor will have to keep.

I think the Labor Party intended it as a joke, because it has reneged already on this particular promise. Amongst its promises was a total exemption for stamp duty on first homes costing up to $50 000.

On 31 May 1982, Dr Coghill, the Secretary of the Cabinet, issued his first publication in this Parliament:

> Victorian Government Legislation No. 1—Complete exemption from stamp duty on first homes.

Again this promise was reinforced.

On 10 June 1982, following the decision by the Opposition to adjourn the debate on this Bill, the Premier, Mr Cain, slammed the Opposition, saying that the Opposition was "bloody minded". I quote from the *Sun* of 10 June 1982:

> The "Bloody minded" attitude of the Opposition meant that up to 17 000 young new home buyers were being denied aid, the Premier, Mr Cain, said yesterday.

The Premier again took the opportunity of trying to deceive first home buyers of Victoria because, on the front page of this Bill, it states:

> This Act shall be deemed to have come into operation on 3 April 1982.

Mr Cain's claim is so much nonsense. The adjournment of the debate gave the Government an opportunity to reconsider this date, and to take appropriate action to meet the expectation built up

in young home buyers of complete exemption of stamp duty. The Government, prior to the election, said that there would be a complete exemption of stamp duty on first homes for everyone—without income qualification.

This view was reinforced in a document entitled:

> Housing.
> What the ALP will do.

On page 11 of that document it states:

> Stamp Duty: We will help first home-buyers by providing 100 per cent exemption on stamp duty payments for homes below $50 000. This means a saving of $1000 on an average home purchase.

The expectation was built up again in the community by this announcement, and I am sure that many young first home buyers are extremely disappointed at the Government's decision in this matter. There are a large number, at least 25 000, of first home buyers in the State. More than half of them will miss out on this exemption because of the Government's action in this matter.

The Hon. K. I. M. WRIGHT (North Western Province)—I support the remarks of the Honourable Bruce Reid. The Committee will recall that I spoke at some length on this subject during the second-reading stage, so I do not propose to repeat myself except to say that the majority of my constituents, who are first home buyers, would have considered themselves eligible for this exemption of stamp duty on reading the election material put out by the Labor Party. They were disappointed and astonished when they discovered that only half of them would qualify because of the $50 000 value on the house purchase, phasing out at $60 000, and also the fact that there is an income qualification of between $19 000 and $23 000. As I pointed out last week, most of the first home buyers would be young couples earning in excess of that amount. They are bitterly disappointed at this measure.

I shall let those comments suffice to express the keen disappointment of members of the National Party, who realize that to take this matter to a vote, in which the Government would certainly be defeated, would not be in the best interests of those young couples who do qualify.

The clause was agreed to.

The Bill was reported to the House without amendment, and the report was adopted.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I move:

> That this Bill be now read a third time.

In moving that motion, I wish to say on behalf of the Government that we have noted the comments of honourable members over the past three weeks. Mr Lawson is opposed to the Government implementing its policy on the Queen Victoria Medical Centre. Mrs Baylor wanted to criticize the Government for not acting on a matter that had already been attended to—stage 5 of the scheme under section 120A at Lilydale—in six weeks, not three years.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! If the Minister wishes to make a Ministerial statement on these matters he may do so at the appropriate time. At present he has moved that this Bill be now read a third time. The motion is specific and does not cover other matters.

The Hon. D. R. WHITE—I have also noted within the first three weeks of this House sitting, that Mr Reid is now indicating——

The PRESIDENT—Order! If the Minister wishes to disregard my instructions, I shall have to take the appropriate action.

The motion was agreed to, and the Bill was read a third time.

METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL

The debate (adjourned from June 8) on the motion of the Hon. R. A. Mackenzie (Minister of Forests) for the second reading of this Bill was resumed.

The Hon. N. B. REID (Bendigo Province)—The Opposition does not oppose the measure. It was introduced by the Government to provide additional bank overdraft facilities to the Metropolitan Fire Brigades Board to allow

it to meet its budget requirements. At present, the overdraft limit for the board is $300 000 and it needs an extension of that facility to accommodate pay increases that were granted to firemen during the 1981–82 financial year.

Those pay increases fall into three areas: In July 1981, following an industrial dispute an increase costing the board approximately $2 million was awarded; in November 1981, under the State Incremental Payments Scheme, an increase costing $1·8 million was awarded; and in the period February–June 1982, there was a flow-on from the metal industries award, costing $1·4 million. The total cost is $5·2 million. The average increase received during that period is approximately 27 per cent, or $100 a fireman a week.

The board was able to absorb approximately 60 per cent of the increases through financial management techniques, for which it is to be commended. It was able to do this by transferring funds and curtailing all development programmes. Nonetheless, it needs an extension of its overdraft facilities to enable it to meet the remaining $1·8 million involved in those salary increases.

I offer a word of warning to the Government, because the burden of repaying that overdraft will go way past 30 June and will extend into the next financial year. It would be difficult to try to alter insurance premiums at this time, because the annual budgeting process of the board includes assessing insurance premiums and payments by the insurance companies, metropolitan municipalities and the Government. The board's budget for the year is decided on the known facts. It is difficult to estimate what future salary increases will be and, in view of the 27 per cent increase over that period, one can understand how difficult it would be for the board to have to absorb all salary increases. As a result of the increases. it appears that insurance premiums will have to be considered during the next financial year and adjustments will have to be made. Otherwise, the Government will have to pick up the additional burden.

The Government's line on this Bill is strange, in view of its past performance. The Government says it is correct for the board to receive an additional overdraft facility but, when in Opposition, it was extremely critical of the former Minister of Transport when he wanted to do something similar to allow the Transport Regulation Board to meet salary increases. It was also extremely critical of the former Minister of Health when he provided increased overdraft facilities to hospitals to enable them to meet salary rises. I do not see any difference between those situations and the present situation faced by the Metropolitan Fire Brigades Board. I do not understand the logic in the Government's approach to the three matters, and I shall be interested to hear the Minister's response to those remarks.

The Opposition does not oppose the Bill. It is necessary for the Metropolitan Fire Brigades Board to receive that additional overdraft facility. The board is an efficient organization that has provided protection to metropolitan Melbourne with its fire-fighting services and has operated at a high level of efficiency for many years. I compliment the board on the fine work its officers have provided to the community.

The Hon. K. I. M. WRIGHT (North Western Province)—The Bill increases the bank overdraft limit of the Metropolitan Fire Brigades Board and the National Party has no argument with that proposition. I point out, as Mr Reid has done, that when the Government was in Opposition, it was highly critical of some of the overdraft limit increases that were granted by the former Government, particularly to public hospitals.

The firemen of the Metropolitan Fire Brigades Board received a salary increase approaching $14 a week which was an unexpected additional cost to the board of $1·8 million and, as a consequence, the Government has increased the overdraft limit from $300 000 to $2 million.

While discussing the increase in the overdraft limit for the board, I take the opportunity of mentioning certain

recommendations concerning fire brigade funding which, if implemented, would mean there would be no need for the House to go through these processes from time to time. Members of the National Party and I have long been concerned at the unfairness in fire brigade funding. In March 1980 I moved:

That this House urges the Minister for Police and Emergency Services to devise a scheme as a matter of extreme urgency to alter the method of funding fire services so that cost is shared more equitably throughout the community.

The greater proportion of the cost of establishing and maintaining fire brigade services in this State is borne by insurance policy owners and it is a surprising fact that 40 per cent of property owners either have no insurance or have negligible insurance. Those who do not insure contribute very little but in the case of a fire to their property receive quite a bit.

At present, the Metropolitan Fire Brigades Board is funded 75 per cent by insurance policy holders, 12·5 per cent by municipal councils and 12·5 per cent by the State Government. The Country Fire Authority is funded differently, sixty-six and two-thirds per cent by insurance policy holders and thirty-three and one-third per cent by the State Government. In 1980–81, the total cost of these services was $70 million, of which insurance policy holders contributed $50 million, municipalities $5 million and the State Government $14 million.

A similar situation exists in other States with the exception of Tasmania which, following an inquiry has an arrangement for contribution by the State Government of 40 per cent, a property levy of 60 per cent and a 10 per cent levy on policy holders.

As a result of representations and the motion I moved in this House, the then Minister, the Honourable Haddon Storey, agreed to set up a working party of thirteen members to investigate fire brigade funding. Representatives included members of Government departments, the Victorian Farmers and Graziers Association, the Country Fire Authority, the Municipal Association of Victoria and employer and insurance organizations. The working party met on a number of occasions and at one stage was hopelessly divided on which recommendation would be made. Eventually, the majority of the working party recommended that fire brigade funding should be borne by the community, a recommendation supported by members of the National Party and members of the community. A minority report was signed by four members of the working party and recommended that fire brigade funding should remain as it was.

I can hardly castigate the present Government for lack of action on this subject as it has been in office only from 3 April. However, I point out to the Government and to the Minister that, as a matter of urgency, some different approach should be made on this important subject.

I commend the Metropolitan Fire Brigades Board for the excellent service it gives, which is similar to the service given by the Country Fire Authority, which has an excellent voluntary service backed up by highly-trained and efficient officers.

The Hon. F. J. GRANTER (Central Highlands Province)—I support the Bill. I realize the need for its provisions because the situation was placed before me when I was Minister and before the Liberal Party Government went out of office. I know the needs that led to the chairman requesting an increase in the overdraft limit. The overdraft limit will be increased from $300 000 to $2 million and I hope that amount will get the board through its critical time. No doubt, the Treasurer and the Government have gone into the details of the increase and decided that this is the amount that is necessary.

The opportunity has been taken to include in the Bill tidying up provisions that are also necessary. Primarily, the Bill is concerned with the increase in the overdraft limit. When the board submitted its demands to the Government early in the financial year, it was thought that the board's estimates and the amounts applied for would be sufficient for the financial year. Subsequently, that was not the case. As Mr

Wright said, the funding for the board is 75 per cent from insurance companies, one-eighth from municipal councils and one-eighth from the Government through the Consolidated Fund.

The increase in the overdraft limit will mean an increase in insurance premiums. I know it is unfair to ask the Minister what will be the Government's attitude, and I do not do so, but the Minister for Police and Emergency Services has to determine whether insurance premiums will rise, whether municipal councils will increase their contributions or whether the Government will make a greater contribution. No doubt the increases will fall on insurance policy holders, homeowners, small businesses, factory operators, and so on. I hope the increases do not fall heavily on small businesses and farmers who have difficulties enough in financing their businesses today.

I pay tribute to the officers of the Metropolitan Fire Brigades Board and especially to the fire fighters. By world standards the board runs a very efficient organization. Its equipment today is excellent. The board is led by Mr Ern Johnson, the President, and is well served by the Chief Fire Officer, Mr Laurie Lavelle, whom I believe is the best chief fire officer in Australia. Victoria, particularly metropolitan Melbourne, is lucky to have him serve in this capacity. Mr Lavelle also makes a large contribution towards conferences when visiting other States. Recently I heard him address at Fiskville near Ballan a conference of fire fighters from all over Australia. I can assure honourable members that his contribution to the discussions was a real asset for fire fighters as well as for the State of Victoria. I support the Bill and the remarks made by my colleague, Mr Reid, as well as those made by Mr Wright. I wish the Metropolitan Fire Brigades Board well.

The motion was agreed to.

The Bill was read a second time.

The Hon. R. A. MACKENZIE (Minister of Forests)—By leave, I move:

That this Bill be now read a third time.

I shall make passing reference to comments made by honourable members, whom I thank for their contributions and support. The Bill represents an emergency piece of legislation which is required from time to time. Mr Reid was critical because he considered the Government's policy towards overdraft funding differed in this instance from its overdraft funding policy for hospitals and the Transport Regulation Board. The difference is that many hospitals made little attempt to escape from their difficulties. Some hospitals went to extreme lengths to avoid the overdraft situation but many sat back and virtually expected the Government to bail them out.

The Geelong Hospital implemented a few measures—for example, staff cutback and other administrative changes —in an endeavour to reduce the overdraft. The Metropolitan Fire Brigades Board acted likewise and the Government recognized this. Mr Reid pointed out that the board managed to fund 60 per cent of its debt. Mr Wright mentioned the general funding of fire brigades and I support his comments and agree that inequality does exist in the way in which fire brigades are funded. Many people receive protection for their property without paying any premium at all. The Government's intention is to examine the whole aspect of funding fire brigades, both the Country Fire Authority and the Metropolitan fire brigade.

I thank Mr Granter for his comments and his tribute to members of the Metropolitan Fire Brigades Board. I note his comments about the action the Government will have to take to find the necessary funds to service the overdraft. I thank all honourable members for their contributions.

The motion was agreed to, and the Bill was read a third time.

ENVIRONMENT PROTECTION (PENALTIES) BILL

The debate (adjourned from June 8) on the motion of the Hon. E. H. Walker (Minister for Conservation) for the second reading of this Bill was resumed.

The Hon. B. A. CHAMBERLAIN (Western Province)—The aim of the Bill is to increase the penalties provided under the Environment Protection Act and to convert those penalties into the penalty unit system. Generally these changes are in line with policies that the Minister has enunciated in this House over a period of time. I can recall that in the debate on the Mentone factories the honourable gentleman spelt out the need to substantially increase the penalties.

The concept of penalty units was introduced by the Penalties and Sentences Act 1981. In retrospect that will be recognized as one of the most innovative and time-saving moves that has been made in this Parliament for many years. I compliment the former Attorney-General, Mr Haddon Storey, on that measure. As honourable members will know, that Act provides for a system of penalty units and, when it was introduced, the Bill contained a schedule of a large number of Acts which were to be affected at that time.

Gradually a move has been made towards transferring penalties under various Acts to the penalty unit system. Consequently when the Government of the day desires to increase penalties it will need only to increase the value of the penalty unit. Currently this is $100. If it is considered that this should rise by 10 per cent it will be a matter of increasing the value of the penalty unit by that amount and that will automatically increase the penalties in all the Acts of Parliament concerned.

One can examine a number of Acts of Parliament which have penalties by the score, for example, the Local Government Act. Any Government has difficulty in making sure that such penalties keep in step with inflation. The procedure last year—and I think in the one amending Act to the Penalties and Sentences Act—was to bring penalties up to date in monetary terms and to convert that penalty into penalty units. Future increases will be automatic in accordance with provisions of the Penalties and Sentences Act. The Minister has made a good move by taking the opportunity of incorporating the provisions of the Penalties and Sentences Act.

The Opposition does not oppose the general thrust of the Bill. I thought during my initial careful reading of the Bill and the amendments to the principal Act that there were a number of omissions. However, I find that the omissions were from my list of amending Acts. I discovered that this particular Act, which was reprinted on 20 July 1978—four years ago—is subject to amendments under six different Acts of Parliament, namely, numbers 9207, 9571, 9623, 9512, 9425 and 9427.

For honourable members who are given the task of examining these matters—this applies to honourable members on both sides of the House and is not a new criticism—those amending Acts highlight the need for a regular reprint of legislation. What happens is that when honourable members approach the Papers Room to obtain an Act and amendment, these documents are requested from the Government Printer. However, the Planning Appeals Board Act, No. 1952, which was passed in 1980, has a substantial schedule containing substantial amendments to a number of Acts. It is not unusual that in providing these amendments to the Papers Room, the Government Printer does not take up all the relevant Acts.

I realize that the Papers Room itself has a noting service but one has difficulty in trying to read an Act in its amended form and, as can be ascertained from the Acts in the centre of of the table in the Chamber, some amendments are made in red, blue, green and black ink. I am not sure whether this is a special colour coding or it is merely the colour of the pen which is first picked up. I urge the Minister to examine this matter in relation to all legislation.

For instance, the only up-to-date service provided for an updated Act by a complex piece of legislation such as the Local Government Act is by a private printer. One must go to a private printing company to be able to

read an amended Local Government Act. That defect also applies in the Federal sphere. The Australian Taxation Office uses loose-leaf copies of the Taxation Act that are produced by CCH Publishers. The problem is not unique to Victoria.

I am not sure what is the generating factor for reprinting of legislation, but I urge the Minister to arrange for a reprint of the Act on the passage of this Bill at an early date for the use of himself and other people. I am sure it will make our collective tasks much easier. As I said, the Opposition does not oppose the measure.

On the issue of fees as opposed to penalties, I point out that last year Parliament passed the Environment Protection (Licence Fees) Bill which provided for licence fees to be increased from $5000 to $16 000 in section 24 of the Act. I suggest that the Minister directs his attention to section 71 (1) (*a*) which deals with the making of regulations. It provides that regulations may be made which provide for fees not exceeding $5000 for the examination of plans and specifications. That figure may be out of date, as was the figure last year that was increased to $25 000 for the actual application. One can imagine the situation that would apply with a complex industrial process that is more complex than the one that has occupied the Minister's attention at Murrumbeena in which considerable work is required by his department. The provision for an increased fee may require the Minister's attention.

Generally, the Opposition does not note any difficulties with the proposals in the Bill. It increases the penalties to what one would expect today and obviates the need to increase the penalties by hooking them into the penalty unit system that was set up in the 1981 amending Bill.

The Hon. D. M. EVANS (North Eastern Province)—When I first read the second-reading notes to the Bill I considered that it was a simple measure that the National Party could easily allow to pass, regarding it as a prerogative of the Government, provided that the Government was reasonable in setting the penalties at an appropriate level to the community at the time. I continue to hold that view, but on perusing the Bill I recognize that the Government has decided at an early stage in the course of its Ministry to set differing penalties from those that are currently provided in the Act.

I wonder about the way in which the penalties are set. For example, I notice that some of the penalties set under the legislation that the Bill amends are optional up to the maximums. Other penalties are set for persons who may have transgressed against the provisions of the Act and must pay a particular penalty with no options. For example, under section 27 a person who operates with no licence or who discharges wastes after a licence has been suspended, will be charged penalties that are increased from $2000 to $4000 with a substantial penalty imposed for each day that the offence continues to be committed after it is detected. That penalty has an optional maximum. In other words, the penalty that can be set for that offence is at a somewhat lower figure.

The offence under section 56 (2) of not giving one's name to a relevant authority if one is caught in transgression of the Act is raised from the current penalty of $500 to $1000, with no option. Under section 31 a person who has a licence to discharge wastes to the atmosphere may continue to use that licence, but should other generators in a similar area begin to discharge a similar waste which in aggregate exceeds the maximum desirable level and the licencee is notified to discontinue doing so and to take action to reduce the polluting content of discharge to the atmosphere but does not comply with that instruction, the penalty is increased from $2000 to $4000 with no option.

I raise that matter because I understand that in those circumstances the Environment Protection Authority, with its current state of technology and the knowledge available to it, cannot necessarily tell the discharger what he must

do to comply with the Environment Protection Authority requirements. The Environment Protection Authority is more likely to tell the discharger to take measures to reduce the pollution that is being emitted and, when he has done so, the Environment Protection Authority will tell the discharger whether the measures were adequate. Therefore, the person runs the risk of attempting in good faith to take action to reduce the nuisance for which he or she has been given notice and transgressing, perhaps inadvertently, the terms of the Act and becomes liable to pay a fine of $4000.

I make this point because I wonder why the Government did not examine the appropriateness of the penalties and the way in which they were set when it decided to vary the penalties.

The Government seems to have been somewhat hasty with the proposed legislation. I trust that the Minister will give me some explanation on the matter. Having discussed it and examined the Bill I am tempted to suggest that the Government should put aside the Bill for a while and examine the appropriateness of the penalties as they are set in the current Act and introduce a new Bill that is more appropriate to current times. I look forward to the Minister's comments. It may even be necessary to proceed to the Committee stage of the Bill to discuss these matters. No doubt the House will make a judgment on the matter at a later stage. I recognize that the Government is a new Government with a new Minister and it may be that he can answer all the points I have raised. However, the points may not have been considered. Thev are relevant to this debate and need to be explained to the House today.

The motion was agreed to.

The Bill was read a second time.

The Hon. E. H. WALKER (Minister for Conservation)—By leave, I move:

That this Bill be now read a third time.

In response to Mr Chamberlain's comments, I indicate that I appreciate he has done his homework thoroughly. He reminded me that the Bill needs reprinting. I will put in train the reprinting of the Bill because it has been amended sufficiently to require reprinting in order for it to be understood. The process is not difficult.

Mr Evans raised a matter concerning the optional maximum of penalties. I am not in a position to answer his queries in detail. If he so desires, I am happy to have the matter held over for information to be obtained or, if it suits him, I am willing to provide him with answers after the Bill has been passed. I am not sure how seriously he takes this matter. If he considers that it is serious enough not to proceed with the Bill, I am willing to have information provided to him. However, I do not feel competent to answer the queries raised. If he will take my word for it that reasonable answers can be given, I am happy to allow the matter to pass the third-reading stage.

It is also true that the Bill has been introduced in this House to expedite its passage. I think Mr Evans would agree that it is necessary to get the Bill enacted. I should be happy for his counterpart in another place to be given answers when the Bill is dealt with there. If that is acceptable to the honourable member I will have available at that time the answers he wants.

The Hon. D. M. EVANS (North Eastern Province)—Mr Deputy President, have I the right to speak on this matter?

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—The honourable member has the right to speak on the motion for the third reading of the Bill.

The Hon. D. M. EVANS—I appreciate the comments made by the Minister and I am serious in the remarks I have made. I believe the matters I raised are relevant. I recognize the force of the Minister's argument that it is necessary to deal with the legislation and that the penalties may need to be increased.

I should like to consider the Minister's suggestions. Perhaps it could be left until after dinner tonight.

The DEPUTY PRESIDENT—If the honourable member wishes that procedure to be used in place of that suggested by the Minister, perhaps he could move that the further consideration of the third reading be adjourned until later this day.

On the motion of the Hon. D. M. EVANS (North Eastern Province), the debate was adjourned.

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

HOWARD FLOREY INSTITUTE OF EXPERIMENTAL PHYSIOLOGY AND MEDICINE BILL

The debate (adjourned from June 9) on the motion of the Hon. R. A. Mackenzie (Minister of Forests) for the second reading of this Bill was resumed.

The Hon. B. P. DUNN (North Western Province)—The Bill is important to the Howard Florey Institute because it ensures that the institute will be able to patent the results of its research and therefore to gain, not only recognition, but also any financial rewards that flow from it, and that will further assist the institute to carry out its important work.

The institute provides an important service to Victoria. This State fails to give the attention that it should give to research in a whole range of fields. I know that many Victorians in the medical research field move overseas or to other States to carry out their research work. Victoria has some excellent researchers in the medical and other fields and it is important that the Government should ensure that they stay here, and I have raised that matter with the Minister of Health. Recently I had occasion to take to the Minister the need to assist Dr Struan Sutherland who has done a considerable amount of research work in the development of an antivenene for spider bite. Dr Sutherland is a Victorian who should be supported and encouraged.

The Howard Florey Institute is part of important research work and also deserves support. If it develops, through its own work and its own research, a treatment that has a wider application, it should gain from that work. The National Party supports the Bill and commends the institute on its important contribution.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—I have examined this Bill, and am of the opinion that it is a private Bill.

The Hon. R. A. MACKENZIE (Minister of Forests)—I move:

That this Bill be dealt with as a public Bill.

The motion was agreed to.

The motion for the second reading of the Bill was agreed to.

The Hon. R. A. MACKENZIE (Minister of Forests)—Before moving the motion for the third reading of the Bill, I thank honourable members for their comments. As Mr Dunn has pointed out, it is important that Australian researchers be given as much encouragement as possible and that their research be given due recognition in terms of both awards and financial reward so that money can be ploughed back into research generally. By leave, I move:

That this Bill be now read a third time.

The motion was agreed to, and the Bill was read a third time.

COUNCIL OF LAW REPORTING IN VICTORIA BILL

The debate (adjourned from June 9) on the motion of the Hon. W. A. Landeryou (Minister for Economic Development) for the second reading of this Bill was resumed.

The Hon. HADDON STOREY (East Yarra Province)—This small Bill does two things. Firstly, it provides for the position of Chairman of the Council of Law Reporting so that the Chief Justice, who normally acts as chairman, has power to appoint a deputy to act in his place if he is not available on some occasions. The Opposition supports that amendment.

Secondly, the Bill provides within the principal Act a new sub-section 6 (3) which defines the words "publish" and the "publication" to include "include in

a computerized data bank" and "inclusion in a computerized bank", respectively. The amendment is simple and straightforward and the Opposition supports it. It makes sense and it is heartening that the amendment is necessary. The Council of Law Reporting has, in the past, been responsible for ensuring the publication of the authorized law reports.

The law reports are important depositories of the decisions of the courts. With modern technology it is now possible to place the contents of law reports within a computerized information retrieval system so that persons who have access to a computer terminal can obtain the reports on either a visual display unit or receive a print out of the relevant pages. That computer system has the advantage of using the retrieval system made available through modern technology to discover relevant legal cases; relevant parts of legal cases and the subject-matters that have been discussed in the law reports.

The system will require the legal fraternity and other persons who use law reports to learn a new system for retrieval of the information contained in the law reports. At present one uses indices that are published according to the normal principles that give effect to the ways in which lawyers tend to think of legal problems. That is a completely different technique that is readily understandable and can easily be achieved by persons who wish to have access to the law reports.

The establishment of a computerized legal information retrieval system will make possible the creation of a data bank covering not only law reforms but also statutes and, in time, regulations. One data base will be of immense assistance to honourable members, to Parliamentary officers, lawyers and other persons in the community who need to have access to the law.

The former Government called for proposals on the establishment of computerized legal information retrieval data systems some time before Christmas last year, and a number of proposals were received. I established a committee with representatives of the legal profession and the Government.

The Hon J. V. C. Guest—Mr Deputy President, I draw your attention to the state of the House.

A quorum was formed.

The Hon. HADDON STOREY—I was pointing out that I established a committee last year, which had representatives from various bodies, including the Council of Law Reporting. The intention was that private entrepreneurs, subject to the scrutiny of the committee, should make proposals for the introduction of a computerized legal information retrieval system that would be of benefit not only to legal practitioners but also to the Government and honourable members.

One of the members of that committee was a representative of the Ministry for Economic Development, because it was thought the establishment of the system would provide a useful, perhaps even an important, industry in Victoria. Victoria is not the only State that has sought proposals on the matter. The New South Wales Government has also sought proposals for the establishment of a similar system. Through the Standing Committee of Attorneys-General there is agreement that the States should work together so that, if a system is established in New South Wales and one is established in Victoria, they would be complementary and it would be possible for a person to obtain access to the data information for each State through the one computer terminal.

Even though it is possible to have complementary computer systems, it is important that Victoria maintain the lead in this field. I have urged the Minister for Economic Development to take a keen interest in the project and to ensure that Victoria does have the benefit of this system and that Victorian industry has the benefit of providing and running the system. If the Minister does take a keen interest, the legal profession and the community generally will thank him for doing so.

Therefore, I welcome the amendment to the Act because it is a necessary step to enable persons who will use the proposed system to obtain not only the Acts and the regulations but also the law reports. The Opposition supports the Bill.

The Hon. W. R. BAXTER (North Eastern Province)—It might be said that the Bill, when passed, will bring the Council of Law Reporting into the twentieth century because it will provide for the use of computers and data banks. The Bill is to be applauded.

There can be no doubt that modern technology can facilitate the dissemination and the retrieval of information without expensive and time consuming man-hours being lost to retrieve important documentation manually. One should contemplate the tremendous advances that have been made in technology over the past ten years. I was interested to read the annual report of the Australian Mutual Provident Society by Sir Vincent Fairfax, the retiring chairman, when he noted the progress that that organization had made since he joined the board of directors in 1956.

In 1956 the Australian Mutual Provident Society had no computers, as was the case with most other corporations and statutory bodies in Australia. Since that time there has been a tremendous growth in computers and the availability of information. Computers can be used to immense advantage. The National Party is pleased to note that the Government has acted to enable the Council of Law Reporting to keep up with the times.

The motion was agreed to.

The Bill was read a second time.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—By leave, I move:

That this Bill be now read a third time.

I acknowledge the advice I have received on the matter from the Deputy Leader of the Opposition. I assure the honourable member that as a result not only of the interest of present members of the House but also the interest of former members my attention was drawn to the matters raised and I have pursued the interest in the matter shown by my predecessor.

The motion was agreed to, and the Bill was read a third time.

BUILDING SOCIETIES (CONTROL) BILL

The debate (adjourned from June 9) on the motion of the Hon. D. R. White (Minister for Minerals and Energy) for the second reading of this Bill was resumed.

The Hon. N. B. REID (Bendigo Province)—This Bill highlights the fundamental difference between the Australian Labor Party and the Liberal Party in Victoria. The Liberal Party believes in minimal interference being allowed to occur with the business activities of the State, and that interference by the Government in the private sector can have a detrimental effect on the activities of the private sector. When the Minister of Housing in another place commenced his negotiations with the building societies on the control of interest rates, he started off on a determined course.

Before moving on to comment further on the Bill, I declare that I have an interest in two building societies.

It became evident early in the career of the new Labor Government that it was going to take a particular interest in the control of building society interest rates. In an article in the *Herald* on 15 April the following was stated:

> The State is to push ahead with legislation to control building society interest rates.
>
> The Premier, Mr Cain, said today the legislation would be used as "an ultimate sanction" against building societies which failed to abide by an agreement reached yesterday.

There was a lot of going to and fro over that agreement, and the Minister of Housing had to change his stance considerably during his negotiations. All the Victorian building societies operate with a great deal of integrity and enjoy an excellent reputation within the housing industry in Victoria. However, the new Minister of Housing came in with a heavy hand and tried to stand over the building societies and to control their interest rates, but he found after

a series of negotiations that he had to back off from his original stance. The Minister changed his approach considerably when he found that, of the 42 building societies in Victoria, only two were charging the maximum interest rate of 16·2 per cent. The other 40 societies were charging a rate of either 15·65 per cent or below, and in most instances it was below that figure. The Minister had to back off considerably when he realized that these societies were charging a lower interest rate; the most popular rate that appeared to be being charged by building societies was 14·5 per cent.

Since the measure was introduced the building societies have taken the Minister at his word and agreed, in most instances, to increase their rates of interest to 15·65 per cent. This has caused an increase of 1·15 per cent, and has affected most prospective home buyers and borrowers through building societies in Victoria. At the moment Victorian building societies provide about 40 per cent of home purchase loans in the State, so they play a significant role in providing loans for many people.

While the negotiations were under way, the *Herald* published an excellent editorial on 16 April drawing attention to the Government's aim of trying to control building society interest rates to make it more attractive for borrowers to purchase a home. The article stated:

> But, of course, there's a catch. If building societies can't attract investors by offering competitive interest rates they won't have the money to lend out to home seekers.

The Hon. C. J. Kennedy—Do you support high interest rates?

The Hon. N. B. REID—I do not support high interest rates, but the Labor Government has pushed interest rates in building societies up by 1·15 per cent. Most building societies in Victoria were charging 14·5 per cent but will now be charging 15·65 per cent. That is what the Labor Government has done, and all home purchasers will suffer an increase in their monthly repayments as a result of this measure.

The Bill gives the Minister control over setting interest rates. The Liberal Party is not opposed to the Minister having that control; what it opposes is the interference by the Government with the operation of the private sector in the financial world.

All the recent financial studies, including the study by the Campbell Committee of Inquiry into the Australian Financial System, have pointed out that there should be a move toward deregulation of the financial institutions of Australia. This trend has been evident in the financial world in the past few years, and the Campbell inquiry, which produced an extensive report on the financial system in Australia, has once again confirmed that we should not play a part in trying to adjust interest rates in the community. At page 12 of the final report, chaired by Sir Keith Campbell, under the heading of "The Role of Government" in the financial system of Australia in paragraph 1.82 it is stated:

> Given the adoption of its recommendations in this Report, the Committee does not see the need for a more extensive or active government role in promoting the efficient performance of financial markets.

Further on in the report at page 68 the matter is further discussed in paragraph 4.12 under the heading of "Interest Rate Controls". The report refers specifically to the interest rate control and once again reinforces that Government intervention should not be used to try to control interest rates, particularly in respect of housing. It also refers to market forces in the financial world. Paragraph 37.27 on page 639 reads:

> Housing construction activity will, of course, continue to exhibit some degree of instability, . .

Honourable members are all aware of that.

> reflecting the sensitivity of demand for housing to increases in the interest rates, and the dependence of purchasers of housing and home builders on credit.

It is highlighted there that Government intervention in all of these activities can push up the rates. Clear evidence on this is contained in the Bill. If one traces the history of the negotiations of the Minister of Housing, Mr Cathie,

with the Victorian Building Societies Association and the negotiations that took place prior to the Bill being introduced, one finds that the Minister had to soften his approach considerably because the building societies realized that if the Government intervened and restricted the range of activities of the societies and put pressure on them to control their rates, those rates would rise; and that is what happened. The rates rose. I am sure that many prospective home purchasers who have undertaken loans with building societies in Victoria will be well aware of this because their monthly payments since that time have increased.

The Hon. D. R. White—That sounds like the voice of the first home buyer.

The Hon. N. B. REID—I assure Mr White that the people purchasing the homes and paying the additional rates do not agree with him. They are feeling the pinch and the additional burden has led to some degree of hardship, particularly where husband and wife were contributing to the repayments. The increased rates are being forced on people by the Government and the building societies are now looking at their operations to see where they are heading. At present they are restricted to allowing only 10 per cent of their total loans to be put into special loans. It may well be that the building societies will need to have that facility altered so that they can place an additional amount of money into special loans to offset the increase in housing loans.

This Bill is a staggering document. When it embarked on this course the Government knew that it would place an additional burden on young home buyers. That is the effect that the policy has had. The rates have been pushed up. In many instances the rate has gone to the maximum limit proposed—15·65 per cent. I believe, as do many of the building societies, that the rate did not need to rise that high. The 14·50 per cent on which the societies were operating could have been maintained for a period and could have just edged up gradually instead of taking the massive hike of 1·15 per cent, the greatest rise in Victoria for many years.

The Opposition recognizes that the Government will push the measure through and it does not oppose the Bill, but I register the voice of many people who are trying to pay off homes that they will experience difficulties in their repayments under this proposal.

The Hon. K. I. M. WRIGHT (North Western Province)—The National Party does not oppose the Bill. I take this opportunity of applauding the permanent building societies in the electorate that I represent. Three of the major ones are RESI Permanent Building Society, Statewide Building Society and our own Sunraysia Permanent Building Society. The building societies borrow at one rate and lend at another and generally the amount between is in the vicinity of 2 per cent, which covers administration and so on. A valuable aspect of the work of building societies has been that, at times when bank and other finance has been in short supply, the building societies have been prepared to lend money on older homes. Naturally they have required a valuation to ensure that the funds lent were on a secure basis. This factor has been appreciated in the electorate that I represent.

The Bill controls building society interest rates, as was promised by the Government during the election campaign. The National Party believes perhaps the purpose of the Bill cannot be fulfilled; in other words, in the matter of interest rates the natural market forces will prevail. The National Party does not oppose the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Rates of interest)

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I wish to indicate to the Committee that, during the course of the debate, a number of statements were made about the conduct of building societies and that by inference both Mr Reid and Mrs Baylor have said that by the Government introducing a maximum interest rate the building societies have all taken advantage of that and increased their rates accordingly.

By inference, they clearly indicated, that building societies would behave in such an irresponsible fashion that they would take every opportunity at whatever ceiling was set to increase their rates accordingly.

The Government completely dissociates itself from the comments made by Mr Reid and Mrs Baylor. We do not believe any of the building societies have acted in that fashion. We believe they are responsible and would not take advantage of that situation.

In addition, for the sake of providing the Committee with a form V. lesson in macro economics, it is important to draw attention to the statements made by Mr Reid and Mrs Baylor in which they constantly wished to maintain that the State Government has been responsible for the change in interest rates in the past six weeks.

I indicate to the Committee that since 1975 Fraser, Stone and Howard indicated clearly post-Keynesian policies in respect of macro-economic policies, that they intended as a matter of course to adopt a Friedmanite monetary solution to the economic ills and problems of this country. They were prepared to be responsible for the results.

The results can be seen in the increase in interest rates over which the State Government has little opportunity to provide any relief for the people of this country. It is because of those increases in interest rates which have been brought about directly from those macro economic policies, which Mr Reid and Mrs Baylor have consistently since 1976—since they have been in this House—condoned, that the State Government indicated that it wished to provide some form of relief in respect of that matter and that as a first measure towards doing that they would set a maximum interest rate on building societies and draw into question and draw into relief the fact that the macro economic policies—the Friedmanite policies of Fraser, Stone and Howard were not working. On 3 April the people of Victoria clearly indicated they had had enough of such policies.

The Hon. D. R. White

It is clearly hypocritical—not only is it hypocritical it is a product of gross, conspicuous and overwhelming ignorance that people who are members of this House should argue in such a fashion. It is clear that they are conspicuously ignorant of anything associated with basic economics. We do not ask lay people who come into this House to be possessed of the skills of a second division member of Treasury but they should not put forward debates of such quality.

It is a product of gross, conspicuous and overwhelming ignorance to say that over the past six weeks the cause of the increase in interest rates could be sheeted home to any other cause than the macro economic policies of the Fraser Government. For anyone to say anything else is conspicuous insensitivity. This has been a product and a feature of the former Government for 27 years.

It is in this context that Mr Hayward argued for two hours that the Opposition has a divine right to manage this State. He should look at his colleagues on the front bench and the back bench and recall the fact that his colleagues were responsible for the Housing Commission land deals, for the World Trade Centre and the Arts Centre fiascos, and numerous other fiascos during 27 years plus the fact that at no stage did they take on Government with respect to general macro economic policies which have put this State in the position it is in today. He should look at his colleagues and reflect on his view that they have the divine right to manage the State. It is one of the most appalling contributions and reflects on the ignorance of the Opposition.

In the past I have drawn attention to the contributions made by the then Ministers and the Executive but they pale into insignificance compared with the appalling contribution of this rubbish that has been put before us that one would fail a 15 year old in an economics class. It is clear that the electorate now holds this Opposition in the same contempt we have held them in for such a long time. It is clear they are no more than a rabble without a cause. They

have had their props taken away. They have had their Public Service taken away and their permanent heads taken away and when left to their own resources we get only rubbish. It is intolerable that we have debates of this tone in this Chamber.

The Hon. H. G. BAYLOR (Boronia Province)—In the interests of clarification, I wish to make an explanation as to what I really did say. Despite the fact the Minister for Minerals and Energy has learned a new term which he used seven times——

The ACTING CHAIRMAN (Mr Hauser)—Mrs Baylor should be speaking to clause 2 and in reply to the Minister.

The Hon. H. G. BAYLOR—I am speaking to clause 2 and in reply to what the Minister has just said. He has obviously just learned a new term from the economic advisors that the Government has appointed. He used the term "macro economics" seven times in the course of his short speech which means he is practising that phrase, obviously to familiarize himself with it. One wonders if he knows what it really means, which I doubt. It is part of the jargon he is learning from the economists that the Government is putting into Treasury and other quarters. We are going to be treated to these so-called modern methods of accounting, or whatever, the modern economic terms are. I am sure the Ministers of the Crown will be only one step ahead in trying to follow and understand before they present them to us.

It concerns me greatly that the Minister for Minerals and Energy, in his very limited way of thinking on this matter, has entirely misinterpreted the words and sentiments that members on this side have put forward.

It is clear that what we were saying was that in fact the market forces prevail when it comes to interest rates. In no way were we saying interest rates were to be controlled in this way. What we were criticizing the Government for was that prior to the election members of the Labor Party, were saying what a disgrace it was, how they would control interest rates, what must be done, and so on. What we are saying is that market forces must prevail. We have always put the point of view that if we allow too much control funds will disappear from this State. That is what possibly may happen in due course.

The Minister for Minerals and Energy is unclear and cannot understand the finer points of economic management. All he can spout is macro economics or some economic statement which is meaningless. I would like to hear him elaborate on it some time. No doubt when he has had lesson two we will be treated to that explanation.

The Hon. J. V. C. GUEST (Monash Province)—Up until a point which I shall mention, I have not taken much interest in this Bill because it is and seemed to me a rather stupid political gimmick. It is part of the nonsense which the Labor Party or some factions of it go on with. Some believe in market forces. I know the Minister for Minerals and Energy believes in market forces.

Indeed, the Minister for Minerals and Energy has been conspicuously absent from those attacking the Fraser Government over the past few years in this House for its pursuit of the macro economic policies that he now castigates. He always understood the logic of the approach taken by the Federal Treasury; even if one cannot now wholly support it, even if some of its consequences are open to criticism.

I am interested that the Minister should show such vigour in supporting a political gimmick which he can hardly believe in. It is a political gimmick.

Although I am willing to concede that the housing industry is a special section of the total economy, in some respects it is close to the old ideal of perfect competition, but it is also one of the most State controlled and manipulated areas of the economy. I do not wish to be dogmatic about the way in which building societies ought to be treated by the State, by government; nonetheless, one of the most difficult exercises in which any Government can engage is the control of interest rates—fixing

maximum interest rates—so that they do not run head on into the realities of the market forces.

It is pleasing to know that the Minister for Minerals and Energy has not suffered a change of character as a result of changing from the Opposition side of the House to the Government side and is willing to put his full vigour into anything he takes on—but I would like to know how the Minister will make the Minister of Housing or his advisers understand the intricacies of the financial market, the market in which interest rates are determined. How will he make them understand the macroeconomic problems which will inevitably result in greater problems for the Minister of Housing seeking to fix interest rates in just one section of the financial market? That is the real problem which the Government will have to face when it puts forward this piece of economic ad hocery, and I invite the Minister to address himself to that question.

The Hon. D. R. WHITE (Minister of Minerals and Energy)—Throughout Mrs Baylor's contribution, she made it clear, consistently and apparently, that the reason for the 1 per cent increase in interest rates since 3 April was due solely and could be attributed only to the State Government. During the debate on clause 2 she shifted ground and said that the cause for the increase in interest rates was due to the irresistible and immovable market forces. Therefore, there is a clear and conspicuous inconsistency between the whole of her dreadful contribution to the second-reading debate, followed by a conspicuous inconsistency emerging during the course of her contributions to second-reading debates since she has been a member of the Upper House from 1979. It is clear that this is something honourable members could long expect and something honourable members can expect on all occasions from her. It is to be regretted that she feels fit to comment at all on such matters.

It is also to be regretted that Mrs Baylor is not prepared to acknowledge firstly, that it is not the Government's responsibility to control Australian interest rates. Secondly, that the movement in interest rates is not a result of irresistible market forces that cannot be controlled, and that interest rates change as a result of the Federal Government's economic policy.

This Government decided—knowing where the Federal Government's economic policies were determined—that it would go into the electorate and indicate during the election campaign, that the whole community was sick and tired of the Friedmanite monetary policies which were being used in a most insensitive fashion as a means of overcoming the economic ills of the nation.

The Labor Party received an overwhelming mandate to provide some form of protection to homeowners. In implementing that mandate—and in response to the matter raised by Mr Guest—the Labor Party did nothing more than draw attention to the fact that while members of the Liberal Party may have sufficient funds to see their way clear, the overwhelming majority of the community, which they no longer represent, had had enough of the Liberal Party's economic policies. The people wanted some relief and assistance and the vote on 3 April, if nothing else, indicated a massive vote of no confidence in the former Liberal Government's economic measures.

This step in itself does not represent an economic device that will bring about an irresistible downward movement in interest rates; that can be brought about only in conjunction with a change in the Federal Government's economic policy. If that is not forthcoming within the next eighteen months, there is no doubt about what will happen to the electorate in this country—the emergence of a State Labor Government in Victoria will be followed by a Federal Labor Government. The Opposition is on notice right now that that will occur.

The Hon. H. R. WARD (South Eastern Province)—On the sensitive matter that the Minister for Minerals and Energy has been discussing and endeavouring to explain in a number of ways, including declaring that it was a publicity gimmick, most people realize

that the housing market is, in one sense, a barometer of the financial state or the economy of the country. In view of the Minister's vast knowledge, particularly of the new term "macro-economics"—I appreciate that he initially was a Keynesian student—I wish to ascertain whether what we have seen in the past is the establishment of a money market system whereby the commercial money market has developed outside the ordinary banking system and the housing societies have also developed outside the standard money market. I would like an assurance from the Minister, having now put a ceiling on interest rates, that the Government will endeavour to ensure that no other money market is established, because outside the present ones instead of having all the offshoots we already have in the money market, such as the commercial money market, the housing society money market, and the Government now setting a ceiling on interest rates, we are probably faced with another money market of significance, with money going into some other market, such as a black market.

I would like an assurance that that will not occur, the Government having established a particular interest rate. I will leave it at that and see whether the Minister can answer the question because I believe it is an important point in the Bill.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I take note of the comments of Mr Ward and assure him that a black market will not develop.

The Hon. N. B. REID (Bendigo)—I raised a point with the Minister during the second-reading debate, which he mentioned again a few moments ago, about the protection offered to homeowners against increased repayments. I raised the point during the debate that 40 of the Victorian building societies were below the 16·2 per cent building interest rate and that only two societies were operating beyond that figure.

The Minister has not addressed himself to that problem and the question I raised regarding the number of societies that were, prior to the introduction of the Bill, currently being promoted as being below the level of 14·5 per cent, or on or below that level. I would like to know how many societies in Victoria are now operating at the level of 15·65 because it is quite obvious that people—and many have complained to me as their local member—are paying additional repayments since the proposed legislation was put forward by the Labor Party.

It is quite obvious that some of the societies have increased their rates and it is imperative that the Minister answer the question because interest rates have gone up. Only two of the societies were above the 16·2 per cent interest rate level.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—In response to Mr Reid, it is clear that the semi-Government bond rate during the past six years has moved and increased dramatically and is now in the vicinity of 17·2 per cent. In the absence of the measure before the House, it was clear that the building societies would follow. It is also obvious that the ceiling rate was set at 15·65 per cent which is well below the current semi-Government bond rate. This is the first time the rate has actually been below the semi-Government bond rate.

The purpose of this proposed legislation is to produce that result. It has occurred and it has provided some marginal relief. It was designed to do no more than to produce that situation. It was designed to do no more than to ensure that the effect of the Federal Government's economic policies could be relieved and they have been relieved, because under the management of Fraser, Stone and Howard, semi-Government bond rates were set at 17·2 per cent.

During the past six years when members of the Liberal Party were in Government, it was made clear on every occasion that building society interest rates followed the semi-Government bond rate. If this measure were not before the House, the building society interest rates would not be set at 15·65 per cent, they would be at 17·2 per cent.

In order to ensure that there is some marginal relief for homeowners, this Bill was introduced. It was introduced also with a loud and conspicuous warning that unless and until Howard, Stone and Fraser wake up that the Friedmanite policies are not working, they will be out of Government.

The Hon. H. R. WARD (South Eastern Province)—Having regard to the Minister's remarks that he will ensure as far as possible that there will not be a black market on the money market, it concerns me that the interest rates being paid to people who place money with building societies is about 19 per cent. This means that there is a substantial gap between the interest rate being paid to people who loan their money to building societies and the interest rate being paid by the borrower.

I ask the Minister whether any investigations have been carried out to ensure the stability of building societies which I believe, in some cases, may be in a state of collapse. There have been some mergers of building societies, but I wonder what work has been done to relate all those interest rates together to ensure that the building societies remain stable and that people not only remain in their own homes, but that their money remains safe.

The Hon. J. V. C. GUEST (Monash Province)—I ask the Minister what the Government's attitude will be should the interest rate charged on advances lead to a problem of building societies retaining enough funds to support the long-term mortgages which they have given. Ultimately, a Minister who exercises the power given in this Bill must acknowledge the Government's responsibility for the stability of the whole building society industry.

As I said before, I recognize that the building industry in general is a somewhat peculiar one, a special one. I would be glad if the Minister would give an assurance that the Government recognizes that it is ultimately responsible for the stability of building societies.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—In response to Mr Ward and Mr Guest, it is clear from the comments of Mr Reid during the second-reading speech that the Minister of Housing, Mr Cathie, arrived at this maximum interest rate after consultation with the building societies and with their co-operation. It is also clear that further adjustments to the ceiling rate will be made and undertaken after consultation with them, keeping in mind the points that both honourable members have raised.

The clause was agreed to.

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

MELBOURNE AND METROPOLITAN BOARD OF WORKS (DIFFERENTIAL RATING) BILL

This Bill was received from the Assembly and, on the motion of the Hon. D. R. WHITE (Minister for Minerals and Energy), was read a first time.

OPTOMETRISTS REGISTRATION (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. D. R. WHITE (Minister of Water Supply), was read a first time.

The sitting was suspended at 6.27 *p.m. until* 8.6 *p.m.*

PAY-ROLL TAX (AMENDMENT) BILL

The debate (adjourned from June 9) on the motion of the Hon. W. A. Landeryou (Minister for Economic Development) for the second reading of this Bill was resumed.

The Hon. P. D. BLOCK (Nunawading Province)—The Bill has two objectives. The first can be disposed of quickly. It will allow the Commissioner of Land Tax to talk to the Commissioner of Pay-roll Tax. At present, the legislation contains secrecy provisions that prevent the commissioners from communicating certain information to one another. As the offices are often held by

the same person, that has created certain difficulties. This is a sensible provision and the Opposition supports it.

The other objective of the Bill is to maintain the 1 per cent surcharge on pay-roll tax. The surcharge is to continue indefinitely from the time the Bill is enacted. Pay-roll tax is a tax on employment. As the Opposition spokesman on Treasury matters, I suppose I could fulminate on the iniquity of the Government in imposing such a tax, but there would be a certain amount of hypocrisy in my doing so. The previous Government—and I was at the time a member of the Government party—maintained a pay-roll tax of 5 per cent. Towards the end of last year it introduced a surcharge of 1 per cent, which was to cease on 30 June 1982. The imposition of the surcharge became necessary to meet the contingencies of government and to cover the extra costs the Government of the day was then facing.

During the course of the recent election campaign, the then Leader of the Opposition, now the Premier of Victoria, said in an interview that, so far as he could see—he did qualify his statement to that extent—he did not intend to impose any further taxation on the people in the foreseeable future. The Opposition at that time had made a whole farrago of promises to the electorate to persuade it to vote for the Labor Party and it was with some bemusement that people such as myself closely followed the Labor Party's intentions to give this largesse, these grand gifts, to the community—for example, extra staff for the Police Force, study leave for teachers and as there were 50 000 teachers, that would have cost $40 million to $50 million a year to implement. There were so many promises that there was no known way in which the Labor Party if it became Government could have brought these promises into effect without raising imposts in some way, without some extended tax or some further dipping into the public pocket. But that the Labor Party should seek to do so on pay-roll tax disappoints me greatly. That is putting it as mildly as I can for the sake of not being overdramatic about it.

If ever a Government seemed to come in committed absolutely to supporting the less unfortunate, the less well-endowed in the community and those struggling to carry on, it was this Government. The first act of the new Government was to raise hospital charges; its second act was to maintain the 1 per cent levy on pay-roll tax which is a direct impost on employers and causes, right at the work-face, an employer to consider whether it is worth his while employing extra people, and frequently that decision is a direct result of pay-roll tax.

In the past, I have laid seige to the former Government on the issue as I consider unemployment the greatest problem confronting Western industrial democracy. Unless the problem is confronted in a united and co-operative way, ultimately it has the danger of sweeping democracies aside. Perhaps I have waxed too eloquently or not eloquently enough on the subject before. I feel strongly about it. I shall refresh the memories of honourable members on some facts that demonstrate that unemployment is currently an immense costly burden both socially and as a direct cost to the Budget at Federal and State levels.

There are many hidden costs to unemployment. It is known in advance that unemployment reduces the Government's purse by the very fact that there are those persons not working from whom one cannot collect tax and to whom unemployment benefits must be paid. The gross national product is reduced proportionately to the number of unemployed. Those are the identifiable costs.

Certainly, as I have said, I have beseiged my own party on the issue of unemployment. As the Labor Party professed its deep concern at this issue and took every opportunity of rubbing the former Government's nose in unemployment figures, I should

have thought the Labor Party Government would perceive the problem of unemployment as being the first task to which to direct its attention.

I have previously made a speech in the House where I described a study made by Dr Harvey Brenner of the United States of America at the Stanford University that had been transmitted to Congress in 1976 by Hubert Humphrey. The study indicated six morbidity indices associated with unemployment: Murder, suicide, imprisonment, mental hospital admissions, renal, cardiovascular diseases and cirrhosis of the liver disease rates.

The Hon. B. P. Dunn—What about the divorce rate?

The Hon. P. D. BLOCK—Harvey Brenner was the first person in the Western World to run a statistical study on what the effects on the economy were of unemployment using those six morbidity indices. He concluded that for 1 per cent of sustained unemployment over a five-year period there was a cost to the United States of America budget annually of $22 billion.

If honourable members can ignore the social cost and human tragedy behind those figures—and I do not want to ignore them for a moment—there is a direct budgetary cost of $22 billion to the American State purse. One cannot scientifically transpose those figures to the Australian scene, but by a sleight of hand one can say that Australia has roughly 8 per cent of the American population in the same socio-economic bracket and thus, in transposing those figures to Australia, there could be an annual cost of unemployment of a 1 per cent sustained increase over five years of $2 billion to the Australian market. Unemployment is an immense cost to the State, not only in its human tragedy but also in direct cost.

The Hon. G. A. S. Butler—I hope you said all this to Mr Fraser.

The Hon. P. D. BLOCK—I intend talking to honourable members at a later time on the subject of monetarism, Friedmanism, libertarianism, and so on because I have a great deal of sympathy for some of the points of view that oppose this thinking. I think it is unworkable in a modern society; it does not begin to tackle the problems of the latter part of the twentieth century; it seems to apply late eighteenth and nineteenth century theoretical philosophy to modern-day problems. I am not talking of that now, but I promise the House that I will talk about it in the future.

Now, I am talking of unemployment, the cost to the community and of the fact that everyone should be united in trying to do something to seek to alleviate this dreadful blight on the way of life everyone treasures. Although members of the Opposition might stand up and occasionally fulminate against the other side—and certainly vice versa as Mr White did earlier today—on this issue all honourable members should be united because it threatens us all.

It is not all right to have a 6 per cent to 8 per cent unemployment rate in Australia. If it reaches 12 per cent, 13 per cent or 14 per cent, which is predicted, the cost to the community will be extraordinary. As my friend and the friend of members of the Opposition, Barry Jones, in his writings and speeches on the post-industrial revolution with the advent of new technology, says, there is no question that employment will be harder and harder to find for a broader range of people. It will permeate throughout society in tertiary, secondary and primary industries. The problem confronts us all.

It is a problem that I certainly have brought time and again to the attention of my party. I like to think that partially as a result of my advocacy, the former Premier, Mr Hamer, set up the Ministry of Employment and Training. I tried to get him to call it the Ministry of Creative Employment so as to pitch its aims higher, but I was not successful.

The Liberal Party has been alerted to this problem and to its shame did not find a way of eliminating pay-roll tax altogether. Pay-roll tax is an iniquitous tax. It is a direct disincentive for

people to employ people. However, when the Liberal Party introduced the impost, and this is a slight credit and I do not claim all of it, at least it said that the 1 per cent levy would be phased out on 30 June and it would find an alternative because the Liberal Party knew that its continued imposition would damage employment.

The Hon. D. R. White—It is only to June 30; we are looking for that alternative.

The Hon. P. D. BLOCK—I would have expected this Government or the Minister, with his persuasion and spoken sympathies, to have come to this Parliament and said, "This is a tax we will never increase and keep going. This is the one tax that really is directed at the less fortunate people in our society, the unemployed". Are there any people in our society less advantaged than the unemployed? Are there any people, on a philosophical note, less well endowed with the concept of a future as the unemployed?

I would have hoped that this Government more than any other Government would have acted otherwise. I received a better response from the former Liberal Government than this Government seems prepared to give because the Bill seeks to impose the 1 per cent levy on pay-roll tax indefinitely. There is no time limit. As far as the Labor Government is concerned pay-roll tax is here to stay. I will not call it hypocrisy because I hope to pitch my speech lower than that. It is a sad thing to see people who claim to be supporters of the needy introducing a Bill that directly attacks them.

I suppose in its naivety the Government imagined the 1 per cent increase would tax the employers and the rich. It probably thought it would tax Liberal Party supporters, not Labor Party supporters. The Government thought it would attack "our supporters, not theirs" in its lexicon of political sayings. Of course it does not do that at all. Pay-roll tax seems to attack the employers but it is really attacking their capacity to employ.

The Hon. D. R. White—We understand the inequity of the tax.

The Hon. P. D. BLOCK—I am awfully surprised that if the Minister understands the inequity his Government would seek to impose the tax for a further time. What defence does the Minister have as a human being who has come to this place time and again and claimed to be partisan towards people badly treated in our society? What defence does the Minister have for a further extension of pay-roll tax? Can the Government not find another tax? Pay-roll tax is a tax that should ultimately go altogether.

The Hon. Joan Coxsedge—There should be a wealth tax.

The Hon. P. D. BLOCK—I am not saying that I agree. However, I would have expected the Labor Government to have argued in favour of a tax other than pay-roll tax. Pay-roll tax is a shameful tax, and I would have expected Mrs Coxsedge to have realized that and supported my sympathies. Let us examine, as a matter of interest, some of the spoken attitudes of the former shadow Treasurer, now the Treasurer, Mr Jolly.

I refer to the statement the former shadow Treasurer made when the former Government sought to raise this impost for a short period of time. On 26 November 1981 at page 3772 of *Hansard*, Mr Jolly is reported as having said that the:

> most important issue that the Government faces is to reduce the rate of unemployment in Victoria.

One up for Mr Jolly. My word, how he supports that! There is no question that Mr Jolly had his sights fixed firmly on the thing that really mattered. He wanted to reduce unemployment and quite properly he brought the Government of the day to task because in his opinion it was not so doing. He continued:

> The Government makes no attempt to discover what alternatives exist and whether Pay-roll tax can be modified in a way in which it will reduce unemployment. The Victorian Government always blames the Federal Government, but that is no excuse for the Government at State Level.

I now turn to the second-reading notes from the Treasurer's own speech where he blames——

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I believe the honourable member is quoting the second-reading speech of the Minister in his speech.

The Hon. P. D. BLOCK—It is the speech of the Minister for Minerals and Energy on behalf of the Treasurer, presumably. Actually, according to *Hansard*, the speech was made on behalf of the Minister for Economic Development. At page 920 of *Hansard*, the second-reading notes appear. I will read the whole paragraph because otherwise I will be accused of leaving something out:

> The problems facing the Government would have been much less if the former Government had acted responsibly when the projected Budget shortfall was first detected by Treasury. Victoria's financial difficulties arise because of the limited growth potential of existing State revenue sources, the rapidly increasing cost of pre-existing Government commitments and the failure of the Federal Government to provide Victoria with a fair share of Commonwealth taxation.

How does that measure against the honourable gentleman's railings against the former Government for always blaming the Commonwealth Government? It goes further than that because he blames the State Government. Honourable members already know that it is a lark and a device to blame the former State Government for allowing the State Treasury finances to run down. All honourable members are aware of that because of the article in the *National Times* on 18 April by Noel Turnbull. He states:

> Three senior Cabinet ministers—Treasurer, Rob Jolly, Health Minister, Tom Roper, and Economic Development Minister, Bill Landeryou —all agreed in early 1981 that the best way to defuse expectations about rapid government action on campaign pledges was to announce that the "Liberals had left the State in worse condition than imagined."

That whole paragraph which I quoted from the speech of the Minister for Minerals and Energy—made on behalf of the Minister for Economic Development—contained comments attacking the former State Government for the malfunctioning and maladroit handling of the State finances exactly as Mr Noel Turnbull, who was formerly an adviser to Mr Wilkes, pointed out. The Government also blames the Federal Government in the usual time honoured way. The Government blames the former Government.

I do not want to float my argument as high as hypocrisy because when the Labor Government assumed office it discovered all sorts of improbabilities which it was not trained to handle. I refer to management, effective budgetary control, the question of actually reading balance sheets and how to balance the budget. It was probably not so much hypocrisy as dilettantism.

The Hon. Robert Lawson—Do not use that word; it is one of the words of the Minister for Minerals and Energy.

The Hon. P. D. BLOCK—I am sorry, I shall use the word, "amateurism". I am sorry if the Minister for Minerals and Energy is blushing. I suppose having to support an added 1 per cent pay-roll tax surcharge would be enough to cause more than the slightest blush to the honourable gentleman's cheeks. Pay-roll tax pays no attention to the profitability of companies. It is an impost imposed whether a company is making profits or not. In that respect it is an iniquitous tax. The former Government imposed it so we are not really lashing out at the Government for pay-roll tax. However, why must the 1 per cent indefinite increase in pay-roll tax be introduced when it brings about the situation I mentioned?

Pay-roll tax disallows companies to adjust to the fact that they are not profitable. The 1 per cent surcharge applies to pay-rolls involving $1 million. That represents one hundred employees receiving $10 000 a year. Since no company employs 100 people at $10 000 a year one must assume we are talking of a company which employs 55 to 60 people a year. Is it a big company or one of the multinationals at which the Opposition is always lashing out? Is the Opposition trying to get at those companies by imposing the 1 per cent tax? That is not what it is doing. It is making a

direct attack on the capacity of small business to employ people in the community. In the current climate I suggest that that is a damn-near evil thing to do. It appears that the Government is ready to attack people who are now its supporters. That is the way it approaches matters. It has saddened me to realize that, because I am interested in good Government in the State of Victoria, be it from the Liberal Party or the Labor Party, and I am anxious to support good Government. When the Government takes action that I think is good, I hope to be able to say so without receiving too much damage from my own benches. However, when the Government is blatantly asked to feather the nests of its own supporters, as is evident with this measure, I will not support it.

Mr Kent may well hang his head in shame because the deal with the Municipal Officers Association of Australia in Gippsland was shameful, and he knows it.

The Hon. Joan Coxsedge—You are an actor.

The Hon. P. D. BLOCK—I am not acting today. If I am, I am working with bad material, which is my own script. I wish I had better material with which to work.

The Hon. Joan Coxsedge—You are not a good actor, but you are acting.

The Hon. P. D. BLOCK—Mrs Coxsedge has never given a speech that she has not read. I cannot remember when I last read a speech.

The fact is that the Government, through its own actions, has proved itself anxious to bring down measures that are of benefit to its own supporters and seeks, in whatever way it can, to attack people who support the Opposition. That is the only excuse the Government can possibly give for this measure, but it does the opposite to that. It attacks the very least capable people who need the most support. This measure deserves the censure of this House, not its support. One has only to walk down Bourke Street and enter stores such as Fletcher Jones and Staff Pty Ltd, James McEwans & Co Pty Ltd and Myer Melbourne Ltd to realize that two, three or possibly more years ago one would have been besieged by people seeking to offer service. At present, one must stand around and wait to get service because those stores are not employing enough human beings because of the costs imposed on them. One of the worst costs that the Government and the former Government imposed on people was pay-roll tax.

I give notice that at the Committee stage of the Bill I will propose a suggested amendment that will provide a sunset effect to the Bill before the House so that at 30 June 1983, in one full financial year, the 1 per cent impost effected by the Bill will cease to be. I strongly hope that the Government will support the amendment because it has a committee of inquiry examining various taxation measures and I take the Government at its word and strongly consider that it will seek to abolish pay-roll tax.

It will not object to the proposal, as the Opposition is not in any way intending to frustrate the intentions of the Government in revenue raising because the Opposition is suggesting that the Government should allow the tax to be applied for only one year. The former Government imposed a limit on its measure of a little more than six months until 30 June 1982. The Opposition suggests that the present Government should adopt a limit totalling one financial year. Therefore, in the Committee stage I will move an amendment that will be a suggested amendment to the Assembly to bring that proposal into effect.

The Hon. B. P. DUNN (North Western Province)—This is an incredibly interesting measure that has brought about a complete turnaround in this place. The time is almost the same and the only difference between this occasion and a previous occasion is that honourable members have changed to opposite sides of the House and have changed their arguments on this issue. It was only last year that members of the present Government were arguing in the same way as Mr Block against the measure before the House.

The Hon. Glyn Jenkins—What did the National Party do?

The Hon. B. P. DUNN—We took a stand on the matter; I will come to that later. This issue has been like a ball game with Opposition members knifing away at the Government. The present Labor Government came to office with grand promises, some of which have eventuated, but much of what it has done, particularly in recent times, has turned out to be bad for the State.

The Hon. Joan Coxsedge—Such as?

The Hon. B. P. DUNN—The decision to declare Victoria a nuclear-free zone is one example. That matter will be debated tomorrow which will give left-wing members a chance to show themselves or, as Mr Block said, to expose themselves, in this House. Mrs Coxsedge will have the opportunity of exposing her views on those issues tomorrow.

The Government came to office with promises that people in the political world knew it could never live up to. The people of Victoria will find out soon enough that they have been fooled by the Labor Government into thinking that it will be able to provide an answer to all of Victoria's economic ills. Where is the Treasurer's fund. or Mr Jolly's bank, that was supposed to pump hundreds of millions of dollars into the economy? He now admits that it may be December 1983 before the Victorian Development Fund comes into operation. It will now be in the next calendar year. One can excuse people for considering political parties cynically when they make promises one day of solving the ills of the State, getting the economy moving, improving the unemployment position and getting people back to work, and the next day coming into office and claiming they cannot keep their promises because the budgetary situation is worse than they expected.

In addition, the Minister for Economic Development and his two other confreres to whom Mr Block referred, even admit that up to a year and a half prior to the election they planned the strategy that they would put into operation if they came to power. That strategy was to announce to the people that the economy was in a terrible state and that it was far worse than they ever expected it would be. They planned to claim that the previous Government was a worse manager than they had expected and that it could not keep promises. One can excuse people for being cynical about politicians, political parties and Government promises. Clearly, the Government will opt out of many of its promises because it considers it can blame the past Government.

The present Government is perpetuating the imposition of pay-roll tax, which strikes at the very heart of the Labor Party's principles and doctrines, namely, of generating work and employment because pay-roll tax, more than any other tax, is a tax on the employment of people. It is a tax imposed on an employer who employs workers. Therefore, it restricts job opportunities. I took the opportunity of checking what the Labor Party did when this tax surcharge was introduced last year by the Liberal Government. It sought an amendment in the following terms:

> . . . this Bill be withdrawn and redrafted to include a provision granting to all employers covered by the Pay-roll Tax Act 1971 the sum of $1500 for each additional person employed full-time during the whole of the year 1982.

In other words, the Labor Government sought to withdraw the Bill so that it would not operate and provide for the surcharge. Mr Kent, who handled the Bill for his party, apparently was chosen for his economic knowledge, and he said:

> Although the provisions of this measure will result in increased revenue, this will be done in a way that is detrimental to the economic interests of Victoria, the people who need employment and the businesses, both small and large, that need to be able to compete and to remain viable.

This is what Mr Kent, now the Minister of Agriculture, said in this House on 8 December last year when speaking about a measure that his Government now seeks to extend indefinitely. What does the honourable gentleman say tonight about the speech that he made last year? How can the Government

live with having expressed deep concern about the employment situation in Victoria and then applying a tax like this?

The National Party agrees that the Government may find it difficult, in the short term particularly, to balance its Budget in Victoria, but it concerns my party most deeply that the Government seeks an open-ended approval from Parliament to continue the surcharge on pay-roll tax, not for one or two years, but perhaps for ten years and beyond. One could say that the Government wants to bring in the tax and keep it for the remainder of the life of the Labor Government. That could be three years; it could be six.

The Hon. W. V. Houghton—No way!

The Hon. B. P. DUNN—We will have to wait and see whether Mr Houghton is right.

The Hon. G. A. Sgro—He was wrong before.

The Hon. B. P. DUNN—I point out to Mr Sgro that his Government wants open-ended approval to continue the tax, and the National Party is not prepared to give that approval. The National Party would support a proposal that put a time limit on the tax. The National Party is prepared to say to the Government, as it said to the former Government, "You can have this surcharge for one year, if you need it as an urgent budgetary measure, but let us tie it to that—no open-ended commitments". It is a tax that affects not only the big people in Victoria, and I know Mrs Coxsedge would like to get her hands on them.

The Hon. Joan Coxsedge—Yes, definitely.

The Hon. B. P. DUNN—I picked up her comment before straight from the textbook of the Socialist left that she wants a wealth tax to be introduced in Victoria. I invite her and the Cain Government to go to the people at the next election with a wealth tax proposal, a probate duty proposal and the Labor Party's nuclear-free State proposal and I tell her that Labor will not make three years with policies such as that.

The Hon. Joan Coxsedge—You are misleading the public about the nuclear-free State policy.

The Hon. B. P. DUNN—We will see.

The Hon. Joan Coxsedge—We will, indeed.

The Hon. B. P. DUNN—Mrs Coxsedge is totally out of touch with the Victorian people already.

The Hon. Joan Coxsedge—You are out of touch with the whole world!

The Hon. B. P. DUNN—The National Party will tell Mrs Coxsedge tomorrow what it thinks of the Government's position on nuclear-free zones.

The Hon. Joan Coxsedge—We can't wait.

The Hon. B. P. DUNN—It was reported in this morning's press that the Federal Labor Party has discussed the imposition of a wealth tax and a capital gains tax, and Mr Keating was deeply concerned about that. He argued against it, but he belongs to that section of the Labor Party which is being unloaded by the party and is being steadily replaced in the party machine throughout Victoria. Mr Young is the latest victim.

What further taxation measures can Victoria expect from the Government? Already the Labor Government has talked about reintroducing probate duty. Probate duty was designed to break up estates and the family farm. It is a Socialistic measure, if I may so describe it. Now, Victoria is to have a tax on employers whose pay-roll is in excess of $1 million, Mrs Coxsedge is talking about the imposition of a wealth tax and there are murmurings of a capital gains tax.

The National Party views this measure with concern and there is no way known in which it will give the Government the right to continue this tax open-endedly in the years ahead. I indicate quite clearly my party's view on the matter. Further, the National Party will ensure that the Government continues the pay-roll tax rebate system for decentralized industries because that is one of the important contributions that have been made to the development of decentralized industry in

Australia and in Victoria. The rebate system that has applied in the case of decentralized industry must continue in Victoria, but the pay-roll tax surcharge must be got rid of as soon as possible.

I agree with Mr Block that unemployment is the most serious problem with which the Government must grapple today, because it is a soul-destroying situation that is facing many thousands of people, especially the young. Even worse to my mind is that there appears to be no immediate prospect of an improvement in the employment situation. I believe that is where the Labor Government in this State will come unstuck. It achieved office on promises it now admits will be difficult to achieve, that is, to increase growth and development in this State, the net effect of which would be to increase the available employment opportunities. The National Party wishes the Government well in achieving that end and is itself working towards that goal.

Pay-roll tax in itself limits employment and the sooner the State can rid itself of this imposition on employers the better off it will be. The National Party will support the measure only if it is limited to one year and will repeal itself automatically at 30 June 1983.

The Hon. GLYN JENKINS (Geelong Province)—I support the remarks of my colleague, Mr Block, and Mr Dunn on the measure. I repeat what I said earlier today: The Cain Labor Government was elected on the basis that it would raise no new taxes. It may argue in a pedantic way that the extension of the 1 per cent surcharge on pay-roll tax on large pay-rolls is not a new tax but is merely a continuation of the existing tax.

I point out that the tax was introduced last year because of specific circumstances that applied in the current financial year. Honourable members will recall that Mr Thompson, as Premier and Treasurer, put forward a most convincing, reasoned and persuasive argument to the Loan Council, the Commonwealth Grants Commission and the Premiers Conference as to why Victoria should receive a larger share of the financial cake. He pointed out quite properly that, because of the low taxation policy of the then Government in the early war years, Victoria had been disadvantaged ever since and that there were good reasons why Victoria should receive a larger share. Consequently, Victoria next year will receive further additional funds, as it did this year.

The surcharge on pay-roll tax was put forward on the basis that it would be a temporary tax that would expire on 30 June 1982; it was put forward genuinely and in good faith on that basis.

The Minister for Economic Development, on behalf of the Minister for Minerals and Energy, read a speech which was obviously prepared for delivery in another place, because I do not recall either of those Ministers having made any general statement in this House about the financial position in Victoria except in a most general way.

For some months prior to the election and since the Labor Party has been blaming the former Thompson Government for the alleged financial disarray facing Victoria. Similar statements have been made in a bland manner. However on 8 April, the Labor Party was talking of a shortfall, three months prior to the end of the financial year, of approximately $50 million out of a total Budget of $5432 million. As of 3 April, with three months to go to the end of the financial year, the Labor Party was talking of less than a 1 per cent shortfall in the Budget. There is nothing unique about that projected shortfall at that stage.

Almost every financial year, with three months to go before the end of the financial year, the Treasurer of the day has to review what will happen to both the income that can be derived and the expenditure that has to be undertaken or deferred in the final three months of the financial year, and the Budgets have always balanced. In 1980, Victoria had a surplus of $62 million and in 1981. Victoria had a surplus of $13 million.

The Hon. R. J. Eddy—You have not done anything for the past 27 years.

The Hon. GLYN JENKINS—Mr Eddy wants it both ways. If a Government has a projected financial shortfall three months prior to the end of the financial year, it is classed as a bad financial manager. If a Government finishes with a surplus at the end of the financial year, it is also classed as a bad financial manager. It is not a bad track record for a Government to project a shortfall of $50 million three months prior to the end of the financial year out of a total budget of $5432 million, especially if one realizes that, during those nine months, the Commonwealth Government had a Budget deficit in excess of $1000 million, which it could finance through Treasury bills and other available devices. However, those devices are not available to a State Government. A State Government has to balance its budget with the available taxes and charges and loans it is authorized to raise.

Whatever else occurred even if the former Thompson Government had continued in office until 30 June this year, it had to ensure that the Budget would balance. A Government cannot finish the financial year with a deficit because there is no provision under the existing Victorian legislation for that to occur. A Victorian Government cannot budget for a deficit. A Government can delay expenditure, but it cannot bear a deficit.

The Treasurer in another place and Mr Landeryou and Mr White have made a lot of noise about the financial position in Victoria. The former Government had financial matters well under control. The former Treasurer, Mr Thompson, knew exactly what was going to happen with the Budget. If honourable members opposite are attempting to blame the former Thompson Government for what will happen in the next financial year, they should note three new matters that will cost the Cain Labor Government approximately $100 million in 1982–83. Firstly, the Cain Labor Government has given the teachers a 7 per cent pay increase, which is not a bad dividend on election expenditure of $160 000 by the teachers' unions, which contributed to the election campaign of the Labor Party. The salary bill for the teachers is $900 million and a 7 per cent wage increase represents $63 million. That commitment will continue for years and years and it will be a base on which salaries for teachers will continue to increase. Is it any wonder that the teacher unions gave solid backing to the Cain Labor Government? Indeed, if one sees a bearded teacher today near Parliament House, one can assume that it is almost odds on that that teacher is a member of the Parliamentary Labor Party. Secondly, it has been estimated that next financial year the abandonment of limited tenure for teachers will cost the Cain Labor Government somewhere between $13 million and $15 million. Thirdly, next financial year the salary concessions for members of the Victoria Police Force and the salary concessions for the Builders Labourers Federation and other unions in the Latrobe Valley with the other increases I have mentioned will cost the Cain Labor Government all up in excess of $100 million.

One cannot blame the financial situation that will face Victoria next financial year on the former Thompson Government. The Cain Labor Government has been in office in Victoria since April and the Budget will be introduced next spring sessional period. The Cain Labor Government has made decisions and it will continue to make financial decisions that will have a far greater and more profound effect on the forthcoming Budget than will the weak allegations made in the explanatory second-reading speech about an alleged financial deficit in the year to 30 June 1982. It is an unfair argument, that will not hold up, to justify the continuation of a 1 per cent pay-roll tax surcharge on the basis of the alleged financial mismanagement of the former Thompson Government. The Bill is yet another example of the Cain Labor Government going back on one of its election promises. Indeed, the explanatory second-reading speech states:

> Pay-roll tax and the surcharge will, along with other actual and potential State revenue sources, be the subject of study by the Government's proposed committee of inquiry into State Government revenue raising.

The speech goes on to say that the findings of the committee will be examined. That is fair enough; the Government is entitled to do that, and it is entitled to make decisions. However, honourable members opposite are not entitled to approach this House and ask for an open-ended commitment on an additional 1 per cent pay-roll tax to be continued into the distant future. I foreshadow a fair and reasonable amendment that will be moved by Mr Block in the Committee stage. The amendment will have regard for the problems the Labor Government will create but only conserve the item for one year. Honourable members opposite should adopt the foreshadowed amendment and await the report in pursuance of the policy of the Premier that a Labor Government would be a clean, open Government. They should allow the Parliament to examine what the recommendations of the Government are, and they should allow Parliament the chance to examine the priorities of the Government for both income raising and expenditure, and the Parliament should make its decision in due course.

Like so many other decisions that have been made off the cuff and without proper consideration, the Bill is a premature arrangement.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 8154 ss 31A (2) repealed)

The Hon. D. R. WHITE (Minister for Minerals and Energy)—The Government considers pay-roll tax generally to be an inequitable tax that does not assist in generating employment. However, the measure contained in the Bill will not necessarily penalize employers. The range of tax-raising measures is already limited, but during a period of high unemployment, high pay-roll tax is an undesirable measure. That is a view that is shared universally throughout the community.

Without having checked the sentiments expressed by the former Premier and Treasurer, Mr Thompson, I am sure it is a view that he would not have been unhappy about canvassing. It is clear that, without laboring the point and without on this occasion wishing to say any more than that new federalism did not provide the Victorian Government, either in the past or today, with new tax-raising opportunities, Victoria has not received a fair share from the Federal Government.

I am sure it is universally recognized that if the Federal Government had been more vigilant on the question of tax avoidance and had been prepared to share some of the benefits of a more vigorous programme of taxation raising with the States, some of these tax-raising measures that the States are now engaged in would not be necessary.

Having said that, I wish to continue on a more positive note without qualifying any of the comments I have made about the Federal Government's taxing measures. It is also clear that the Victorian Government has foreshadowed that it is prepared to undertake and embark on an inquiry into the revenue-raising base of this State with a view to preparing a report which it hopes will be presented to both Houses of Parliament by April 1983, and that in that review, which will include pay-roll tax, all the revenue-raising bases will be examined.

There are alternatives to pay-roll tax, but the Government would not wish to appear to be like Luddites and impose the sorts of taxes which inhibit the more intensive capital works programmes. The Labor Party is also very sensitive to the fact that in this House it does not have a majority, and some of the more equitable taxes which could be considered as part of a review would not be endorsed by the Opposition.

However, it is also clear that there are fund-raising measures that were introduced last year that may have growth potential, including the pipeline tax, which is now the subject of a legal challenge. That measure was introduced by the Liberal Party.

We intend to undertake a general review of the entire revenue base, which will include the pay-roll tax. We are mindful of the fact that the current revenue deficit that we have inherited

will be of the magnitude of $50 million. I have been assured by the Treasurer that if we had not taken any steps by 30 June 1982 it would have been as high as $400 million merely to continue and complete the projects commenced by our predecessors. It is in that context that this step has been taken.

We do not resile from the comments we have made, and those views are shared universally, about the inequitable nature of pay-roll tax. We hope that in the course of forming a considered Government, looking at these issues in the proper context with proper public consultation and without taking hasty measures, we can undertake a proper public review of the entire revenue base with a view to completing a report by 30 April 1983. In that context and during that time we will take into account the comments made by the Opposition and in particular by Mr Block.

The Hon. A. J. HUNT (South Eastern Province)—I commend the Minister for Minerals and Energy for his statement. It indicates that a review is being undertaken and that the future of this tax will be determined in the light of that review, together with the future of other taxes, either existing or unimposed and that is a very proper approach.

The result that that leads to is that for the moment, as Mr Block has suggested, the continuance of this surcharge ought to be regarded as a temporary one to be redetermined in the light of that statement.

The point at which the Minister has stopped is in failing to say whether the Government will accept the proposal that Mr Block put forward. I think he owes it to the Committee to do so now, because clause 2 is the first point at which the amendment is proposed, and the Minister's own argument leads inexorably to the conclusion that Mr Block's proposal ought to be accepted, for what Mr Block has proposed is that the tax ought to continue to be regarded as temporary so that it can be reviewed before the end of the next financial year—not this one.

The Government is seeking revenue for the next financial year, and the amendment proposes to ensure that the Government has it for the whole of the next financial year. All that is now being proposed is that it be not permanent, but be subject to review. In other words, if the Government comes to the conclusion that, reluctantly or otherwise, it wants to continue the tax further into the 1983–84 taxation year, Parliament should have a further say. That, after all, is in the spirit of the Westminster tradition where appropriations ought to be reviewable annually. All Mr Block's amendment does is to ensure that that will be the case.

I invite the Minister to take the statement which he made and which I accept as a valid and reasonable statement and to answer the specific issue of whether he will therefore accept the amendment which Mr Block has foreshadowed.

The Hon. P. D. BLOCK (Nunawading Province)—I had hoped that the Minister would indicate his view of the proposed amendment before I moved it, or perhaps even suggested that progress be reported.

The Hon. D. R. White—I will respond to it.

The Hon. P. D. BLOCK—I move:

That it be a suggestion to the Assembly that they make the following amendment in the Bill:

Clause 2, omit this clause.

Although the Standing Orders of this House require that the clause I wish to insert in place of clause 2 cannot be moved until after all the other amendments have been moved, one way of overcoming this would be if the Committee waived the Standing Order, because the other amendments are consequential upon the new clause being inserted in the stead of the omitted clause 2.

The CHAIRMAN (the Hon. W. M. Campbell)—That is perfectly in order, because a precedent that has always been upheld during the Committee stage is that if an honourable member wishes to move or suggest an amendment and as a result of that must deal with some other portion of the Bill after the clause

on which he is speaking, he has the right to do so. Mr Block has the right now to speak to his proposed new clause—indeed, to all his proposed amendments, because they are consequential upon the first.

The Hon. P. D. BLOCK—They are totally consequential, tiny and almost insignificant. The main thing that the amendments seek to do is to remove the open-ended nature of the Bill and insert in its place a specific clause. If my proposal is accepted, section 31A would read:

> No surcharge on pay-roll tax shall be payable in relation to any period after 30 June 1983.

That is what would be inserted in place of the current clause 2, and it would give effect to the proposition that I explained during the second-reading stage of the debate. Therefore I see no purpose in speaking at length on it now.

The Hon. B. P. DUNN (North Western Province)—I cannot understand why the Government does not write this provision into its original Bill because it is clear that the aspect would be supported by the people of Victoria and that it gives the Government the right to this tax for another year with a limit on it. If the Government wished to extend the tax further, it would require legislation before the House. The Government would be acting in the best interests of Victoria by accepting the amendment moved by Mr Block which is supported by the National Party, to limit the pay-roll tax surcharge to apply until 30 June 1983. I ask the Minister to reconsider his stand on this issue. It is an unpalatable tax, and in view of the stated intention of the Government to review the raising of revenue by 30 April 1983, surely that review will tackle the question of the surcharge on pay-roll tax and the whole pay-roll tax question. The Government will have to reconsider its stand on pay-roll tax and this surcharge following the review of revenue-raising. Therefore, it has good grounds to accept the amendment and to limit the tax to apply only to 30 June 1983. The National Party supports the amendment and trusts the Minister will accept it.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—This matter has been discussed with the Treasurer, and the matter was raised in another place. It must be said that the Government is operating in the context of a narrow taxing base. Although it recognizes the inequity of this revenue source—pay-roll tax—it must be understood that the range of opportunities that the State has in a taxing base is narrow and limited. Nevertheless, the Government indicates that it intends to carry out a proper inquiry of the entire revenue base and the comments made during the course of this debate, particularly by Messrs Block and Dunn, will be taken into account by that inquiry and by the Treasurer. In view of the nature of the existing revenue base, and noting the comments, it is nevertheless the view of the Government that it does not intend to foreshadow or pre-empt the result of that inquiry which it is hoped will be completed by April 1983.

The Hon. A. J. Hunt—You accept the amendment?

The Hon. D. R. WHITE—No.

The Hon. P. D. BLOCK (Nunawading Province)—It was not clear from what Mr White said that the Government would not accept the amendment. It is now clear. I point out and re-emphasize that the previous Government imposed the recommendation that is suggested by the Opposition on itself as a self-disciplinary measure. I had proposed a levy on pay-roll tax in the latter part of 1981. Here the Opposition is attempting to impose the same discipline on the current Government as the previous Government imposed on itself. The motion stands in my name.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—It is correct to say that the former Government put a time-table on this measure but it was done in a context of six months before an election and this Government doubts the bona fides of its predecessor in saying that it had a genuine interest in removing the levy at that time or at any time afterwards. The evidence to support that statement is that nowhere during the course of this debate

this evening have the Opposition or the National Party put forward a proposition to the Government about how they would compensate for the removal of this revenue source and at no time have those parties indicated any alternative source of revenue acceptable to them. In addition, if they had been genuine in September and October last year, not only would they have indicated an alternative but they would also have foreshadowed precisely what the Government intends to do now—to have a full-scale review of the revenue base. The Government does not intend to pre-empt the results of that inquiry by indicating that this measure will be removed at 30 June next year.

The Hon. H. R. WARD (South Eastern Province)—I wish merely to restate the points made by the Minister who does not seem to understand the situation. The House is dealing with two or three small points. One is that the Opposition is not preventing the Government from carrying out the job of preparing its Budget and having an assured base of income. Another is that the amendment enables the Government to prepare a new base or to work out what it will do as a result of the report next year. It is really a discipline imposed on the Government to think about what it will do for a future Budget in 1983–84 because that is what it will be required to do. That cannot be dodged. The matter will arise in the pre-Budget discussions in 1983–84 and it will come back to the Parliament for further work, in the light of the report. I merely emphasize what the Minister has said.

The Hon. HADDON STOREY (East Yarra Province)—The Minister has always given speeches of impeccable logic, although at times the initial premise may have been wrong. On this occasion I heard him respond to Mr Block's remarks, and the logic led to only one conclusion, that the Government ought to have been introducing this amendment and not be relying on the Opposition to introduce it.

The Hon. P. D. Block—It should have been part of the Bill.

The Hon. HADDON STOREY—Indeed, it should have been. Mr White has said that the Government will have an inquiry into all sources of revenue and that the Government does not want to pre-empt the results of that inquiry, but this Bill pre-empts the result of the inquiry because it seeks to impose this tax for the life of this Parliament, whereas Mr Block's amendment enables the Government to have the inquiry and, in the light of the result of that inquiry, to determine what it will do. The amendment enables the tax to be collected for only twelve months, during which time this inquiry will be conducted.

I commend Mr White and the Government on holding the inquiry that the honourable gentleman has foreshadowed. It is an important and worth-while thing to do. However, the Government should have the honesty to carry through that resolution and accept this amendment so that the inquiry is not pre-empted one way or the other. The Government cannot have it both ways. Mr White is giving a logical argument but is not drawing the right conclusion from it. He is trying to have the best of both worlds, trying to persuade the community that the Government has an open mind on revenue-raising, but at the same time he is insisting on putting through a clause in a Bill which would pre-empt what the sources of revenue should be in the future. The amendment is eminently sensible and it does not prevent the Government from conducting its business for the next twelve months. It does not in any way inhibit the raising of revenue that the Government wishes to succeed. The suggestion by Mr White is a red herring and, knowing him as I do, I know he does not believe what he says about the matter. The Minister for Minerals and Energy knows that the proposed amendment will not prevent the Government from raising revenue from this source over the next twelve months.

The Hon. A. J. Hunt—On the contrary, it facilitates it.

The Hon. HADDON STOREY—Of course, it facilitates it. It will be open to the Government to come back after the inquiry, within the next twelve months, to move that this tax be continued for a further twelve months, two years or abolished if that is the result of the inquiry.

If the clause is passed as it stands, why have an inquiry? There would be no point, because the results of that inquiry would have been pre-empted by this measure. It seems to me that the logic of the argument of the Minister for Minerals and Energy compels the Committee to agree to the suggested amendment.

The Hon. A. J. HUNT (South Eastern Province)—Before the question is put, I make one final appeal to the Minister for Minerals and Energy. He has had no opportunity to personally consult with the Treasurer since Mr Block's remarks or regarding the precise terms of the amendment suggested by Mr Block. Since it is a question that goes to the heart of the Westminster system and the way in which money ought to be raised, if the honourable gentleman cannot see his way to accept the proposal at this stage, I respectfully suggest to him, through you, Mr Chairman, that the least he can do is to report progress to enable the arguments that have been raised this evening to be considered by the Government as a whole.

I suggest that is the least he owes to this Committee and to the public of Victoria. I invite the honourable gentleman, as an alternative to acceptance, to take that course and to report progress at this stage.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—In response to the Leader of the Opposition, I wish to assure the House that I have had consultation with the Treasurer both before the Bill was introduced into this House and since Mr Block spoke during the second-reading debate.

The Hon. A. J. Hunt—Personally?

The Hon. D. R. WHITE—Personally—since Mr Block spoke during the second-reading debate. I have not spoken to the Treasurer since Mr Block spoke in Committee but I do not believe that Mr Block or any other member of the Opposition has canvassed any issue in Committee which was not canvassed during the course of the second-reading debate.

Therefore, while I take note of the comments made by the Leader of the Opposition, the Government does not resile from the position that it held. The issues have been canvassed with the Treasury, and it is clear that, while taking note of the points that have been made which will be taken into account during the course of an inquiry, the Government does not accept the motion moved by Mr Block.

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

Ayes	24
Noes	11
Majority for the suggested amendment	13

AYES

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

NOES

Mr Eddy	Mr Walker
Mr Kennedy	Mr Walton
Mr Kent	Mr White
Mr Mackenzie	*Tellers*
Mr Sgro	Mr Butler
Mr Trayling	Mrs Coxsedge

PAIRS

Mr Hunt	Mr Landeryou
Mr Long	Mr Thomas

The clause was postponed.

Clauses 3 to 5 (Amendment of No. 8154 ss. 31B, 31E and 31F)

The CHAIRMAN (the Hon. W. M. Campbell)—To ensure that the Committee disposes of matters in correct order, I suggest to Mr Block that his suggested amendments numbered 2, 3, 4, 5 and 6 as circulated to honourable members be considered together. Then the Committee can deal with the clauses

that follow and dispose of them before considering clause 10, to which Mr Block has a further suggested amendment.

The Hon. P. D. BLOCK (Nunawading Province)—I adopt your suggestion, Mr Chairman, and move:

That it be a suggestion to the Assembly that they make the following amendments to clauses 3, 4, and 5:

Clause 3, paragraph (*b*), page 2, lines 2-4, omit 'there shall be substituted the expression "30 June 1982 or any financial year after 30 June 1982".' and insert:

'there shall be substituted the expression "30 June 1982 or the financial year ending on 30 June 1983".'

Clause 4, paragraph (*c*), lines 15-16, omit "in any other taxing period" and insert "in the succeeding taxing period".

Clause 4, paragraph (*d*), line 20, omit "in any other taxing period" and insert "in the succeeding taxing period".

Clause 5, paragraph (*b*), sub-paragraph (iii), lines 35-36, omit "in any other taxing period" and insert "in the succeeding taxing period".

Clause 5, paragraph (*b*), sub-paragraph (iv), page 3, lines 2-3, omit "in any other taxing period" and insert "in the succeeding taxing period".

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

Ayes	24
Noes	11
Majority for the suggested amendments ..	13

AYES

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

NOES

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

PAIRS

Mr Hunt	Mr Landeryou
Mr Long	Mr Thomas

Clauses 3 to 5 were postponed.

Clauses 6 to 9 were agreed to.

Clause 10 (Amendment of No. 8154).

The Hon. P. D. BLOCK (Nunawading Province)—I move:

That it be a suggestion to the Assembly that they make the following amendment in clause 10, paragraph (*c*), page 5, lines 19–20, omit "any succeeding financial year" and insert "the succeeding financial year".

This is also a consequential amendment, and I suggest to the Legislative Assembly that it accepts it.

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

Ayes	24
Noes	11
Majority for the suggested amendment ..	13

AYES

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

NOES

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

PAIRS

Mr Hunt	Mr Landeryou
Mr Long	Mr Thomas

The clause was postponed.

Clauses 11 and 12 were agreed to.

New Clause

The Hon. P. D. BLOCK (Nunawading Province)—I move:

That it be a suggestion to the Assembly that they insert the following new clause to follow clause 1:

'A. In sub-section (2) of section 31A of the Principal Act, for the expression "30 June 1982" there shall be substituted the expression "30 June 1983".'

This new clause is the main measure for the amendments to the Bill. The Opposition has been totally right in moving the amendments that it has, because from the Government's intransigence on these matters, it immediately becomes apparent that this impost it is proposing is definitely intended to be a long-standing one. Therefore, I have no hesitation in suggesting the insertion of this new clause.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—It is clear that the matter before the House this evening foreshadows a taste of what is to be expected from the Opposition in respect of not only this Bill but also many Bills, and there is every reason to believe that on every occasion that the Opposition gets the opportunity it will ignore the events of 3 April; it will ignore the mandate that the Government has received. It is clear that it is a foretaste of what can be expected in the future. They will not only ignore the mandate of 3 April but will also take every opportunity of seeking to amend and attempt to defeat proposed legislation and will also attempt to use their numbers to defeat every word of every clause of every Bill. That is so, despite the fact that in the 1979 election the Labor Party received a two-party preferred vote of more than 49 per cent and in 1981 it received a two-party preferred vote of more than 53 per cent, yet it has less than 45 per cent of the membership of this House. It is obvious that the Opposition intends to misuse its numbers to defeat the Government's mandate.

The Hon. B. P. DUNN (North Western Province)—The Minister is really saying that any honourable member who has a view contrary to that of the Government on any measure should sit back and, on the basis of what he calls the Government's mandate, say nothing to defend the interests of the people represented by that honourable member, the interests of the State or the interests of good legislation.

When the Minister was a member of the Opposition, the Labor Party was a good Opposition. It was consistent in its criticism of proposed legislation, such as this measure, and took every opportunity of moving amendments, regardless of the mandate of the Liberal Government of the day. Nothing has changed except that the then Opposition is now in Government.

Members of the Opposition and of the National Party would be neglecting their responsibilities to the State of Victoria if they did not try to improve proposed legislation. The Minister talks about the Government having a mandate from the people of Victoria, but the Labor Party went to the people on the basis that it would not increase taxes. In the first few weeks of being in Government, it has done the very thing it promised not to do.

The CHAIRMAN (the Hon. W. M. Campbell)—Order! I ask Mr Dunn to return to the motion and not to allow the debate to become too broad.

The Hon. B. P. DUNN—Yes, Mr Chairman. The Government has departed from the basis on which it sought a mandate from the people, because the Bill establishes a principle on which the Government does not have a mandate. I should like the Minister to understand quite clearly that members of the National Party will not stand by and allow him to belt proposed legislation through this House if we believe we can improve it. The amendments seeking to limit the surcharge to 1983 are in accordance with all of the views expressed by Mr White tonight. They are compatible with the suggested review of Government revenue-raising measures and with virtually everything the Minister put forward. Is it sheer pride, arrogance or what that makes the Minister refuse to accept the suggestion? There is no logical or economic reason why the

Government should not accept the proposal. If it wants to continue the surcharge after the review of revenue-raising sources, the Government can introduce a further measure seeking an extension for a year or beyond.

The Government has acted stupidly. It could easily have accepted the amendments that have been suggested, thereby avoiding the conflict and, if it wished to continue the surcharge, it could achieve that by introducing further proposed legislation.

Members of the National Party have no doubt about the course they should be taking. We believe we have done the right thing tonight and that members of the Opposition have also taken the right course.

The Hon. HADDON STOREY (East Yarra Province)—The Minister's attitude tonight is typical of the arrogance of the Government. Because it was elected on 3 April, it believes it can ride rough-shod over the entire Parliamentary process, do what it promised it would not do and claim that as part of its main mandate and that it can quell any voice raised in a constructive manner in an effort to help the State.

The Minister evoked the shades of 1975. That was completely and utterly dishonest and he knows it. The new clause proposed by Mr Block will not deprive the Government of one cent during the next twelve months. In fact, it endorses the principle of the Bill, even though the Government is increasing a tax, which is contrary to the promise it made to the people of Victoria prior to 3 April. The Opposition is giving the Government the opportunity of having twelve months in which to do what the Government said it wanted to do, to consider its revenue-raising sources, and it does not pre-empt the issue one way or the other.

Therefore, the Minister's comments can have been born only out of frustration and annoyance because honourable members are exercising their democratic right to put a point of view. Mr Dunn was completely right in saying that the Minister displayed arrogance and petulance over the matter. Not only is he doing that, he is also departing from the promises made by the then Opposition before 3 April and dishonestly suggesting that in some way the proposed new clause would interfere with the Government's revenue-raising sources over the next twelve months.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—In response to the remarks made by both Mr Dunn and Mr Storey, I point out that it is clear from the conduct of both parties since 3 April that the Opposition and the National Party intend to take every opportunity of amending Bills and of foreshadowing their intention to repeat the events of 11 November 1975.

The CHAIRMAN (the Hon. W. M. Campbell)—Order! I have tried to be lenient with all honourable members. I asked Mr Dunn not to be too broad in his remarks and he returned to the motion before the Chair. Mr Storey did likewise. I ask the Minister also to follow that course. He should not widen the debate beyond the existing confines.

The Hon. D. R. WHITE—Thank you for your advice, Mr Chairman. I point out that the timing of the introduction of the measure should be understood. It has been introduced in a period when, clearly, it would be unproductive for the Opposition to contemplate going to an election, but at another time and in another political context I have no doubt that, at the earliest opportunity, the Government can expect a repetition of the events of November 1975.

The Hon. J. V. C. GUEST (Monash Province)—The Minister is on dangerous ground in invoking the "mandate", firstly because I have half an hour of material already prepared on the subject.

The Hon. D. R. White—That is a real threat.

The Hon. J. V. C. GUEST—I had prepared it for the Address-in-Reply debate. It disagrees with almost everything that has been said in the House on the subject to date. However, I am not attempting to debate that now, against your stern resistence, Mr Chairman.

The CHAIRMAN (the Hon. W. M. Campbell)—Order! I was not stern, I was explicit.

The Hon. J. V. C. GUEST—I shall not debate the question of the mandate. I do say there is a doctrine of restraint on the Government—that is what the classical authorities on the subject show. It has been established that a Government which has no mandate must, if it has not presented the issues on which it is to legislate fairly and squarely to the electorate, go to the people to obtain the mandate. The only comparable case is that of the 1910 Liberal Party Government in the United Kingdom.

The CHAIRMAN—Order! Mr Guest, I am sorry but the Committee is dealing with a motion before the Chair. I permitted one honourable member to just mention 1975 and he stopped quickly and thus the Committee has gone no further on that. There is no way known that I can agree to going back as far as 1910.

The Hon. J. V. C. GUEST—I am saying that the only proper reaction of the Government is, if it disagrees with this proposition, that is the suggested amendment, and indeed, if it wishes to be honest in putting forward the Bill at all, it has to go to the people to seek a mandate. That was done in comparable circumstances on a tax Bill in 1910 when the Asquith Government honestly recognized that it had no mandate.

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

Ayes	23
Noes	11
Majority for the suggested amendment ..	12

AYES

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

NOES

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

PAIRS

Mr Hunt	Mr Landeryou
Mr Long	Mr Thomas

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.

PSYCHOLOGICAL PRACTICES (SCIENTOLOGY) BILL

This Bill was received from the Assembly and, on the motion of the Hon. D. R. WHITE (Minister for Minerals and Energy), was read a first time.

SESSIONAL ORDERS

New business

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I direct the attention of the House to Sessional Orders which state that, unless otherwise ordered by the House, in each week of the present session no new business shall be taken after 10 p.m.

The Hon. E. H. WALKER (Minister for Conservation) (*By leave*)—Earlier tonight when your deputy was in the chair, Mr President, the House was dealing with a Bill to amend the Environment Protection Authority Act. The third-reading stage of the Bill had been reached when an issue was raised by Mr Evans. I agreed to report to the House later on the matter. I realize that it is now past 10 p.m., but I should like the debate on the Bill to be completed so that it may be passed through the House. It is only a short Bill. Therefore, I seek leave of the House for the resumption of the debate on the third reading of the Environment Protection (Penalties) Bill.

Leave was granted.

The PRESIDENT—Since leave has been granted, it is in order to continue.

ENVIRONMENT PROTECTION (PENALTIES) BILL

The debate (adjourned from earlier this day) on the motion of the Hon. E. H. Walker (Minister for Conservation) for the third reading of this Bill was resumed.

The Hon. E. H. WALKER (Minister for Conservation) (*By leave*)—To refresh the memories of those honourable members who were not in the House at the time, I had arrived at the point where I moved by leave that the Bill be read a third time and accordingly made a number of comments.

In response to certain issues raised by Mr Evans it was clear that I was not able to offer a satisfactory answer to the honourable member. I then asked for leave to have the matter adjourned and since then have received advice. The answer is simple. Mr Evans's question was: Why were some of the penalties in the Environment Protection Authority Act and the amendment simply stated as amounts of money whereas other penalties were indicated as optional maxima?

In other words the wording is "not more than" a certain amount of money. It is interesting that such a small question should take so much answering. I made contact with members of the Environment Protection Authority, but the redoubtable Parliamentary Counsel, Mr Finemore, had to supply the answer. The answer is that in the Acts Interpretation Act, and I understand now in last year's Penalties and Sentences Act, it is provided that where the penalty appears at the end of a section in the Environment Protection Authority Act or similar Acts simply as an amount of money it is understood to be the maximum.

In other words the magistrate handling such an issue has at his or her discretion the prospect of setting the fine or the penalty up to that amount. The Acts Interpretation Act makes that clear. However, where the amount is stated within the body of a clause as is the case in the amendment and the Act itself, since the Acts Interpretation Act was not clear on that issue, it was understood by Parliamentary draftsmen involved that it was necessary to state clearly in the body of the text, "an amount up to a certain amount of money".

The point raised by Mr Evans is interesting and, although the answer is simple, it took a long time to find. The reality is that all figures mentioned are treated as maximum penalties. This has always been so but most people administering the Act did not know why. The Acts Interpretation Act makes it clear that if a penalty appears at the end of a section it is the maximum. If the penalty appears in the body of the text it has to be stated as "an amount up to." I hope the explanation is acceptable.

The Hon. D. M. EVANS (North Eastern Province)—This has been an interesting interlude and I am pleased to have a simple answer. I was sure there must have been an answer about which other honourable members may or may not have been aware. I am pleased that the figures mentioned at the bottom of the clause are maxima and a lesser penalty can apply. Had it not been so the penalties would have been unduly harsh and unjust. I am satisfied with the explanation and the National Party, as I indicated at the beginning of my remarks, supports the Bill.

The motion was agreed to, and the Bill was read a third time.

MELBOURNE AND METROPOLITAN BOARD OF WORKS (DIFFERENTIAL RATING) BILL

The Hon. D. R. WHITE (Minister of Water Supply)—I move:

That this Bill be now read a second time.

For some time, the Government has been concerned with the hardship on the owners and occupiers of domestic rateable properties which has arisen as the result of the last two general revaluations of rateable properties in the metropolitan area.

As part of its policy, the Government promised to introduce provisions into the Melbourne and Metropolitan Board of Works Act 1958 to enable the Melbourne and Metropolitan Board of

Works to provide relief in those cases where there was a dramatic increase in the valuation of domestic rateable properties. The Bill is designed to implement the Government's policy as indicated by His Excellency the Governor when he opened Parliament on 27 April, 1982.

It basically contains provisions to allow the board greater powers to make differential rates and adjust valuations, and it standardizes sections allowing relief against each rate already incorporated in the board's Act.

I shall deal with the adjustment of valuations later, but at this point it should be said that this is regarded as a valuable new power which complements the differential rating powers already referred to. Sections 99 and 175 of the Melbourne and Metropolitan Board of Works Act 1958, hereinafter referred to as "the Act", empower the Melbourne and Metropolitan Board of Works to make and levy water and sewerage rates on a differential basis on "included land". "Included land" is land which was added to the metropolis since 1957. This provision was used by the Melbourne and Metropolitan Board of Works in respect of certain "included lands" on the outer metropolitan fringe until the commencement of the 1977–78 rating year.

It is desired to extend this power to the whole of the metropolis and consequently it is proposed to amend both those sections by inserting in the second line of section 99 (2) of the Act the words "paragraph (*a*) and" in lieu of the word "paragraph" and, to achieve the same objective, by making a similar amendment to section 175 (6A) by substituting the expression "paragraph (*a*) of sub-section (6) in respect of different areas of land in the metropolis" in lieu of the expression "sub-paragraph (ii) of paragraph (*a*) of sub-section (6) in respect of different areas of included land".

As a matter of interpretation the words "different areas of land in the metropolis" may well be confined to meaning geographical areas rather than small groups of properties, and the words "or different rateable properties in the metropolis" have therefore been added at the end of both section 99 (2) and section 175 (6A). Certain sections have been included in the board's Act in the past to allow relief in respect of land other than that used primarily for residential, commercial or industrial purposes.

Unfortunately the wording of the sections concerned has differed as they have been added and accordingly the opportunity has been taken to make the wording of these sections consistent throughout the Act. Comparison of clauses 3 (*b*), covering water, 4 (*b*), covering sewerage, and 5, covering planning, of the Bill shows that the wording is now identical with that already contained in section 280 which covers drainage. In this context it should be noted that clause 5 of the Bill has removed sub-section (1B) of section 218 and reconstituted it in exactly the same wording as sub-section (1D). This sub-section is retained to assist in the definition of properties eligible for relief.

These sections give the board power to allow relief to rural land. An example of circumstances where such relief might be allowed is where a farm has a domestic water service connected to a main extended past the whole of the property to serve an urban community. In such a case it is envisaged that instead of levying water rate on the net annual value of the whole of the property the water rate might be levied on a nominal net annual value calculated by taking 5 per cent of the valuation of the improvements to the property plus 5 per cent of the proportion of the land valuation represented by 5 acres divided by the total acreage of the property.

The new and innovative provision in the Bill is contained in clause 6. One of the results of the last revaluation based on values at 30 June 1978 is that many domestic properties, particularly in the inner suburbs, became valuable for many and various reasons and had their valuations lifted by, in some cases, as much as 150 per cent. Honourable members can well imagine

the problems that this created for people who are on fixed or controlled incomes who may not have expected such a tremendous variation and would not have budgeted for such a substantial increase.

My Government supports the principle of valuation as the basis of rating. Nevertheless, this situation needs to be sympathetically approached so as to avoid undue hardship in the first year. It must be conceded that in inflationary periods, valuations of properties will rise and one cannot quarrel with an adjusted valuation which includes inflation. However, where other factors occur to influence the valuation upwards by a substantial percentage, then it is my Government's view that the additional value ought to be phased in rather than applied in the first year. Consequently, the intention of the Government is to provide a mechanism to enable the Melbourne and Metropolitan Board of Works to phase in these high valuations and thus alleviate the initial hardship.

Whilst it must be a decision for the Melbourne and Metropolitan Board of Works, subpect to the Minister, an example of the way in which the new provision could be used is as follows: Assume that a property had a 1974 valuation of $1000 and a valuation, following the 1978 revaluation, of $2500. Since inflation for the four years from 1974–75 to 1977–78 totalled 54 per cent. then the percentage for year 1 would be set at the old valuation plus 54 per cent + 50 per cent × (100 per cent minus 54 per cent) = 77 per cent. The percentage for year 2 would be set at 100 per cent. The valuations on which rates would be levied would therefore be as follows:

	Old valuation	*Additional set percentage*	*Adjusted valuation*
	$	$	$
Year 1 ..	1 000	700 (77 per cent.)	1 000
Year 2 ..	1 000	1 000 (100 per cent.)	2 500
Year 3	Actual Valuation		2 500
Year 4 ..	Actual Valuation		2 500

Honourable members will readily see that in the first year, inflation plus a part of the valuation in respect of the other causes is taken into account; the second year the property owner is effectively subject to a further increase and, in the third and fourth years, the whole of the new valuation will be taken into account, thus preserving the principles of valuation as a basis of rating as well as maintaining the equity sought to be achieved as the result of the revaluation process.

As valuations at different points in time are likely to produce different results and create different problems, flexibility is required to handle these results and problems as they occur. It is therefore not considered advantageous to set an inflexible formula to calculate adjustments under the provision of the board's Act.

It must be pointed out that where alterations or improvements to a property have occurred before the valuation date and the new valuation reflects these alterations and improvements, which may be a new house on vacant land, then the Melbourne and Metropolitan Board of Works would need to exclude such factors in assessing any adjusted valuation before deciding upon what ought to be the adjusted valuation.

While there is the power to adopt an adjusted valuation, it is essential that the original valuation be not exceeded at any time, hence the provision in clause 6(1B). I am sure honourable members will support this Bill as it does provide for obviation of hardship, a degree of flexibility and retains the essential principles of valuation as a basis of rating as well as enabling the Melbourne and Metropolitan Board of Works to approach the various rates that it has to set in a consistent manner. I commend the Bill to the House and I thank the Leader of the Opposition and the Deputy Leader of the National Party for their indulgence in allowing the second reading of the Bill to proceed.

On the motion of the Hon. GLYN JENKINS (Geelong Province), the debate was adjourned.

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

ADJOURNMENT

Proposed Closure of State Electricity Commission offices—Lilydale Magistrates Court — Victorian Dental Therapists Association — Dual meat inspection — Travel by State employees—Health insurance payments by Esso Australia Ltd—Overcrowding at Essendon football ground—Section 120A schemes

The Hon. E. H. WALKER (Minister for Conservation)—I move:

That the House do now adjourn.

The Hon. K. I. M. WRIGHT (North Western Province)—I direct a matter of urgent Government business to the attention of the Minister for Minerals and Energy. I am extremely concerned about State Electricity Commission report which recommends the closure of the Red Cliffs and Sea Lake district offices of the State Electricity Commission that will eventuate in the loss of seven full-time positions in the region.

It is entitled, "Review of the Mallee Electricity Supply Region" and was prepared by senior officers of the State Electricity Commission to investigate present and expected work demands of the offices and other similar matters. I emphasize that any decision to close the Red Cliffs or Sea Lake offices should not necessarily be taken on purely economic grounds. The effects of the closure of the offices at Red Cliffs and Sea Lake should be considered for the whole community and the effect any closure would have on the prosperity and wellbeing of each town.

Another significant loss could be that of the regional manager who is presently based at Mildura. The work he is presently doing would be effected by the manager at the Bendigo office. A further matter of concern raised in the report is that the State Electricity Commission presently operates in three different locations in Mildura and the report recommends that the operations be contained in one building. The interesting aspect of the report is that out of the twenty proposed closures of State Electricity Commission offices that have come to my notice, this is the first time that a really economically viable office is proposed to be closed. The growth rate at Red Cliffs was 20·5 per cent to 30 June 1981. The report also mentions the fact that significant potential exists for the installation of more spray irrigation, which would use more electricity. Without continuing further, it can be understood that if the report were brought to fruition, it would bring hardship and change to the area. I ask the Minister to ensure that full consideration be given to these matters before a hasty decision is made.

The Hon. H. G. BAYLOR (Boronia Province)—I am in a dilemma because I want to raise a matter for the attention of the Leader of the Government representing the Attorney-General, but as he is not here I shall direct a matter to the Minister for Conservation because it relates to the administration of the Law Department. The matter I want directed to the notice of the Attorney-General is the state of the Magistrates Court in Lilydale. I know full well that the matter has been directed to the attention of the previous Government. Discussions occurred between the Law Department at the time and the people concerned with the court.

Having visited the court last week, I consider that it is a matter of urgency. I hope the Minister will convey to the Attorney-General the inadequacy of the accommodation at the court, which is crucial because no storage space is available for files to be kept in a proper order. I noticed that confidential files on matrimonial causes and so on were stacked under the magistrate's bench, which was a totally inappropriate place in which to store documents.

It is most noticeable that the court room has an extremely bleak appearance. It does not contain an Australian flag or a Victorian flag, nor does it have a portrait of the Queen. It has no aura or symbol of law and order so that the court room is entirely bare and vacant. The matter should be rectified. I would like all the courts in Victoria to display both the Australian flag and the Victorian flag and perhaps some symbol to create an atmosphere for those who come before the court so that they know they are

in a court of law. Symbols should indicate the law and order of the society in which we live.

The clerk of courts' office is a disgrace. It is in dire need of maintenance. The morning I attended the court was extremely cold and the heater was out of action. The staff were coping with a small substitute heater, which was inadequate. I consider that if the judicial system is to work properly in the jurisdiction of the Magistrates Courts, the staff must be provided with proper accommodation, adequate to cope with the work load they are now receiving. As honourable members will remember, the jurisdiction that the Magistrates Courts covers was extended to cover matters involving sums up to $3000. That move, in itself, has brought further work to the Magistrates Courts. In addition, there is absolutely no storage space for equipment outside the building. The lawn mower and the cleaning implements are kept in the small wash room. The situation is quite unsatisfactory. I draw the attention of the Attorney-General to the concern of the people who work there and of members of the public who are obliged to attend the court from time to time, and I hope the matter will be rectified as quickly as possible.

The Hon. ROBERT LAWSON (Higinbotham Province)—My remarks are directed to the Minister for Minerals and Energy who is the representative in this place of the Minister of Health. The matter arises from a letter I have received from the Victorian Dental Therapist Association which is based in the northern and western suburbs and operates throughout part of Gippsland and the Geelong area.

The basis of the complaint of the members of the association is a lack of funds. These people operate in the field of dental health for school children, doing much of the work of a dentist. Part of the argument they advance is that they do not receive adequate pay. In the course of the letter, the association states that a nursing aide, who is not permitted to treat patients as such, receives 90 per cent of the salary of a nursing sister, whereas dental therapists receive only 55 per cent of the salary of a dentist. The association also states that one of the recruiting brochures says that, at the expiration of a four-year training period, trainees will receive a dental therapist's certificate. They do not receive such a certificate.

The Minister could well initiate an inquiry into the subjects that have been raised by the association. No doubt the Minister has also received a letter from the association, as I understand that a letter such as the one I received was sent to all members of Parliament. However, if the Minister requires further information, I will be pleased to let him have my own letter.

The Hon. J. W. S. RADFORD (Bendigo Province)—I direct to the attention of the Minister of Agriculture a matter relating to dual meat inspection of live sheep for export. The anomaly of dual inspection arises because State authorities check the sheep's health and Federal authorities ensure that the merino ram export embargo is not contravened. The Minister is perhaps aware that State inspectors believe they are capable of carrying out the duties currently being performed by the Federal officers.

Is the Minister aware that, as from 1 July, the Federal Government will introduce an inspection fee to recover up to 50 per cent of the costs of the inspection by Federal inspectors and that this cost is estimated on the basis of 5 cents a head for the first 10 000 sheep loaded and 2 cents a head for the remainder of the load? In the eyes of some, it may be considered only a small sum of approximately $2400, but when one takes into account that this occurs not only in Victoria but throughout Australia one realizes that a high and unnecessary cost is involved.

I ask the Minister what steps he is taking to resolve the problem of dual inspection of live sheep for export, as well as dual inspection of meat for export. What stage have his negotiations, if any, with the Commonwealth Government reached?

The Hon. W. R. BAXTER (North Eastern Province)—I raise with the Minister representing the Treasurer a matter which seems to be a recurring problem towards the end of each financial year. It concerns public servants who are located in the country and who are required to travel to undertake their tasks, using either their own motor cars or those belonging to the State Government. Such employees are allocated a certain number of kilometres for the year and, before the year is out, they have travelled that number of kilometres and are given instructions to travel no more but to remain in the office. Often, these limits seem to be arbitrarily set by boffins in Melbourne who fail to understand the distances involved and the absolute necessity for personal contact.

I accept that some form of control is necessary over the use of motor vehicles and the number of kilometres travelled. However, I suggest that that control should be exercised with flexibility and understanding.

On the present occasion, I understand that some licensing inspectors in country Victoria have used up their allocation of kilometres for the year. Honourable members would agree that licensing inspectors should not be hindered in their work of inspections and approval of licensing applications. In no way am I attributing blame to the Government in regard to this matter; the situation has gone on for a number of years. However, I ask the Minister to ensure that sufficient funds are made available this year to enable those inspectors to carry on their work and that in subsequent years a better scheme is devised.

The Hon. H. R. WARD (South Eastern Province)—I raise a matter with the Leader of the Government. As he is probably aware, it has been announced today that Esso Australia Ltd has agreed to make health insurance payments on behalf of 2000 of its employees. Most of the employees involved with that company, especially those in the Gippsland area, are extremely highly paid and receive massive benefits which generally do not accrue to other sections of the work force.

The Leader of the Government is probably aware that the Transport Workers Union and the Storemen and Packers Union have made claims for the employer to make health insurance payments on behalf of their members. If the claim flows on, as it almost certainly will, increased burdens will be placed on employers, especially on the small business man. Above all, we hear the cry of the Government on tax avoidance and all sorts of other issues in regard to benefits it claims that nobody else receives.

Will the Leader of the Government inform the house whether he has studied the scheme that has been adopted by Esso Australia Ltd and its effect on all other employers but especially on those engaged in small business? Can it be seen that this new scheme is a method of tax avoidance now being employed by members of the trade union movement?

The Hon. N. B. REID (Bendigo Province)—I raise with the Minister representing the Minister for Youth, Sport and Recreation a matter concerning the magnificent game of football which was staged at "Windy Hill" yesterday.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—I hope it involves a matter of Government administration.

The Hon. N. B. REID—It certainly does, Mr Deputy President. This great spectacle of Australian rules football attracted a tremendous crowd to the Essendon football ground. In fact, 33 800 people crowded into a ground which was designed for approximately 30 000 people, so approximately 3000 more people gained admission to that match than are normally accommodated in that ground. I understand that there were instances of people climbing over fences topped with barbed wire, to gain admission. Apparently the police did a magnificent job in controlling the crowd.

However, I am concerned that this situation could occur again and I ask the Minister to raise the matter with the Minister for Youth, Sport and Recreation. I can understand the Essendon Football Club having its loyalty to

many sponsors who support it throughout the year but the matter should be considered for the future. I ask the Minister to enter into discussions with the Minister for Youth, Sport and Recreation, the Victorian Football League and the clubs in an endeavour to prevent the recurrence of such an incident.

The Hon. GLYN JENKINS (Geelong Province)—I ask the Minister of Water Supply whether the Cain Government has formulated a straightforward policy on refunds for money paid by participants in section 120A sewerage schemes under the Sewerage Districts Act? The Minister has received a number of deputations over recent weeks from a number of areas in Victoria where these schemes are being implemented. The Minister would recall that, in the short policy document he prepared prior to the election, he indicated that places like Portarlington, Lara, Lilydale, Mount Helen and Chirnside Park, Lilydale, would receive a Government refund on those capital funds over the next ten years.

It now appears that another formula is to be applied in which some of the capital funds will be refunded and, to supplement those refunds, the authorities will borrow money at 17 per cent to repay the participants in the schemes. Is there a consistent policy for the five section 120A schemes that were referred to in the policy initiative document issued by the Minister? Are those policies consistent and clear? Does the Minister propose to extend the principle to other section 120A schemes? On the figures I had prepared when Minister of Water Supply, there were 136 schemes, not 5, that involved more than 10 000 blocks of land and approximately $13·5 million in capital funds paid by those participants. I raise those matters because there is confusion in the area I represent, especially in Portarlington, on what the specific policies of the Government are on the refunds of these moneys. Does the Minister propose to make further refunds that will need to be supported by fifteen-year loans and, if so, is it not true that some of these loans will be finally paid back in approximately 25 years?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—Mrs Baylor raised the matter of the Magistrates Court at Lilydale. That is not an area that comes under my jurisdiction, but I am sure that the Attorney-General in another place would be aware of the matter. I shall ask the Attorney-General to review the matters that Mrs Baylor has raised. It is to be hoped that the Attorney-General will also have time to review the no doubt thick file that the former Attorney-General would have accumulated on the matter.

Mr Ward raised with me the health insurance offer that Esso Australia Ltd, as a company, made to its employees and he made the allegation that the offer could be a tax avoidance measure. I am prepared to examine that matter in detail in the context of tax avoidance if Mr Ward, on behalf of the Liberal Party, is asking me to examine some of the payments that are made in terms of attending for work in this place on a similar basis. However, in the spirit of conciliation, I shall undertake to examine the implications of that agreement, as it may well affect the State of Victoria as a principal employer.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—Mr Wright raised with me the review of the Mallee electricity supply region being prepared by the State Electricity Commission of Victoria. It is correct that the State Electricity Commission of Victoria has prepared a document that has been circulated locally. That document contains a number of options. Discussions will be held between the relevant employee bodies, including the Municipal Officers Association of Australia, Victorian Branch, and the State Electricity Commission of Victoria on Thursday of this week. The Government looks forward to receiving comment from local interest groups and communities before any decision is made on that matter.

Mr Lawson raised the matter of the dental therapy associations and associated matters. I look forward to raising that issue with the Minister of Health in another place.

Mr Baxter raised a matter for the attention of the Treasurer on the possibility of the allocation of travelling allowances for public servants expiring before 30 June this year, thus jeopardizing the capacity of those public servants to fulfil their obligations. I shall raise that issue with the Treasurer.

Mr Jenkins raised with me the implementation of the policy of the Government on the section 120A sewerage schemes. At no stage has the Government sought to repeal section 120A of the Sewerage Districts Act. Indeed, the Government has said that, if either any individual or group of individuals wishes to take an initiative to implement a section 120A scheme and there are no objections to that proposal——

The Hon. Glyn Jenkins—None at all?

The Hon. D. R. WHITE—Where there are no objections the Government will allow the schemes to proceed. In addition, the Government has approved a 120A scheme at Mount Helen, where there were two objections by absent landholders of vacant blocks of land.

The Government has negotiated on a number of stages of the scheme for Chirnside Park, Lilydale, and has satisfactorily entered into an agreement with the Lilydale Sewerage Authority, which will, in the next financial year, receive approximately $400 000 in subsidized loan funds to enable it to complete the schemes in progress and $100 000 to repay a scheme that was completed at stage 5. Legislation will be required in the spring sessional period to give the authority the power to repay the contractors in stage 5. I look forward to a Bill being introduced and being passed with the agreement of the Opposition.

In respect of the proposed section 120A sewerage schemes at Mount Martha, the Government has decided not to proceed with those schemes. In respect of the section 120A sewerage schemes at Delacombe, Ballarat, the Government has had discussions with the Ballarat Sewerage Authority and these discussions will continue.

The Ballarat Sewerage Authority has agreed to complete the two schemes in progress by means other than private, up-front contributions from landowners. In respect of the Bellarine and Portarlington schemes, Mr Jenkins would appreciate that that was a shandy scheme involving an initial contribution of $900 000 by landowners, about which there was significant objection. The Government has had two meetings with the Bellarine Sewerage Authority on the Portarlington scheme and Mr Jenkins should note that the Government and the State Rivers and Water Supply Commission have made a specific offer of grant money to the Bellarine Sewerage Authority for consideration. That offer is under consideration and the Government is looking forward to continuing discussions with a view to ensuring that the policies of the Government are effectively implemented.

The Hon. D. E. KENT (Minister of Agriculture)—On the question raised by Mr Radford, it should be noted that veterinary and animal health services are the responsibility of the State Government, which does check the condition of live sheep being exported from Portland.

If the Government which purports to represent the pastoral industry wishes to impose an additional burden on the industry by introducing dual inspection, the honourable member should raise that matter with the Federal Government, but, after all, the cost of 5 cents to 7 cents a head is not a substantial amount compared with the value of the sheep.

The matter has been raised by the Department of Agriculture, because we believe it is wasteful to have any form of dual inspection, whether for live sheep or meat, and we will attempt to have that situation rectified.

I refer to the matter raised by Mr Reid, and shall take up with the Minister for Youth, Sport and Recreation in another place the problem that has

arisen because an overcapacity crowd was allowed into a football ground. The Minister may discuss the matter with the ground management of various clubs and the Victorian Football League, so that a policy may be implemented to ensure that dangerous overcrowding is prevented in the future, if possible.

The motion was agreed to.

The House adjourned at 10.52 *p.m.*

QUESTIONS ON NOTICE

MINISTERIAL STAFF APPOINTMENTS

(Question No. 13)

The Hon. B. A. CHAMBERLAIN (Western Province) asked the Minister for Economic Development, for the Premier:

In relation to the list of Ministerial advisers and private secretaries to Ministers issued by the Parliamentary Secretary of the Cabinet on 5 May 1982, will the Premier advise in relation to each such appointment—(i) whether the person concerned is a public servant or employed on contract, giving details of any such contracts; and (ii) the annual salary and allowance payable?

The Hon. W. A. LANDERYOU (Minister for Economic Development) —The answer supplied by the Premier is:

Ministers may obtain the services of Ministerial advisers and private secretaries either through direct recruitment pursuant to section 40 (5) or section 4 of the Public Service Act or through secondment of Public Service officers to perform those duties.

Where employment is pursuant to section 40 (5) or section 4, the Ministerial advisers and private secretaries are paid rates in accord with a scale determined by the Public Service Board. Details of salary levels and conditions of employment are set out in Attachment A.

While specific termination of employment conditions are prescribed for Ministerial staff, other conditions of employment are similar to those applying to employees in the Public Service other than for those conditions covered by a commuted allowance.

Public servants seconded to perform these duties are paid an appropriate allowance to provide a total emolument equivalent to that applying for employees employed pursuant to section 40 (5) or section 4 but they retain their normal Public Service conditions of employment.

Details of the designations of Ministerial advisers and private secretaries, including those who are public servants, are set out in Attachment B. (The list of staff issued by Cabinet Secretary on 19 May, which supersedes that of 5 May, is used.)

Attachment A

Salaries and Conditions of Employment of Ministerial Staff

RATES OF PAY

Classification	*At a rate equivalent to the salary rate prescribed from time to time in the relevant schedule to the Public Service Determinations for*
a) Ministerial Adviser	
Ministerial Adviser, Grade I.	Administrative Officer, Class "B1" ($24 659–$25 970)
Ministerial Adviser, Grade II.	Administrative Officer, Class "A" ($27 601–$28 896)
Ministerial Adviser, Grade III.	Administrative Officer, Class "A1 (1)" ($31 626)
Ministerial Adviser, Grade IV.	Administrative Officer, Class "A1 (3)" ($36 141)
Principal Ministerial Adviser	Minimum rate for officer in the First Division ($40 904)

b) Private Secretary *Classification*	*Rate*
Private Secretary—	
Grade I.	$17 813–$18 419
Grade II.	$19 159–$19 768
Grade III.	$20 438–$21 041

Determination of the level of pay for Ministerial advisers, grades I to III and private secretaries grades I to III is made by the Minister in accordance with criteria proposed by the Public Service Board. The approval of the Premier is required to employ a Ministerial adviser grade IV.

CONDITIONS OF EMPLOYMENT

Commuted Allowance

(*a*) Ministerial Adviser: A Ministerial adviser shall be paid an allowance at the rate of 15 per cent of salary for all other incidents of employment not provided for elsewhere in the conditions determination by the Public Service Board and including overtime, work at night, at week-ends and on public holidays. A Principal Ministerial adviser is not entitled to this allowance but receives instead an expense of office allowance of $1200 per year.

(*b*) A Private Secretary: A private secretary shall be paid an allowance at the rate of 20 per cent of salary for all other incidents of employment not provided for elsewhere in the relevant determination and including overtime, work at nights, at week-ends and on public holidays, provided that the

rate of total emolument of the private secretary shall not exceed the rate of salary prescribed for the second subdivision of Administrative Officer, Class "B1" in Part A of the Second Schedule to the Public Service Determinations.

(c) The commuted allowance for a Ministerial adviser or private secretary shall not be payable in respect of periods of sick leave (including worker's compensation leave) to the extent by which such periods of leave exceed twenty days in aggregate in any one year. The allowance payable to a Ministerial adviser or private secretary during a period of long service leave shall be calculated, *pro-rata*, on the basis of one-half (1/2) only of the commuted allowance.

Retiring Gratuities

A Ministerial adviser or private secretary shall have an eligibility to retiring gratuities in accordance with the relevant provisions of Schedule "A" General Conditions of Employment Determination made by the Board pursuant to Section 4 of the Public Service Act 1974.

Termination of Employment

The employment of the Ministerial adviser or private secretary may be terminated by the employee or the Minister, giving one to the other a minimum period of notice according to the period of continuous service as set out below—

Period of Service	*Minimum Period of Notice*
(a) In first 26 weeks of service	1 week
(b) Between 26 weeks and 12 months service	8 weeks
(c) After 12 months of service but less than 10 years service	12 weeks
(d) After 10 or more years service	16 weeks

If the employment of an employee is terminated by the Minister without the required minimum period of notice having been given, the employee shall be paid an amount equal to his rate of pay for the required minimum period of notice of termination. If an employee terminates his employment without having given the required minimum period of notice, he shall forfeit any salary that may be due to him.

Provided that the foregoing shall not affect the right of the Minister to dismiss an employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases payment shall be made up to the time of dismissal only.

Other Conditions of Employment

As far as practicable, other conditions of employment shall be those applying generally from time to time to employees of the department under the Public Service regulations and Public Service determinations other than those prescribed in Part IX of the Public Service regulations and in Division II, Division III and Division IV of Part III of the Public Service determinations.

An additional Ministerial adviser, appropriately classified in accordance with the provision of this determination, may be employed at the discretion of the Minister for a portion of the required minimum period of notice of termination of employment as set out above for the purpose of work familiarization, briefing etc., by the outgoing Ministerial adviser.

Attachment B

LIST OF MINISTERIAL ADVISERS AND PRIVATE SECRETARIES ISSUED BY CABINET SECRETARY ON 19 MAY 1982

Premier and Federal Affairs—			
The Honourable John Cain	Principal Ministerial Adviser	Mr. Alan Oxley	
	Ministerial Adviser	Mr. Mike Salvaris	MA II.
	Ministerial Adviser	Ms. Jenny Macmillan	MA II.
	Private Secretary	Ms. Sue Kelty	PS III.
Attorney General—			
The Honourable John Cain	Counsel assisting the Attorney General	Mr. Howard Nathan, QC	MA IV.
Education and Educational Services—			
The Honourable Bob Fordham	Ministerial Adviser	Mr. Jim Betson	MA IV.
	Ministerial Adviser	Mr. Terry Tovey	MA III.
	Private Secretary	*Mr. Ian Wykes	PS II.
Economic Development—			
The Honourable Bill Landeryou	Ministerial Adviser	Mr. Terry Larkins	MA IV.
	Private Secretary	*Ms. Barbara Stroud	PS I.
Tourism—			
The Honourable Bill Landeryou	Ministerial Adviser	Mr. John Hattam	MA III.
Conservation—			
The Honourable Evan Walker	Ministerial Adviser	Dr. Michael Henry	MA IV.
	Ministerial Adviser	Ms. Jenny Love	MA III.
Planning—			
The Honourable Evan Walker	Temporary Liaison Officer	*Mr. John Lane	Administrative Officer "C1"
Housing—			
The Honourable Ian Cathie	Ministerial Adviser		
	Private Secretary	*Ms. Patricia Kerr	PS III.
Transport—			
The Honourable Steve Crabb	Ministerial Adviser	Mr. Dick Coughlin	MA III.
	Ministerial Adviser	Mr. Vaughan Duggan	MA III.
	Private Secretary	Mrs. Shirley Huttley	PS I.

LIST OF MINISTERIAL ADVISERS AND PRIVATE SECRETARIES ISSUED BY CABINET SECRETARY ON 19 MAY 1982—*continued*

Treasurer— The Honourable Rob Jolly	Ministerial Adviser Private Secretary	Mr. Ian Watson *Ms. Jan Stabb	MA III. PS I.
Labour and Industry— The Honourable Rob Jolly	Temporary Liaison Officer	*Miss Anne Marshall	Stenographer/Secretary III.
Agriculture— The Honourable Eric Kent	Ministerial Adviser Private Secretary	 Mr. Phillip Staindl	 PS I.
Forests— The Honourable Rod MacKenzie	Ministerial Adviser Private Secretary	Mr. Russell Joiner	MA II.
Lands and Soldier Settlement— The Honourable Rod MacKenzie	Ministerial Adviser Temporary Liaison Officer	Mr. David Jones *Miss Sue Wooldridge	MA II. Typist
Arts— The Honourable Race Mathews	Ministerial Adviser	Mr. Bruce Grant	MA IV.
Police and Emergency Services— The Honourable Race Mathews	Ministerial Adviser Private Secretary	 Mr. Stephen Perryman	 PS I.
Health— The Honourable Tom Roper	Ministerial Adviser Private Secretary	*Dr. John Morris Ms. Elizabeth Blake	MA IV. PS I.
Employment and Training— The Honourable Jim Simmonds	Ministerial Adviser Private Secretary	Mr. Bruce Hartnett Mr. Joseph Bourke	MA III. PS II.
Public Works— The Honourable Jack Simpson	Ministerial Adviser Private Secretary	 Mrs. Shirley Sinclair	 PS III.
Property and Services— The Honourable Jack Simpson			
Community Welfare Services— The Honourable Pauline Toner	Ministerial Adviser Private Secretary	Ms. Rhonda Galbally Ms. Barbara McGowan	MA III. PS II.
Youth, Sport and Recreation— The Honourable Neil Trezise	Acting Ministerial Adviser Acting Private Secretary	*Mr. Colin Carter *Mr. Daniel O'Farrell	MA I. Administrative Officer "C II"
Minerals and Energy— The Honourable David White	Ministerial Adviser Ministerial Adviser	Mr. Andrew Herington Mr. Robert Bladier	MA III. MA II.
Water Supply— The Honourable David White	Private Secretary		
Local Government— The Honourable Frank Wilkes	Ministerial Adviser Acting Private Secretary	 *Mr. John Robertson	 Administrative Officer "CI"
Consumer Affairs— The Honourable Peter Spyker	Ministerial Adviser Acting Private Secretary	Mr. Joseph Nieuwenhuizen *Mrs. Karen Goldhahn	MA III. PS I.
Immigration and Ethnic Affairs— The Honourable Peter Spyker	Ministerial Adviser	Mr. Demetri Dollis	MA III.
Parliamentary Secretary of the Cabinet— Dr. Ken Coghill	Ministerial Adviser Ministerial Adviser	Ms. Angela Jurjevic Ms. Bette Moore	MA III. MA I.

(*Asterik denotes permanent public servant).

WATER SUPPLY EXPENDITURE

(Question No. 54)

The Hon. K. I. M. WRIGHT (North Western Province) asked the Minister of Water Supply:

What amounts and what percentages of Budget have been expended through the Ministry of Water Supply in each of the past five years from loan funds and revenue, respectively?

The Hon. D. R. WHITE (Minister of Water Supply)—The answer is:

Expenditure by Ministry of Water Resources

Year	*Loan*		*Revenue*		*State budget*
	$	%	$	%	$
1976–77	44 649 983	1·5	41 400 815	1·4	2 955 619 785
1977–78	47 468 127	1·4	46 461 343	1·4	3 294 890 574
1978–79	38 104 949	1·1	51 060 126	1·4	3 543 597 686
1979–80	33 509 665	0·8	56 281 022	1·4	3 953 106 202
1980–81	34 365 352	0·8	66 124 196	1·5	4 501 739 968

POLICE TRAINING

(Question No. 55)

The Hon. N. B. REID (Bendigo Province) asked the Minister of Forests, for the Minister for Police and Emergency Services:

(*a*) When will the review of police training programmes and in-service education commence?

(*b*) What is the present cost of training a new recruit to the Victoria Police Force?

The Hon. R. A. MACKENZIE (Minister of Forests)—The answer supplied by the Minister for Police and Emergency Services is:

(*a*) Police training programmes and in-service education will be reviewed in the course of the proposed inquiry into aspects of the administration and procedures of the Victoria Police Force due to commence later this year.

(*b*) There are many incidental and intangible costs incurred in the training of a police recruit. However, the salary costs incurred in training a recruit at the Police Academy are estimated to be as follows:

Recruit's salary for 16 weeks	$4405
Plus percentage of salary of unsuccessful recruits	$168
Plus percentage of salary of Training Staff	$2487
	$7060

SCHOOLS IN PRAHRAN ELECTORATE

(Question No. 59)

The Hon. N. B. REID (Bendigo Province) asked the Minister for Conservation, for the Minister of Education:

How many high, technical, primary and special schools, respectively, are located in the electoral district of Prahran?

The Hon. E. H. WALKER (Minister for Conservation)—The answer supplied by the Minister of Education is:

Two High Schools.
One Technical School.
*Four Primary Schools.
No Special Schools.
*Includes one Central School.

MINERAL WATER DEVELOPMENT FUND

(Question No. 61)

The Hon. J. W. S. RADFORD (Bendigo Province) asked the Minister of Lands:

What amount is held in the Mineral Water Development Fund and what immediate action is planned to utilize the moneys in the Daylesford–Hepburn Springs area?

The Hon. R. A. MACKENZIE (Minister of Lands)—The answer is:

As at 31 May 1982, there was a balance of $347 502.11 in the Mineral Water Development Fund. Current commitments for disbursement from the fund in respect of approved projects in the Daylesford–Hepburn Springs area total $23 000. Details of these are set out in the following table:

Payee	*Approved project*	*Amount*
		$
Shire of Daylesford and Glenlyon	Development of the Tipperary Springs Reserve	4000
Shire of Daylesford and Glenlyon ..	Daylesford Landscape and Strategy Plan for the development of mineral springs reserves.	15 000
Sailors Falls Mineral Springs Reserve Committee of Management	Enlargement of the reserve by the purchase of a small piece of adjacent land.	4000

The following applications for disbursement from the fund are presently under consideration:

Applicant	*Proposal*	*Estimated cost*
		$
A. W. and P. W. Upham, Daylesford ..	Improvements to Gooches Spring	No estimate
Sailors Falls Mineral Springs Reserve Committee of Management	Provision of additional facilities and improvements for the reserve	No estimate
Shire of Daylesford and Glenlyon ..	Provision of facilities and improvements for the Tipperary Springs Reserve.	43 000

Legislative Assembly

Tuesday, 15 June 1982

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 2.8 p.m. and read the prayer.

ABSENCE OF MINISTER

The SPEAKER (the Hon. C. T. Edmunds)—I have to announce that the Minister for Local Government will be absent during question time today.

QUESTIONS WITHOUT NOTICE

NUCLEAR POLICY

Mr THOMPSON (Leader of the Opposition)—Will the Premier give a clear indication to the House whether his Government, in the area of Victorian administration, will follow the Hayden interpretation of Labor nuclear policy or the Bowen interpretation of the Labor nuclear policy?

Mr CAIN (Premier)—The Victorian Labor Government is following the policy that was put to the electorate and endorsed by the electorate on 3 April. I have made the Government's position clear. A Bill will be introduced into this place in the spring making it clear that the Government wants no part of the nuclear industry in this State. I made clear to the Prime Minister on May 27 and, as reported in last night's *Herald*, I made clear to Mr Brand some time before that, the Government's attitude in regard to the presence of nuclear-powered or armed vessels in Victorian ports. I stress that the two matters are unrelated.

The Prime Minister indicated what he sees as considerations relating to the Federal Government's powers in an area that is currently a legislative void and one in respect of which both Parliaments have power. I have told the Prime Minister, I have said in this House and I repeat, that that position is being examined.

I have received an opinion from the Solicitor-General and have asked for further information regarding one aspect of it. I will indicate the Government's response to the matters raised by the Prime Minister. I have never suggested that the State Government was attempting to intrude into those areas concerning treaties, external affairs or defence. I repeat for the edification of Opposition members—and the honourable member for Brighton ought to know better than most—that this is a field in which there is a legislative void in respect of which both Governments have power at this time. When that decision has been made I will be making the Government's position clear to the Victorian electorate. I am sure that the electorate will be interested to know what the position is in view of the strong and overwhelming vote it gave to the Victorian Labor Government at the election on April 3.

Mr ROSS-EDWARDS (Leader of the National Party)—I refer the Premier to discussions he had with representatives of the American diplomatic corps concerning the presence of nuclear-powered vessels in the port of Melbourne. During the last discussions that took place between the Premier and the American diplomatic officials, did the Premier indicate that American vessels were or were not welcome in the port of Melbourne?

Mr CAIN (Premier)—The only discussion I have had is the one referred to in the Melbourne *Herald* last night. I think the date referred to was 7 May. It was a courtesy call by Mr Brand during which he wanted to discuss a number of matters. The matter to which the Leader of the National Party refers was raised by me simply as a matter about which I believed he should have information. I told him the position. He seemed to be unaware of it. I told him what the Victorian Government's policy was. I was surprised he was unaware of it, but I do not believe that the Leader of the Opposition, or his Parliamentary or Federal colleagues

were unaware of that policy, and the people of Victoria were not unaware of it.

I told Mr Brand of the Victorian Government's position. I made it clear to Mr Brand that the Victorian Government welcomed American involvement in this country. I believe we were discussing matters of trade and commerce, and I believe the course that I took on 27 May of informing the Prime Minister on this matter was the proper course to take. I might add that a similar course was taken by both the New South Wales and South Australian Governments, but it did not bring the same sort of political response from the Prime Minister when those announcements were made and those decisions were conveyed to him, and I express surprise that he should have responded in the way he did. He was aware of the American reponse to the information I gave Mr Brand.

TAX AVOIDANCE

Dr COGHILL (Werribee)—I ask the Premier, in his capacity as Attorney-General, whether he can inform the House how the role of corporations in Victoria is being subverted for tax avoidance purposes.

Mr CAIN (Attorney-General)—The role that is being played by corporations in this State ought to be a matter for concern for all of us, not just in the State but throughout this country. There are 600 000 registered companies in this country—1 for every 23 men, women and children in the country.

The whole notion of companies is firstly, to provide a means whereby wealth could be created, while at the same time limiting personal liability; secondly, to provide a means whereby the corporation could continue beyond the lifetime of the original entrepreneur. What is occurring in this State and in other States, and with the clear acquiesence of the Federal Government, is that a company is being used to protect and conceal wealth, and it is time that steps were taken by the responsible Government in the taxation field to prevent this occurring.

I note last week that the Federal Treasurer was so insensitive to this whole issue as to draw distinctions between what he referred to as "wet" and "dry" Slutzkin schemes. I gather he meant that one takes marginally less away and leaves just a little for the taxation commissioner, and one gives the body a decent burial, which the other does not do. It is time the Federal Government, the Federal Treasurer and the Liberal Party made up their minds where they stand on tax avoidance. Is the Liberal Party for or against tax avoidance?

OMEGA NAVIGATION BASE

Mr MACLELLAN (Berwick)—Can the Premier assure the House that, irrespective of the views of the various Ministers, there will be a continuation of the supply of services such as water, electricity, roads and other State services to the Omega navigation base in east Gippsland?

Mr CAIN (Premier)—The matter to which the honourable member for Berwick refers has not been considered by the Government. I do not know of any suggestion that has been made either by any member of the Government or by any other person associated with the Omega navigation base that State services would not be forthcoming. I shall take the matter on board and consider it if and when it arises.

ARARAT CUP INQUIRY

Mr HANN (Rodney)—In view of the fiasco that has developed as a result of the Victoria Racing Club inquiry into the running of the Ararat Cup, can the Minister for Youth, Sport and Recreation advise the House what that inquiry has cost the racing industry; whether the Minister will make a Ministerial statement on the inquiry and what action the Government intends to take in order to establish an independent racing tribunal?

Mr TREZISE (Minister for Youth, Sport and Recreation)—I agree that a fiasco has developed. Indeed, it was a fiasco for all concerned in the racing industry, that is, the licensed persons and the racing public in general.

I am not in a position to give the exact costs of the inquiry. The costs to the Victoria Racing Club were approximately $100 000. I know that the hearing cost the licensed persons many thousands of dollars. Therefore, the over-all costs of the inquiry, on a legal basis alone, would run into hundreds of thousands of dollars. The honourable member for Rodney asked me what the Government intends to do about establishing an independent racing tribunal. The Labor Party has had a policy on that for a number of years, and that policy was reiterated at the recent election, to appoint an independent racing appeals tribunal. However, the establishment of that tribunal was opposed by the Opposition some weeks ago. I do not know what the attitude of the National Party is to the establishment of an independent racing appeals tribunal. It is the intention of the Government to appoint an independent racing appeals tribunal at the earliest opportunity. The Government will consult with the racing industry in an endeavour to overcome a repetition of the Ararat Cup inquiry.

MELBOURNE AND METROPOLITAN BOARD OF WORKS LOAN

Mr McCUTCHEON (St Kilda)—In view of the fact that the Treasurer requested that statutory authorities not participate in the recent Melbourne and Metropolitan Board of Works $90 million loan, can the Treasurer inform the House on what happened during the recent activities of the loan raising for the Board of Works?

Mr JOLLY (Treasurer)—In regard to the Melbourne and Metropolitan Board of Works target figure of $90 million, I am pleased to inform the House that the Board of Works was able to borrow the money from sources almost entirely outside the public sector, which was in line with the recommendation of the Government. Naturally, the Government took the action of advising organizations like the State Insurance Office not to involve themselves directly in the loan because in the judgment of Treasury officials and the Office of Management and Budget Task Force, the $90 million could be raised outside the public sector. As a result there were tenders from three different organizations for the $90 million. It means that money will now be available, and potentially a larger sum, to the Victorian Development Fund to boost both urgent capital works in the State and employment. Therefore, Treasury officials, the Office of Management and Budget Task Force and I are pleased with the outcome because it means the Government has greater potential to boost capital works expenditure and employment in the State.

SITE ALLOWANCES

Mr WOOD (Swan Hill)—Can the Premier advise the House on details of his Government's policy in relation to the settlement of site allowance claims by unions on Government departments and instrumentalities, and can he advise whether that policy is correctly outlined in the circular known as Circular No. 4 dated 11 May 1982 and forwarded to Government departments and instrumentalities by Mr J. Thomas, Director of the Office of Industrial Relations Co-ordination?

Mr CAIN (Premier)—The reports that appeared in the press recently, to which I think the honourable member made some contribution, are quite inaccurate. There is no question of agreements reached over site allowances not being submitted to the Conciliation and Arbitration Commission for ratification. I do not know where that suggestion came from and I am sure it is not a suggestion made by the Office of Industrial Relations Co-ordination.

The Government's policy is being followed, in that genuine conciliation takes place before agreements are submitted to the commission for ratification. In those areas where there are no Federal awards and, therefore, the respondents are not parties to Federal awards, agreements are being finalized and negotiated by the Industrial Relations Commission and those agreements will be ratified by that body on application by the private employers or employer organizations, as the case may be.

It is unfortunate that the reports should have received the currency they did. I understand the inaccuracy has been reported to the journalist concerned—either yesterday or Sunday—and a correction or restatement was made accordingly.

NUCLEAR HEALTH HAZARDS

Mr GRAY (Syndal)—Further to the answer given by the Minister of Health to a question asked by the honourable member for Benambra concerning health dangers associated with nuclear power, can the Minister advise the House what information is available setting out the health risks associated with nuclear-power?

The SPEAKER (the Hon. C. T. Edmunds)—Order! Can the Minister of Health inform the Chair whether this is the same or substantially the same as the question asked by the honourable member for Benambra?

Mr ROPER (Minister of Health)—The question I was asked last week was what advice the Health Commission and I had provided to the Premier.

Mr LIEBERMAN (Benambra)—I raise a point of order. If I heard the Minister correctly, his comments about the nature of the earlier question and answer were not, in fact, as reported in *Hansard.*

The SPEAKER—Order! There is no point of order.

Mr ROPER (Minister of Health)—Since the honourable member for Benambra asked about the advice I had given to the Premier and also the advice the Health Commission might have tendered to me, and because the hazards of nuclear activity are obviously of such great concern to honourable members on the Opposition side of the Chamber, we have obtained a wide range of information that will be available to any honourable member or any member of the community concerned about this matter. The amount of material available would suggest that there are severe health hazards from nuclear activity and radiation and it is certainly of concern.

By interjection, the honourable member for Mildura suggests that I should make a Ministerial statement. Instead I shall provide him with a reading list, as I shall do for any other honourable member. The amount of material contained within the Health Commission is voluminous. The honourable member for Benambra was for some time a Minister associated with the Health Commission and he would be well aware of the huge quantity of items contained in the John Lindell library. The Parliamentary Library also has at least 50 articles relating to radiation, nuclear waste management and the like. There are more than 50 texts on the subject in the Parliamentary Library and I shall be making those available to honourable members so that they can improve their education in this area. Numerous reports on these matters are also available and honourable members may have noticed my comments in the press this morning.

Mr WOOD (Swan Hill)—I raise a point of order. Having read the *Hansard* report, I point out, Mr Speaker, that the explanation or answer now being given by the Minister is practically word for word with the answer that appears there. I am sure an examination of it would reveal that.

The SPEAKER—Order! There is no point of order, but I ask the Minister of Health to come back to giving an answer to the specific question asked by the honourable member for Syndal.

Mr ROPER (Minister of Health)—Certainly, in a report in one newspaper this morning I set out the whole range of matters that should have concerned the previous Government about the dangers to Victorians from radioactive sources that have been damaging the health of Victorians for many years, but the previous Government was not concerned about those matters.

A number of major articles have been published concerning nuclear powered vessels and the dangers from them, particularly, in this instance, Japanese vessels that have encountered continuing problems. I refer particularly to the

nuclear powered ship *Mutsu*, which has certainly been plagued by trouble since 1977.

If honourable members opposite are interested, we will provide them with all the relevant information, and they may well change their attitudes and adopt the sensible and rational position that the Government has taken.

SITE ALLOWANCES

Mr RAMSAY (Balwyn)—I direct a question to the Premier. As doubt exists about whether an instruction was sent from the Office of Industrial Relations Co-ordination within the Department of the Premier to authorities advising them to negotiate and pay site allowances without reference to either Federal or State industrial tribunals, will the Premier table in the Library for the information of honourable members a copy of the circular that went out from that office so that all honourable members can see exactly what that instruction was?

Mr CAIN (Premier)—I discussed the matter this morning with Mr Thomas of the Office of Industrial Relations Co-ordination. I do not believe any confusion existed on the part of anybody, save and except those who would seek to make mischief. Again, we are seeing the concern of members of the Opposition that they have a Government which is concerned to resolve industrial disputes and to bring industrial harmony to this State. They do not want to see industrial matters resolved by conciliation. They always avoided it while in Government.

I am appalled at the ignorance of the honourable member for Balwyn and other honourable members opposite on this whole issue. I am a reasonable person; I recognize their intellectual shortcomings and that they are slow readers and slow learners.

Mr THOMPSON (Leader of the Opposition)—I raise a point of order. The question did not relate to our intellectual capacity or industrial relations policy. It related to whether the Premier was prepared to table a particular document.

The SPEAKER—Order! I do not uphold the point of order, but I ask the Premier to come back to the nub of the question.

Mr CAIN (Premier)—I do so, Mr Speaker, and I recognize that some honourable members have been doing some reading over the week-end, because their lips are cracked! I am aware of their sensitivity on this issue, and I will take the matter up——

Honourable members interjecting.

The SPEAKER—The honourable member for Brighton will remain silent. I ask the House to come to order to hear the answer given by the Premier.

Mr CAIN—I recognize the sensitivities of honourable members opposite, and I will take the matter up with the Minister for Economic Development, Mr Landeryou, who is responsible for the Industrial Relations Task Force. I will ask him whether he is prepared to ask Mr Thomas to make those documents available to honourable members opposite who have difficulty in comprehending what is going on in the industrial relations field.

CO-OPERATIVE HOUSING SOCIETIES

Mr WALLACE (Gippsland South)—Can the Minister of Housing advise the House whether the Government intends to continue funding for co-operaive housing societies in Victoria, and, if so, how long it will before an allocation of funds will be made to these societies?

Mr CATHIE (Minister of Housing)—I thank the honourable member for Gippsland South for the question because the Government regards co-operative housing societies as important bodies which are able to make funds available to low-income families in order to get them into the home purchase field at subsidized rates of interest.

Unfortunately, the former Government and the former Minister of Housing, prior to the last State election on 3 April, allocated $1·5 million to

co-operative housing societies by Ministerial direction; it was not allocated on the basis of the recommendations of the Home Finance Division.

Mr Kennett—That is an absolute lie.

Mr CATHIE—It is the absolute truth.

It would appear that the basis on which the $1·5 million was allocated to co-operative housing societies was that the area was politically sensitive to the Liberal Party Government.

As a result, I have issued a further direction that all unspent funds from the $1·5 million allocation shall be returned to the Home Finance Commission. I will be able to make an announcement shortly on the additional funds that the Government will make available. I assure the House that the funds to be distributed by this Government will be allocated on the basis of needs and priority and not on the basis of buying votes.

HOMELESS YOUTH

Mr KENNEDY (Bendigo)—Is the Minister for Community Welfare Services aware of the growing problems of homeless youth and does she anticipate an increase in the funding for accommodation for homeless youth?

Mrs TONER (Minister for Community Welfare Services)—Every honourable member is conscious of the problem of youth homelessness, which certainly is compounded by the very low unemployment benefits payable to young persons of $36 a week each. That amount has not been increased for a long time and this adds to family stress because often with young unemployed people there is someone else in the household unemployed. This causes family breakdown and stress which frequently result in the problem of youth homelessness.

The programme that attempts to come to grips with the problem of youth homelessness is the Youth Accommodation Services Programme, which was instigated by the Federal Government in 1979. In Victoria, it is administered by my department on the basis of 50-50 funding. It was pleasing this year when the Federal Government decided to extend the pilot scheme for another year until 30 June 1983, but the department was quite shattered when it learnt that, while extending the programme, it was not to be expanded. It was specifically stated by the Federal Government that no additional projects would be funded. This has caused great concern because many voluntary and community groups established programmes on the understanding that they would be part of the Youth Accommodation Services Programme and that opportunity has been denied them.

The various grants that have been available are running out and, despite many representations by my department, the Federal Government seems to be running away from this important issue. I shall continue to apply pressure on the Federal Government to ensure that it meets its obligations in this regard so that the State Government can continue with its commitment to further areas of need. All honourable members should take the matter up with their Federal colleagues, as youth homelessness is a matter of very real concern.

SITE ALLOWANCES

Mr MACLELLAN (Berwick)—Following the Premier's answer to a previous question concerning discussions with Mr Thomas of the Office of Industrial Relations Co-ordination, which is under the administration of the Department of the Premier, is the Premier able to confirm whether the words, "the underlying principle in both cases is that site allowance claims are to be resolved by negotiation and not formally arbitrated" in that instruction were used to Mr Thomas and the instrumentalities? If so, what do those instructions mean in relation to his answer?

Mr Jona—Yes or no?

The SPEAKER—Order! The question was not asked of the honourable member for Hawthorn.

Mr CAIN (Premier)—I do not know to which document the Deputy Leader of the Opposition is referring. I have

seen a copy of a newspaper report. I am not aware of the source of the comment to which the honourable member refers. If he will make it available, I will take up the matter with Mr Thomas later today.

OPEN GOVERNMENT

Mr GAVIN (Coburg)—Can the Premier inform the House what action the Government has taken to date to provide more open government in this State?

Mr CAIN (Premier)—I thank the honourable member for his question, in the atmosphere that the Opposition seems to think should exist in this place. Most honourable members will be aware of the initiative taken by the Labor Party in regard to the Freedom of Information Bill last year. The Labor Government is unlike the previous Government in that it is dedicated to open Government. Members of the Opposition do not know what those words mean and never have known. During the spring sessional period I intend to introduce a Bill which will be along the same lines as the Freedom of Information Bill that was introduced in this place last year. In the interim it it intended that a code will operate which will embody the right of access to Government documents except in very clear and well defined areas of specified exemptions. There will also be the right of correction of information contained on personal files. There will be exemptions that will include personal privacy, trade secrets, Cabinet discussions and law enforcement documents, and there will be a right of appeal where access is denied.

On 26 April a decision was made and a memo was sent to all permanent heads of departments outlining the principles and concepts of the code that was to be introduced and, as far as possible, fostered and observed by the Public Service and public pending the introduction and implementation of the Act. I acknowledge that the code does not have the same force as legislation. For instance, there is no protection in regard to defamation actions that might ensue because of information supplied. I have told officers that they should not run any risk and that they should err on the side of refusing access if there is the slightest chance of that occurring. Members of the Opposition laugh and snigger, of course. That is what they did for years in relation to freedom of information. They sniggered and laughed and derided those who sought it. The code will not only give access to documents being created now. It will also give access to documents created over the past five years.

Mr JONA (Hawthorn)—I refer to the statement just made by the Premier that, in theory, he still subscribes to the principles of open government and the principles intended to be embodied in the Freedom of Information Bill. Having regard to this renewed commitment by the Premier, I ask how he reconciles this policy with the statement that was conveyed to me by the Minister for Community Welfare Services in a letter dated 10 May in which she said that the Opposition spokesman on Community Welfare Services would have access to officers of her department on an annual basis only and that such access would take place in her office at 55 Swanston Street. I ask the Premier, in the light of his previous statement, whether he will now instruct the Minister for Community Welfare Services to participate in the Government's open Government policy and make reasonable access to information available to the Opposition, at least more often than once a year, and as required.

Mr CAIN (Premier)—The honourable member for Hawthorn seems to share the abysmal ignorance of his colleague, the Leader of the Opposition, on freedom of information. Last week I made it clear to the Leader of the Opposition, and it seems that the honourable member for Hawthorn was not listening, that freedom of information does not mean and never has meant access to every file, every document or, as a journalists wrote and asked for, access to all of the Stump Gully files. That may cause some embarrassment in many parts, but that is not what freedom of information is about. It

is about the honourable member for Hawthorn or any other member of the Opposition or any other citizen of the State or the country indicating and identifying the document he or she wishes to see and that wish being considered by the appropriate officer in the department.

I have no doubt that the honourable member for Hawthorn can, from time to time, make arrangements with the Minister for Community Welfare Services about access to documents and files that are under current consideration outside of those he would be entitled to view under the freedom of information provisions of the Act. However, if the honourable member for Hawthorn cannot make those arrangements—I am well aware of his lack of capacity to get along with people—I am sure that he will learn—slow learner that he is—that there is provision even for him under the provisions of the Freedom of Information Act that will enable him to make application like everybody else.

Honourable members interjecting.

The SPEAKER—Order! The honourable member for Hawthorn has already asked the question.

Mr Jona—He is not answering!

The SPEAKER—I will give the honourable member the call again, if necessary.

Mr CAIN—If the honourable member wants more information, I suggest he examines the provisions of the Freedom of Information Bill which I introduced. The Bill has been printed and copies are available. If the honourable member studies the Bill he will ascertain the access to which he will be entitled as a citizen of Victoria and as a member of Parliament. That access will be far more than he ever gave to his counterpart during the past four and a half years.

I repeat that, quite apart from the provisions of the Freedom of Information Bill, the Minister for Community Welfare Services is also a reasonable person like me and I am sure she will forgive and forget the arrogant way in which she was treated by the former Minister for Community Welfare Services when the positions were reversed. I am sure the Minister for Community Welfare Services will be more charitable to the shadow Minister than he was to her.

MUNICIPAL RECREATION OFFICERS

Mr JASPER (Murray Valley)—I refer the Minister for Youth, Sport and Recreation to the municipal recreation officer scheme which provides $9000 to municipalities which employ a municipal recreation officer. There are approximately 80 such officers in Victoria. Will the Minister consider making this amount available to all 211 Victorian municipalities, regardless of whether they employ a municipal recreation officer, or not to use as they see fit either to employ an officer or to assist sporting developments?

Mr TREZISE (Minister for Youth, Sport and Recreation)—I must say that the honourable member for Murray Valley is a live wire concerning the recreation needs in the electorate he represents! Under current circumstances his suggestion is obviously unrealistic. As the honourable member pointed out, approximately 92 councils have already been assisted with the provision of 80 municipal recreation officers. Some 85 of the municipalities employ the officers on a full-time basis using the $9000 grant and the others are on part subsidies. Apart from this, funds are not available for that purpose. Municipalities are provided with funds for recreation purposes apart from those already allocated for municipal recreation officers. Funds are provided for special municipal grants for major approved developments, for special recreation initiatives and also for allocation to youth in the local area.

Although the suggestion of the honourable member is worthwhile and appears on the surface to be practical, it may result in councils replacing municipal recreation officers by using the $9000 in the local area. This could mean the loss of jobs for approximately 82 municipal recreation officers. The Government is in the role of providing

jobs, not reducing job opportunities. I thank the honourable member for the suggestion because it has merit. However, it is not realistic at this stage.

INTELLECTUALLY HANDICAPPED FUND OF AUSTRALIA

Mr MILLER (Prahran)—Is the Minister of Health aware of reports concerning the Intellectually Handicapped Fund of Australia and, if so, what action has he taken?

Mr ROPER (Minister of Health)—I do not have the full file, but I hope to be in a position to provide more information to the House in the next few days. This important matter was drawn to the attention of my predecessor by myself and the honourable member for Prahran in June last year. When I became Minister of Health I immediately sought details of the Health Commission material on the subject and, as a result, entered into discussions with the Attorney-General about how officers of his department could assist in ascertaining more information about the organization.

I had it put to me even more strongly a couple of weeks ago when I was pulled up at an intersection on the corner of Punt Road and collectors for the Intellectually Handicapped Fund of Australia approached me and sought a donation. They got a donation of words but not of money: I will explain to the House why.

That organization, which the Health Commission has viewed with some concern for the past twelve months is operating by collecting at traffic intersections, getting money put in tins, and also by selling pens and similar small articles in shopping centres. Between September 1980 and September 1981 the organization collected $128 000 and after expenses had some $43 000 left for distribution to various charitable organizations. To 30 June last year, only $6250 had been distributed and since then a further $16 500 has been distributed, meaning that $20 000 of the money raised before June last year still remains undistributed.

A further significant amount of money has been raised this year, amounting to some hundreds of thousands of dollars. This money has not been distributed to organizations for the intellectually handicapped.

My advice is that people would be wise not to give any money to this organization. I hope to be in a position in the next couple of days to provide the Parliament with all of the information that has been made available to us to date and will be collated in the next few days.

Good-minded people in this State are giving money believing it is going towards the disabled and intellectually handicapped. It is not going for that purpose. This organization is also damaging other genuine organizations that need to collect funds from the public. I hope I will soon be in a position to inform all honourable members, and in the meantime every Victorian should be aware of this organization.

AUSTRALIAN SCHOOLS COMMISSION

Mr RICHARDSON (Forest Hill)—Is the Minister of Education aware of the angry reaction of the Victorian Federation of State Schools Parents Clubs and the Victorian Secondary Teachers Association to his agreement to the appointment of the Director-General of Education as a part-time member of the Australian Schools Commission without what these two organizations regard as mandatory prior consultation with them?

If the honourable gentleman is aware of this reaction, will he give an assurance that all future decisions will be made only after consultation with these organizations and, if not, why not?

Mr FORDHAM (Minister of Education)—The Premier received from the acting Prime Minister a request that Dr Curry should be released by the Victorian Government to be able to attend meetings of the Australian Schools Commission as the Federal Government wished to appoint Dr Curry to the commission. This matter was raised with me by the Premier.

I am pleased that the offer was made. It was to fill a vacancy on the Schools Commission for a director-general. I was advised by the Prime Minister that it was the turn of Victoria to fill this position following the recent retirement of the Director-General in Western Australia. The appointment has been made, and the position stands.

APPRENTICES

Mr WALSH (Albert Park)—Can the Minister for Employment and Training inform the House what steps have been taken to implement the Government's policy that requires firms contracting with the Government to employ an appropriate number of apprentices?

Mr SIMMONDS (Minister for Employment and Training)—This matter relates to a Cabinet decision. Cabinet has decided to institute a programme of giving preferences to contractors who demonstrate a responsibility to trade training by employing appropriate numbers of apprentices. The method by which preferences will be given is under consideration. One of the alternatives is to adopt the Western Australian system where a specific quota is established. Another alternative of establishing a training code is also under consideration. After consultation with the Minister of Public Works, appropriate steps will be taken and the relevant trade organizations will be notified.

SCHOOL ENTRANCE REQUIREMENTS

Mrs SIBREE (Kew)—In view of the announcement by the Minister of Education of the cancellation of the intake examinations at Univeristy High School at extremely short notice and the Australian Labor Party policy on private schools, will the Minister advise the House of the Government's real intentions with regard to University High School, MacRobertson Girls High School and Melbourne High School, the remaining specialist schools for gifted children in the State system?

Mr FORDHAM (Minister of Education)—The honourable member obviously has the situation confused and has raised five or six unrelated matters. It was brought to my attention that University High School had chosen to advertise an intake test that was held recently for prospective year 7 entrants to the school for 1983. I have received a number of representations, as the previous Minister of Education did, from schools in the local community and other schools expressing concern at the impact of the test on what was considered to be a matter of principle *vis-a-vis* other schools. I met the principal of University High School and the president of the school council and requested that the test should not proceed at this stage. I indicated that, pending the resolution of the matter, a task force would be established to examine the future role of University High School in its relationship both to surrounding schools and to the State system as a whole. I will announce the composition of that task force within the next few days.

PETITION

The Clerk—I have received the following petition for presentation to Parliament:

Poker Machines

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN PARLIAMENT ASSEMBLED:

The humble petition of the undersigned citizens of the State of Victoria sheweth their concern that a campaign has been launched to influence the Government to permit poker machines to operate in Victoria.

Your petitioners therefore pray that the Government will not legalise this particularly addictive form of gambling in this State.

And your petitioners, as in duty bound, will ever pray.

By **Mr Austin** (68 signatures)

It was ordered that the petition 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:

National Parks Act 1975—Consent of the Minister for Conservation to the granting of an exploration licence in the Wadonga Plateau State Park.

Statutory Rules under the following Acts:
Explosives Act 1960—No. 172
Fisheries Act 1968—No. 153.

SUPERANNUATION (AMENDMENT) BILL

Mr MATHEWS (Minister for Police and Emergency Services)—Pursuant to Standing Order No. 169 (*b*), I move—

That I have leave to bring in a Bill to amend the Superannuation Act 1958.

Mr THOMPSON (Leader of the Opposition)—Could the Minister give a brief indication of what is contained in the Bill?

Mr MATHEWS (Minister for Police and Emergency Services) (*By leave*)—The Bill arises from changes in the Superannuation Act which were made in 1979 and which affected the Police Force. Up until that time members of the Police Force could elect to retire at the age of 60 years but they were required to pay a higher rate of superannuation contribution as a result. After 1975 arrangements were altered and pensions payable to members of the Police Force electing to retire at the age of 60 years were reduced proportionately, instead of requiring them to pay a higher contribution. The Bill makes it possible for the higher contributions that were paid by certain members of the Police Force to be refunded.

The motion was agreed to.

The Bill was brought in and read a first time.

APPROPRIATION MESSAGES

The SPEAKER (the Hon. C. T. Edmunds) announced that he had received messages from His Excellency the Governor recommending that appropriations be made from the Consolidated Fund for the purposes of the following Bills:

Bourke Street Mall Bill.

Victorian Economic Development Corporation (Amendment) Bill.

Hospital Benefits (Levy) Bill.

Public Accounts (Cash Management Account) Bill.

MELBOURNE AND METROPOLITAN BOARD OF WORKS (DIFFERENTIAL RATING) BILL

The debate (adjourned from June 2) on the motion of Mr Simpson (Minister of Public Works) for the second reading of this Bill was resumed.

Mrs PATRICK (Brighton)—The history of this Bill is interesting. At page 7 of his Speech, the Governor said:

There will be legislation to empower the Melbourne and Metropolitan Board of Works to strike a differential rate.

I wonder what the person who drafted the Governor's Speech had in mind? Was any real thought given to the statement, or was any research done into what I consider to be a loose promise by the Government? How was this promise to be implemented? I also question how many other Labor Party promises were not thought out and not worked out or consideration given to how they were to be put into operation.

I come to the question: Who drafted this Bill? It certainly was not the Minister. I believe it was officers of the Melbourne and Metropolitan Board of Works who were given this statement in the Governor's Speech that there be legislation to empower the Melbourne and Metropolitan Board of Works to strike a differential rate and they were asked to work out some system that would implement this promise. It is an interesting promise, because the Melbourne and Metropolitan Board of Works already has power to strike some differential rate, so it is hard to know what was at the back of the mind of the author of the statement.

The Opposition believes the Government is trying to use this Bill as a social weapon. The Government has stated repeatedly that it will set up a metropolitan authority; that it will set up regional development authorities. They

all seem to be going to be set up with the view of creating so-called equality of income and assets.

While the Opposition firmly believes that relief for domestic users is desirable—and it has great sympathy with domestic users—it does not believe this Bill will achieve the results which presumably the Government sought. The stated aim of this Bill is to provide relief in cases where there was a dramatic increase in the valuation of domestic rateable properties. The existing powers of the Board of Works to strike differential rates have been increased to include the whole metropolis. The phasing-in formula is said to be a formula to alleviate the greater fluctuation of rates, and this Bill does provide, it is true, temporary relief to domestic users in the inner suburbs.

Under this Bill, not only will industrial and commercial properties be penalized, but small businesses and outer suburban areas will suffer. The inner suburbs will obtain only temporary relief. During the two-year phasing in they will receive relief, but in the end they will pay a higher rate.

While the Bill provides relief for inner suburban users, if the rate burden is moved, it is shifted on to other ratepayers. All honourable members know that Melbourne and Metropolitan Board of Works rates are based on property valuations, and valuations fluctuate. It may be that the rate base should be changed. The former Government established working parties to consider the entire rate base, especially in relation to the Melbourne and Metropolitan Board of Works rates. The former Government promised that pilot programmes would be established to work out a more equitable means of rating. All of that work has been ignored.

It is possible that the Board of Works could strike differential rates for industry, commerce and domestic and rural users. Perhaps those differential rates could be struck as base rates and further payments could be made on the principle of the user pays.

The Opposition is sympathetic to the plight of domestic users, especially those persons who live in urban areas where property values have risen dramatically. I must mention the Brighton area, which I represent, where property values have increased dramatically. The people who I represent, especially those on fixed incomes, are finding it difficult to meet the Board of Works rates in addition to local government rates.

It has been said by me and by others that it costs much more to flush a toilet in Brighton than it does in Bentleigh and that it costs more to flush a toilet in Bentleigh than it does in an outer area. Some rate relief must be granted to domestic users. The Bill is not the answer.

It is curious to note the introduction of the Bill when it is the stated policy of the Government to create a greater Melbourne authority. Indeed, in a document issued prior to the election, the Labor Party stated that it has traditionally supported the concept of an elected metropolitan authority for Melbourne. The Labor Party has stated that the establishment of such an authority would be a priority for a Labor Government once the necessary financial arrangements had been made. Is the Bill a part of those necessary financial arrangements?

Prior to the election, the Labor Party said that under a Labor Government a metropolitan authority would take control of all the existing functions of the Board of Works, including planning, sewerage, drainage, water supply and metropolitan parks and that the metropolitan authority would exercise its responsibilities for strategic planning of the metropolitan area and so on.

The document issued prior to the election states that the present boundaries of the Board of Works area would be reviewed prior to the creation of the new authority and that additional responsibilities would be reviewed and added to the authority, which would improve the co-ordination and effectiveness of metropolitan strategic planning and urban services. The document states that under a Labor Government the metropolitan authority

would be fully democratic. Why, therefore, this proposed piecemeal legislation? One must therefore query the need for the Melbourne Corporation (Election of Council) Bill in the light of the stated policy of the Labor Party.

The Opposition opposes the Bill on the grounds that the present powers of the Board of Works are very wide and should not be increased. Although the phasing in process would provide temporary relief for some ratepayers, it would unfairly place the burden on other ratepayers.

Mr WILLIAMS (Doncaster)—I support the comments made by the honourable member for Brighton and oppose the Bill. It is with some dismay that I note the Government is hell bent on introducing measures that are not in accordance with the principles of the Labor Party that you, Mr Deputy Speaker, knew as a boy.

I have stated my allegiance to the principles of the British Liberal Party, proponents of which brought their views to Australia a century ago and which eventually also became the policy of the Australian Labor Party.

At its foundation, many great men in the Australian Labor Party were completely committed to the system of rating on the site value on unimproved capital value of land. It was their concept that, as a locality developed into a metropolis, the community created value of land increased, and that that was an appropriate means of raising additional revenue from the citizens.

I am opposed to the system of a rate being levied on the net annual valuation adopted by the Melbourne and Metropolitan Board of Works because it is a regressive tax; it hits those who have heavy mortgages. Their properties may have a high capital value, but compared with the debt against that capital value, the owners may have only a small equity.

The present situation is that the board's rating system is encouraging owners of run-down premises on high value sites such as those in the City of Melbourne. When Melbourne was founded, one could have bought a block of land for about $100. Such a block would probably now be worth $5 million, and this enormous accretion in land value is held, in the main, by overseas investors who are paying only a token amount of rates in relative terms because of the use of the net annual value rating system. I am adamant that the proposals put forward in this Bill for a change to a differential rating system using this abominable net annual value rating system will not achieve the purposes that the Labor Party has in mind. It will not increase the board's revenue on a just and equitable basis.

I thoroughly agree with the aim of the Labor Party of putting more equity into the Board of Works rating system, but this is certainly not the way in which to achieve it. I am satisfied that the framers of the original Melbourne and Metropolitan Board of Works Act intended to give ratepayers the same choice given to municipal councils, whereby the ratepayers decide whether they wish to have a rating system based on net annual value or on unimproved capital value of land. I have checked back through the original legislation and was horrified and surprised to find that at some time during the debates on the measure, when it was introduced into the House, the proposal to allow that choice was dropped.

The Brisbane City Council, which is equivalent to the Victorian Board of Works in providing water, sewerage and drainage services, as well as being a municipal authority has always since its establishment levied rates on unimproved capital value. The Sydney Water, Sewerage and Drainage Board reverted in 1975 to site value rating for all residential properties, which comprise about 90 per cent of all Sydney properties. Only 10 per cent of Sydney properties are rated on the net annual value system. The same applies to the Hunter River District Water Board, which covers Newcastle, Maitland and Cessnock. All other water authorities in New South Wales rate on the site value rating system.

I again urge the Government to learn from its colleagues in New South Wales. Premier Wran and his Ministry have a lot to teach the fledgling Cain Government. I wish the Government would not rush into things without conferring with its Labor colleagues in other States.

The Darvall inquiry into the Board of Works recommended that the board should be able to choose alternative rating systems, as occurs with municipal councils; that it should be able to use either site value or a combination of site value and net annual value. The Local Government Act gives municipal councils the choice by straight resolution of the Council or by a poll of ratepayers of the rating system that the ratepayers want, and what can be fairer than that?

Members of the Labor Party are always telling us in this House that they believe in the rights of the people, yet the Government has introduced this hodge-podge of a Bill, hastily assembled and thrown into the House. It will impose injustice on the people it is supposed to help without giving them a chance by poll or resolution of the council to choose a just system of rating.

Thirty of the 51 municipal councils that are rateable for Board of Works water and sewerage in the metropolitan area of Melbourne have chosen the site value basis and, by and large, the Board of Works services provided are the same as the services provided by municipal councils. One can talk of recreation planning and a number of matters outside the basic run-of-the mill sewerage and water provided by the Board of Works to the people of Melbourne.

Six hundred and thirty thousand tenements are connected to Board of Works water mains in Melbourne, and the ratepayers for those tenements pay the board on a net annual value basis but, on a municipal basis, they are rated at site value. Only 320 000 ratepayers connected to water mains pay council rates on a net value basis. The majority of the ratepayers of Melbourne already pay rates on a site value basis for municipal purposes and should be able to do so for Board of Works purposes.

On the general principles of the advantages of site-value rating, I am sure the Treasurer and the Minister for Economic Development will be most interested in the effect of site-value rating in stimulating economic growth. Site value rating, by removing the penalty on new building renovations, maintenance and so on, cannot help but increase the value of sites. The low rating revenues in the inner suburbs referred to by the honourable member for Brighton apply because the land and property values are low. If the property values are increased, the rating base is increased. The outer suburbs, particularly the eastern suburbs, will pay dearly because they contain new homes of relatively high capital value. I should have thought that the political realists in the Labor Party who rose on the backs of the people in the eastern suburbs would realize that if they do not come to their senses soon, they will fall on the votes of the people in the eastern suburbs. This measure is anti-eastern suburbs. It is all very well for the honourable member for Melbourne to smile. He will rue the day when the Labor Party turned its back on the people in the eastern suburbs.

I know some people in the Labor Party think that this measure will help the battler in the inner suburbs and shift the rate burden on to the backs of the middle class in the outer suburbs. I have news for them. It will mean the destruction of the Labor Government because the people in the eastern suburbs were mainly attracted to Labor propaganda before the election. The brilliant advertisement showing a $20 note going down the drain attracted votes for the Labor Party. I know that with regret. The Liberal Party will turn the tables and it may have new advertising agents next time. All it will have to do is point out Labor's broken promises. The Labor Party promised to reduce Board of Works rates, but instead, it will find it has lifted the burden of Board of Works rates on commercial property development and,

particularly, lifted them on land speculators in relation to undeveloped land and open space. These people will have their rates reduced under differential net annual value rating, and the poor people in the nice homes in the eastern suburbs will be penalized. When this is shot home the Labor Party will not like the result at the next election. The Labor Party, which is all for providing jobs for people, should favour the rating system that stimulates building development. When one looks at the statistics for the City of Sydney they show that the retreat from net annual value rating in New South Wales stimulated building development, whereas Victoria is alleged to be in a declining situation.

It is important that more jobs be provided for people. Building is the catalyst that gets the economy moving —as some economists would say, the multiplier. If anything can be done to encourage people to demolish and rebuild their sub-standard properties in industrial suburbs, that would provide further jobs for the workers and tradesmen and those associated with consumer industries, such as furnishings and all of the things that go to make a modern home.

The Labor Party has rushed headlong into something without conducting a full inquiry into the basis of the rating system in Victoria. As I say, I am an unashamed supporter of site value rating. There are some flaws in that system but I am equally sure there are massive flaws in the net annual value rating system used by the Board of Works. Resorting to the sort of differential rating that the Government has in mind will not remedy the situation.

I take grave exception, as does the honourable member for Brighton, to the fact that a person pays for sewerage and the water he uses according to the value of his home. Why should a young couple with a growing family that uses nappies and all the things a young family needs that increases water use—they already have a heavy mortgage and low equity in their homes—have to pay an excess water bill far greater than that of a wealthy couple who for half of the year are probably on the Gold Coast or somewhere? That is how unjust the net annual value rating system is.

Another grave injustice of the net annual value rating system is that it falls with much greater severity on homes than on commercial or industrial buildings. I know that some people in the Labor Party think that the net annual value rating system is a good means of getting back at the big companies. I have news for them; the big companies and commercial properties constitute only about 10 per cent of rateable properties. Ninety per cent of rateable properties are private homes.

One does not have to be a mathematical genius to work out that more revenue is collected from the 600 000 or 700 000 homes than from the 50 000 big commercial developments.

I wish members of the Labor Party would understand that they are cutting off their noses to spite their faces. They are trying to get at the big fellow but in doing so are putting an unreasonable burden on the little ratepayer. In the final analysis it is the little ratepayer that has to pay. If one increases the rate on commercial developments they pass them on in increased prices for services or goods. There is no way, under this proposition, that the Labor Party will get to the people at which it is aiming. All it will do is place a greater burden on the ordinary worker, particularly the worker in the eastern suburbs of Melbourne, upon whose support the Government will utterly depend for survival.

I appeal to the Government to reconsider the Bill. I hope the Government will not throw a tantrum if my colleagues in another place, in their much greater wisdom, refer the Bill to an appropriate committee of inquiry. Such an action would be of greater service not only to the people of Melbourne, but also to the Labor Party.

I urge the Government to be cautious and remember the proverb: Fools rush in where angels fear to tread. Some

people in the ranks of the Labor Party think they have a monopoly on wisdom but, I believe, the Government is listening to the wrong advisers.

I am quite firm in my opposition to the Bill, but I urge members of the Labor Party to reconsider the Bill and urge their colleagues outside the House also to reconsider the Bill, and, if it is rejected in the Upper House, do not cry foul and call for a Lower House dissolution, because the Opposition is trying to look after the ordinary ratepayer.

Mr TANNER (Caulfield)—I oppose the Bill and, like every other honourable member, I wish for a more equitable distribution of Melbourne and Metropolitan Board of Works rates on ratepayers.

In Caulfield many people are suffering because of the high Melbourne and Metropolitan Board of Works rates which they have to pay. Last year several people came to me because they had to pay rates in excess of $700 a year. Many people also find it a difficulty to pay rates of more than $400 a year, which can be equally burdensome in some circumstances.

Previously in the House I have recommended various ways in which the Melbourne and Metropolitan Board of Works rate burden could be more equitably distributed in the metropolitan area. One way, as I recently stated, is for Board of Works rates—for drainage, sewerage and planning—to be set at a standard rate throughout the metropolitan area, with the user pays principle applied to those who use excessive amounts of water.

At present, the rates are levied on the value of property. Often, one may find that those people who use far less water and other Board of Works facilities, including sewerage and drainage, than other people have to pay higher rates. The present rating system used by the Board of Works is a true Labor Party style wealth tax system. I am very apprehensive of the Bill because it certainly could extend that wealth taxation principle.

In recent weeks, honourable members have been made aware of many complaints about tax avoiders, people who have attempted to minimize their tax burden, and some of those people have been trying to minimize their tax because of the inequitable income tax structure in this country. Governments have been more concerned with redistribution of income rather than with the creation of wealth and higher incomes and, as a result, the pie has not grown bigger. Governments have tried to slice the pie to make it go around, but those who have been less fortunate have not received a greater share. A far more positive attitude would be to try to increase the size of the pie.

The Minister indicated that he wanted to introduce a Bill to relieve the Melbourne and Metropolitan Board of Works ratepayers; I support that principle but, as I said, this Bill is not the way to do it. In his Speech when opening the Parliament, the Governor said:

> And there will be legislation to empower the Melbourne and Metropolitan Board of Works to strike a differential rate.

No doubt the Bill will do that! Unfortunately, some areas in the Bill are not fully explained. In his second-reading speech the Minister stated:

> . . . where other factors occur to influence the valuation upwards by a substantial percentage, it is my Government's view that the additional value ought to be phased in rather than applied in the first year.

He did not explain what these other factors are that may cause that increase in valuation. The Minister continued:

> As valuations at different points in time are likely to produce different results and create different problems, flexibility is required to handle these results and problems as they occur. It is therefore not considered advantageous to set an inflexible formula to calculate adjustments under the provision of the board's Act.

The Bill asks Parliament to hand over total power to the board in this area whereas it would be preferable for the Bill to spell out the duties of the board.

It is a grave problem and a matter that leads to apprehension that there may be a flow-on from a speech made in this House by the now Premier when, as Leader of the Opposition, he said that

a Labor Government would tax the super rich. That is a chilling phrase. It implies that the Government will create class divisions, something of which this country has been free.

I agree that flat rate taxation is not completely practicable. Nevertheless, there are limits to the redistribution of wealth, of which the Labor Party seems so enamoured. During the life of the former Parliament, the then Leader of the Opposition spoke about restructuring, rebuilding and reviewing different Government charges—all, presumably, to tax the super rich. I also noticed that, in the daily press, it was claimed that a Labor Government would lower health charges, public transport charges and so on. Presumably, it would also lower Board of Works charges together with State Electricity Commission charges and Gas and Fuel Corporation charges. However, that does not appear from the Bill to be the case.

The Bill presents some bland assertions that there will be rate relief for certain people but it fails to specify who those people are, on what grounds relief will be granted or what formula is to be applied. Parliament is being asked to hand over *carte blanche* to a group of people—presumably to the commissioners of the Board of Works—complete control in those matters, and that is something about which Parliament should be deeply concerned. Parliament should be the final arbitrater in such matters and should stipulate the criteria for rate relief, to whom it should apply and the formula on which it should be worked out.

Mr Remington—What do you suggest?

Mr TANNER—The honourable member for Melbourne should have listened earlier when I stated that a general base rate ought to apply throughout the Melbourne metropolitan area for drainage, planning and sewerage services provided by the Board of Works and that there ought to be a user-pays principle for water usage. Otherwise, the Labor Party runs the risk of rightly being accused of using this measure as a wealth tax.

Honourable members have heard that the Government will introduce a new land tax and will expand probate duty and gift duty, and here is another way that the Government plans to redistribute income. The Government would serve the community better by concentrating on ways of increasing the community's income rather than redistributing it.

I oppose the Bill, not because of its stated aim of providing assistance to people to meet their Board of Works rates, but because I do not believe it will achieve that aim. In fact, it will be another instrument of wealth taxation.

Mrs SIBREE (Kew)—My contribution to the debate will be brief because a number of factors have already been covered by previous speakers. However, I join with the honourable member for Caulfield in expressing the sentiment that there needs to be some relief and rating rearrangement in the central area of the metropolis of Melbourne, but the Bill does not go about the matter in the right way. It fails to spell out the way that the matter should be handled so that fairness prevails, so that the burden is properly placed and so that relief will be more than mere temporary relief. It fails to take a good look at the whole question in the long term.

In his second-reading speech, the Minister indicated that any differential rating would be subject to Ministerial approval. I have looked through the Bill and through the Acts concerning the Board of Works and I cannot find the provisions to which the Minister refers in respect of Ministerial approval. Following the remarks of the honourable member for Caulfield, I express even more concern in respect of Parliament being the arbiter of how the differential rating system should be struck and how it should operate.

It has been indicated in the second-reading speech that any differential rating and its operation would be subject to Ministerial approval. A perusal of section 99 of the principal Act in respect of minimum rate charges reveals that, in the past, a differential rate has been fixed in respect of "included lands".

Under that definition, included lands were subject to an Order of the Governor in Council, but there is no reference to that in the amending clause in the Bill. That matter has been completely overlooked.

Further, there is no reference to subsection (3) of section 99 of the principal Act relating to other areas of differentially rated land. I ask the Minister how he can convince the House that there will be Ministerial approval of these rates and Parliamentary responsibility for answering relevant questions on how rates might be struck.

The same problem arises if one examines the amendments to section 175 of the principal Act, which relates to sewerage rates and the recovery of debts. Previously, there was power to strike a differential rate in respect of included lands and an Order in Council was required for that purpose. Under the provisions of the Bill, there is no reference to including differentially rated lands under any Order in Council or Ministerial approval, so the matter will be out of the hands of the Minister under the new provision.

Perhaps the Bill requires further amendment, or perhaps the Minister can answer those points. The Bill has not tackled the problem in the right way. It has been hastily drafted and leaves a hiatus between the various sub-sections of section 99 of the principal Act. It ignores differentially rated lands which, under the existing legislation, are subject to an Order of the Governor in Council. Again, there is no reference to the changes that are being made by the amendment to sub-section (6B) of section 175 of the principal Act.

The Bill should not be passed in its present form because the problems that I have raised are obvious from a cursory reading of it. I wonder how many other problems may be created if this Bill is allowed to proceed.

Mr SMITH (Warrnambool)—On the surface, the Bill seems fairly simple. In the hands of sympathetic and careful administrators, one may have some faith that, in instances where hardship is suffered, some justice will be done. However, on a deeper examination of the possibilities opened up by the Bill, the Opposition cannot support the measure because of what it fails to say. After all, it was only a short time ago that the Government, while in Opposition, was screaming to the community about the inadequacies of the Melbourne and Metropolitan Board of Works and pointing up to people a building which the then Opposition felt was being bungled because it cost so much to repair. Now, the same people, in greater number after the election, come to this House with a Bill to increase the powers of the Melbourne and Metropolitan Board of Works. Where would the former Government have been if it had peddled a Bill giving the board more power? Absolute derision would have been poured on it by the former Opposition. How can the new Government suggest that this simple little Bill empowering the Board of Works to introduce a differential rating system will be competently administered? What is it that the Government now plans to do by stealth? Is it not time that the Government came clean with the community rather than just putting a couple of ads in the weekend newspapers seeking to fill the positions of a part-time chairman and a full-time general manager of the board?

Is it not time that the Government came clean with the ratepayers of the metropolis and said exactly what it has in mind? This simple Bill contains the seeds for a great misuse of power by an authority. No one knows what sort of authority it will be. It will obviously be changed. The advertisements tell us that, not the Government, despite the fact that this Government is supposed to be involved in so-called "open Government". This little Bill could be used insidiously to draw lines around areas that are not or might not be sympathetic to the Government while other lines might be drawn around areas that might be or are sympathetic to the Government, and differential rates could be introduced that could create such hardship for

some individuals and commercial undertakings that they could be driven out of the area as punishment for nonconformity with the Government line.

That might seem to be an extreme view, but we have already seen the actions of the fellow travellers of the Government in the Latrobe Valley and on the waterfront in Portland. They are the people who put this Government into power and they understand the language of power politics. If those sorts of principles are to permeate through with this measure, giving power to the Board of Works, a body that was discredited by the Government when it was is Opposition, what will be the results?

If members of the Opposition had been told more about the intent of the Government, the principle of differential rating might be considered differently by the Opposition. We concede that there are some factors in some cases that would make differential rates and ensuing charges, as outlined by the honourable member for Caulfield, advantageous, particularly in a dry continent and where interest rates are costing the authority's ratepayers an enormous amount. It would be a sensible idea if a base rate differential according to class of usage, could be applied, followed by the user-pays principle and based on sound conservation policies, so that, rather than there being a need to continue expansion in the costly water catchment and storage needs of Victoria, there could be a much more sensible use of a valuable and costly resource.

If all those things were explained and if the Government really knew what it was on about, instead of there being the mystery of advertisement in the paper about a seemingly reconstructed board, about which no one seems to know anything, the attitude of the Opposition might be different.

As the honourable member for Kew pointed out, there is no provision in the Bill for Ministerial control yet, in the explanatory second-reading speech, as reported at page 583 of *Hansard*, the Minister stated that a decision would be "subject to the Minister". The Bill makes no mention of that and contains no provision about "subject to the Minister".

Is the present Board of Works structure, which, for years, was discredited by the Government, to be in full control of its own differential rates or are they to be subject to the Minister? That is not spelt out in the Bill, but the explanatory second-reading speech states that the decisions will be subject to the Minister. Is there to be a new board, operating under the advertised positions and under full Ministerial control; if so, what will the result of that be? It is high time the Government came clean with the ratepayers. After all, the provisions of the Bill will be phased out in four years, so it is really just window dressing. It will provide a benefit for a limited number of people, decided upon by a group that we do not know will be in existence in the future—and, if it is, we do not know for how long it will be—and we are not sure whether there will be Ministerial control.

There are so many loose ends, the Opposition is right in opposing the Bill but reserving its right to deal, at some future time, with the principle of user pays, in order to encourage the sound conservation of water and to try to alleviate the ever-increasing burden that Board of Works ratepayers have to bear.

As four members of the Opposition have spoken on the Bill, all expressing concern and all except myself directly representing Melbourne and Metropolitan Board of Works water users and ratepayers, I should have thought there would have been some member of the Government with sufficient knowledge to at least add something to the hazy second-reading speech that was obviously prepared by an officer of the board. Where are the people in government who know what they are doing? Let them now explain to the House just how they intend to make the measure work, because members of the Opposition believe it will not work. The question of who is to try

to make it work certainly leaves a lot of doubt in one's mind. The Opposition opposes the Bill.

Mr McNAMARA (Benalla)—Members of the National Party have some reservations about the Bill. We listened with interest to the comments made by members of the Opposition, but over the years the National Party has supported the principle of differential rating. Members of the National Party realize someone has to pay to fund the various authorities, but the Bill has not been presented as a panacea, and it may offer some assistance to people experiencing hardship or in necessitous circumstances. As I understand it, the Melbourne and Metropolitan Board of Works (Amendment) Act, passed last year, amended section 176 (6) (*c*) of the principal Act, to provide a differential rate for rural sewerage. That measure was supported by all parties.

Members of the National Party share the concern of the Opposition about the implementation of the measure. We hope the Bill will be implemented according to the guidelines set out in the Minister's second-reading speech and that rates will be assessed fairly and in a way that is acceptable to everyone.

I now turn to the arguments put forward about the various amounts of services people use and the various contributions they may have to make. Sometimes, the contribution made is disproportionate to the value of the services received. The National Party suggests consideration should be given to a higher minimum rate to equalize the contributions made by various individuals.

The Bill further extends relief to rural land and that proposal is also supported by members of the National Party. Although we accept the criticism made by the Opposition and have a degree of apprehension about the way in which the Government may interpret the Bill and its implementation, members of the National Party support the measure.

Mr SIMPSON (Minister of Public Works)—This has been an interesting debate and I have enjoyed listening to the contributions made by members of the Opposition. It is perhaps the first Bill handled by the honourable member for Brighton on behalf of the Opposition.

Mr Williams—Wrong again.

Mr SIMPSON—Sadly, I have missed the contributions of the honourable member for Brighton to debates on behalf of the Opposition and this measure is the first for which I have been present. Clearly, her heart was not in her contribution today. The honourable member has been in this place for six years as I have, and I know that she is a caring person. When it is brought to her attention that certain properties owned by pensioners have had rate increases of approximately 150 per cent in two years while certain business houses have had a reduction in rates, that will not bring joy to her and she will be seeking some means of a more equitable distribution of rates. That is why the honourable member's heart was not in the speech she made.

The honourable member for Doncaster said that he supports the aim of the legislative measure but that the Government was not using the correct procedure. He said that the Government should reconsider it and refer the matter to an inquiry. Time is an important aspect of this measure. If the Bill is not passed in this House and in another place, obviously the same imbalances that have occurred over the past two years will continue in the next financial year. It is obvious, too, that this matter is affecting the Minister of Water Supply in another place in exercising his mind on other matters.

The honourable member for Benalla said that the measure was not a panacea to embrace for all time, and he hit the nail on the head with those words. The Government does not say that the measure in the Bill are the perfect

answer. It is important that the Government does something quickly to assist those who are badly disadvantaged by rating systems.

Differential rating is an option that will be given to the Melbourne and Metropolitan Board of Works to enable the board to assist those persons who are disadvantaged. Once that is explained to the honourable member for Doncaster and when he realizes that if the matter were referred to an inquiry another twelves months would pass, I am sure that he will agree that this growing imbalance will continue to affect those persons if the measure is not passed.

The honourable member for Caulfield attacked the Government on the measure because it will tax the super rich—I think that was his reference. I do not understand how this will hurt the Government when it announces that the honourable members for Caulfield opposed the Bill because it could finish up taxing the super rich. That is incredible and there is no other interpretation one can put on the comments he made during the debate.

Clearly, the Bill will assist those persons who are at present disadvantaged. I am talking of pensioners and of those who are not able to claim these sums as deductions in their taxation returns as many business houses do. The honourable member for Caulfield will understand that those business houses whose rates have decreased are still able to pay a lesser figure than they have paid over the past few years and will still be able to claim that reduced figure on their taxation returns. No householder is able to claim that deduction in his taxation return. In this case, the Government is able to re-allocate that tax assessment and give the benefit to those who are not able to claim some of that money back as taxation deductions. I do not know how the honourable member is claiming that it is a tax on the super rich.

The honourable member for Warrnambool said the Australian Labor Party was giving more power to the Board of Works and that this is something it would have been aghast at when it was in Opposition. In some obscure way, he related the Bill to the problems of the Board of Works building and how that can be related, I am still not able to rationalize. It is true that this is a power the Government is giving to the Board of Works. It is an option that officers of the board will be able to use. If it is used to correct imbalances that have occurred for several years, who on earth will complain about that? What honourable member would oppose the board having that option?

The Government is amazed to learn that the Opposition intends to oppose the measure. I shall be watching with great interest whether the Bill will be opposed when it reaches another place. If the measure is defeated, when the rate notices are sent out next year, when the people are advised of what the Government tried to do to correct these imbalances, and when the Government informs the people of Victoria that the increase in rates occurred because of the attitude of the Opposition and because the Labor Party Government did not have the numbers in another place, the judgment of the people will be made.

I thank the honourable member for Benalla for his contribution. He is concerned with the electorate he represents and he was intelligent enough to realize the advantages of the measure to people in rural areas. The honourable member for Warrnambool had not thought through his remarks and that is a matter he will need to take up with his constitutents when he advises them that he opposed this measure in Parliament.

The House divided on the motion (Mr Wilton in the chair).

Ayes	51
Noes	23
Majority for the motion ..	28

AYES

Mr Cain	Mr Mathews
Miss Callister	Mr Miller
Mr Cathie	Mr Newton
Dr Coghill	Mr Norris
Mr Crabb	Mr Pope
Mr Culpin	Mrs Ray
Mr Ernst	Mr Remington
Mr Evans (*Gippsland East*)	Mr Roper
Mr Fogarty	Mr Ross-Edwards
Mr Fordham	Mr Rowe
Mr Gavin	Mr Sheehan (*Ivanhoe*)
Mr Gray	Mr Sheehan (*Ballarat South*)
Mr Hann	Mr Shell
Mr Harrowfield	Mr Simmonds
Mrs Hill (*Frankston*)	Mr Simpson
Mr Hill (*Warrandyte*)	Mr Spyker
Mr Hockley	Mr Stirling
Mr Ihlein	Mrs Toner
Mr Jasper	Mr Trezise
Mr Jolly	Dr Vaughan
Mr King	Mr Wallace
Mr Kirkwood	Mr Walsh
Mr McCutcheon	Mr Whiting
Mr McDonald	*Tellers:*
Mr McGrath	Mr Kennedy
Mr McNamara	Mr Sidiropoulos

NOES

Mr Austin	Mrs Patrick
Mr Brown	Mr Ramsay
Mr Burgin	Mr Reynolds
Mr Delzoppo	Mr Saltmarsh
Mr Dickinson	Mrs Sibree
Mr Ebery	Mr Smith
Mr Evans (*Ballarat North*)	Mr Thompson
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lieberman	*Tellers:*
Mr McKellar	Mr Richardson
Mr Maclellan	Mr Tanner

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Amendment of No. 6310 s. 99)

Mrs PATRICK (Brighton)—Clause 3 amends section 99 of the Act and enables the Board of Works to strike the differential rate. It states:

> After sub-section (3) there shall be inserted the following sub-sections:
>
> "(4) Where the Board is of the opinion that relief should be given under this sub-section in respect of any land or class of land upon which a rate would otherwise be made and levied under this section . . .

There is no suggestion in the new subclause that any Ministerial approval will be sought or given. As has been rightly pointed out by the honourable member for Kew, the second-reading notes on the Bill clearly state that the striking of the new differential rate is subject to Ministerial approval. Therefore, the Opposition opposes the clause and considers that it should be withdrawn and redrafted to agree with the second-reading notes or, conversly, the Opposition must conclude that the Minister was quite irresponsible in making that comment in the second-reading speech when there is no reference to Ministerial approval in the Bill.

Mr SMITH (Warrnambool)—I waited some time for an explanation from the Minister of Public Works who is handling the Bill. It became clear to the Opposition that he did not understand the Bill when he heralded the comments made earlier by the honourable member for Benalla and indicated that the Bill would be of significant benefit to rural people. There are few rural areas, but he included the Benalla electorate. The Opposition is alarmed that the Minister knows so little about the Bill and is sitting at the table like a clucky hen waiting for the Bill to be passed by the Government's numbers.

The Opposition wants to know where Ministerial authority is provided in the clause or whether the Board of Works, discredited by the present Government, when it was the Opposition last year, will go off willy-nilly with its own powers to do what it likes without any Ministerial approval. Either the second-reading notes are right and the Bill is wrong, or vice versa.

Mr WILLIAMS (Doncaster)—I am absolutely astonished at what is happening at present. It has long been a practice in this Chamber for advisers to be readily on hand to answer questions raised by the Opposition. Lest my eyes deceive me, no advisers are available in the traditional place in the House. Perhaps an adviser is hiding himself! It is most important that the Opposition receives an answer to the query raised. I hope the Minister of Public Works will report progress on

the Bill so that he can be briefed and intelligently tell honourable members what is the situation.

Mr McNAMARA (Benalla)—The National Party is inclined to agree with the Opposition on the matter of Ministerial approval. The National Party generally approves the Bill in principle, but a number of minor areas need clarification. The National Party does not understand why the provision of determination by approval of the Minister, which was raised by the honourable member for Warrnambool, should not be included in the Bill.

Mr MACLELLAN (Berwick)—A simple matter has been raised by the Opposition and the National Party which requires an explanation from the Minister or else progress should be reported if advisers are needed to assist with the matter. The second-reading notes state, "subject to the Minister". The Opposition wants to know whether clause 2 includes a requirement of the Melbourne and Metropolitan Board of Works to get approval from the Minister. The honourable member for Warrnambool put it neatly when he said that the Government has stated that the Board of Works is not subject to sufficient Ministerial control. If I remember correctly, it has recently been said that the Chairman of the Board of Works has been creating something of an empire. Will the Government strike back by striking its own rates, or will it be subject to Ministerial control, as was indicated in the second-reading speech? It is not as though the Opposition invented the explanatory second-reading speech. The Opposition did not draft the Bill; it did not write the words; it did not trick anybody into believing it; and it did not propound the Bill or mark it as requiring Ministerial control or making the matter subject to the Minister.

The Minister made the speech and the Government wrote the speech. The Opposition is politely asking the Minister to explain why the provision is not contained in the Bill or why the statement was made in the second-reading speech. I also gather that it was not the Minister for Local Government—I could understand if it was him—it was the Minister of Public Works who moved that the Bill be read a second time and who read the second-reading speech. It may be that the Minister read a second-reading speech which reflected that the Bill had been changed. I acknowledge that possibility and I am sure that the honourable member for Warrnambool would be the first person to acknowledge that that may happen in this place. I remember a spectacular occasion when he gave a second-reading speech to a Bill that was not before the House. It was a different Bill, the other one having been changed. It can happen and if that is what happened, perhaps the Minister could explain the matter to the Committee, or report progress on the Bill.

I do not want to move that progress be reported because I do not want to provoke the Government into claiming that the Opposition raised this matter unnecessarily. If an explanation can be provided that will convince the Opposition, I will be delighted for the debate to proceed. If the Minister of Public Works proposes to sit at the table silently and sulkily and not explain something that is a perfectly normal matter to be raised in the Committee stage, the next procedure will be to move that progress be reported so that an explanation can be found, if one exists.

The Opposition wants to know what the words, "subject to the Minister" mean. Do they mean that the differential rate, if used and struck by the board, in the way provided in this clause, will have to have Ministerial consent? The Minister owes an explanation, not only to the Opposition, the National Party and Parliament, but also to the people of Victoria, municipalities and ratepayers of the Melbourne and Metropolitan Board of Works area. As I am one of those ratepayers who happen to receive an annual bill of $20 for a metropolitan improvement rate, I want to know whether the board will be able to increase that rate differentially. The board does not provide water; that is supplied by paying the State Rivers and Water Supply

Commission bill. It does not provide sewerage because residents in the area that I represent have septic tanks. It does not provide drains; residents pay the Dandenong Valley Authority rate. The only rate that residents in my electorate are required to pay to the Melbourne and Metropolitan Board of Works is the metropolitan improvement rate. The Berwick electorate has been rounded into the Melbourne and Metropolitan Board of Works area and when residents in the area asked for an explanation of the matter, ratepayers who were rude enough not to pay the rate received polite letters indicating that the board would cut off the water supply to those residents. They replied with a hoarse laugh stating that the board does not provide their water. The explanation they eventually extracted from the board was that the rate is struck for the provision of metropolitan parks and planning. That situation exists today.

I ask whether this non-elected board or "empire-strikes-back" empire will be able to strike a differential rate and whether it will be subject to Ministerial control. Is the Minister using a "behind the scenes" clause? Was the careless phrase in the second-reading speech a phrase that related to a provision that had been dropped from the Bill? The Opposition, the National Party and the Government's own members are entitled to a frank explanation from the Minister and, if that is not provided, the Opposition is entitled to suggest that progress be reported to enable all parties to consult on the matter.

Mr SIMPSON (Minister of Public Works)—Honourable members are witnessing a tactic by an Opposition that realizes that it has made an error in opposing the Bill. It is a tactic to try to delay the passage of this measure. In summing up the explanatory second-reading speech, I explained that the Government wanted the Bill to pass quickly from this place to another place and be proclaimed, so that relief could be given to many thousands of people in the metropolitan area and rural areas who are affected by the Melbourne and Metropolitan Board of Works and who wants these progresses to take place. I read a newspaper article in which Mr Reg Macey, a spokesman for municipal matters, indicated that he hoped the matter would be dealt with quickly.

The Minister of Water Supply, in another place, said he knew of no opposition to it, yet delaying tactics are being employed. Opposition members are putting it that the powers being offered to the board will be misappropriated. After all the publicity that was given to this matter before the recent election and after all the debate that has occurred here on the Bill today, why would the Minister not oversee any action taken, and how could any board member take anything other than the direction that has been clearly outlined in my second-reading speech and in the debate that has come from members of the Government? It is abundantly clear that there will be proper consultation with the Minister and that no board member will do anything outside the clear principle that comes from this measure.

Mrs PATRICK (Brighton)—The situation would be funny if the matter were not so serious. Obviously the Minister does not know the answer to the question asked by the Opposition. The Opposition merely asks: Why is there an inconsistency between the explanatory second-reading speech and the Bill before the House? The honourable member for Kew has gone through the principal Act and this Bill with a fine-tooth comb. I suggest it was irresponsible for the Minister to say in his second-reading speech that there is Ministerial approval, but I am beginning to wonder whether the intention was to delude persons reading the second-reading speech that that speech was in accordance with the Bill.

I take the opportunity of raising the awareness of the public and those people who have access to second-reading speeches. The Opposition said last week that those people must not rely on the second-reading speeches because it is obvious that local government and other people will need to go with a fine-tooth comb through every

single piece of legislation that comes into this House, and they will have to go through Bills line by line. It is obvious that they can no longer rely on the second-reading speeches as being accurate and that they cannot trust the Government to implement in Bills what is outlined in the second-reading speeches.

I am amazed that the Opposition's question has not been answered. I know that officers of several departments concerned with the Bill have been around the House and visible to me today while I have sat at the table, yet I have heard no explanation of the intention of the Bill. In those circumstances, I do not believe the Bill should be allowed to proceed while this question remains unanswered. It is unfortunate that the Minister for Local Government is ill today. He might have known what he said in the second-reading speech and what was contained in the Bill, and he might have had the answer, although I doubt it. The Minister of Public Works, in a puffed up way, has tried to do his best with the Bill but has looked uncomfortable. While uncertainty exists in the Bill, it should not proceed.

I foreshadow that the Opposition is uncertain about clause 4 and will have to make the same comments in regard to it. It appears that there is a gap in the drafting of the Bill. It might have been the intention of the Bill and of clause 3 that the matter be tied in with Ministerial approval, but that is not obvious from the Bill.

Further, there has been mention of the handing over to the board of this wide power to do as it likes. In my hand, I have a copy of the Government's pre-election policy which refers to the setting up of a Melbourne metropolitan authority. Are these powers to be handed over to such an authority, a restructured Melbourne and Metropolitan Board of Works? Much uncertainty exists as to whom these powers will be handed to, without Ministerial approval.

I therefore move:

That progress be reported.

The Committee divided on Mrs Patrick's motion (Mr Kirkwood in the chair).

Ayes	31
Noes	42
Majority against motion	11

AYES

Mr Austin	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Ramsay
Mr Delzoppo	Mr Reynolds
Mr Dickinson	Mr Richardson
Mr Ebery	Mr Ross-Edwards
Mr Evans (*Ballarat North*)	Mr Saltmarsh
	Mrs Sibree
Mr Evans (*Gippsland East*)	Mr Smith
	Mr Tanner
Mr Hann	Mr Thompson
Mr Jasper	Mr Wallace
Mr Jona	Mr Whiting
Mr Kennett	Mr Wood
Mr Lieberman	*Tellers:*
Mr McKellar	Mr McGrath
Mr McNamara	Mr Williams

NOES

Mr Cain	Mr Miller
Miss Callister	Mr Newton
Mr Cathie	Mr Pope
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mr Rowe
Mr Fogarty	Mr Sheehan (*Ivanhoe*)
Mr Fordham	
Mr Gavin	Mr Shell
Mr Gray	Mr Sidiropoulos
Mr Harrowfield	Mr Simmonds
Mrs Hill (*Frankston*)	Mr Simpson
	Mr Spyker
Mr Hill (*Warrandyte*)	Mr Stirling
	Mrs Toner
Mr Hockley	Mr Trezise
Mr Ihlein	Dr Vaughan
Mr Jolly	Mr Walsh
Mr Kennedy	
Mr King	*Tellers:*
Mr McCutcheon	Mr Norris
Mr McDonald	Mr Sheehan (*Ballarat South*)
Mr Mathews	

Mrs SIBREE (Kew)—I oppose clause 3 because there is a doubt about which areas of land will have differential ratings. For example, what will occur if an area of land is re-zoned? What stages, steps, changes and considerations will occur? The terminology used in the clause is too wide and it has not been carefully considered so that a thorough definition is provided.

I again raise the problem of Ministerial responsibility and the danger of the Minister of Public Works vetoing any decision of the Melbourne and Metropolitan Board of Works in respect of differential ratings.

During the election campaign, the Labor Party stated that if it was elected to office it would ensure that time would be allotted for communiy discussion of proposed legislation. However, the Government is attempting to rush an important Bill through the Committee. The action of the Government goes against those principles it enunciated during the election campaign.

I am astounded that the Minister of Public Works is unable to answer the queries I have raised about Ministerial responsibility and its definition in the Bill and the Melbourne and Metropolitan Board of Works Act. I was a member of the Public Bodies Review Committee and, therefore, I am aware of public concern about Ministerial responsibility for statutory and public bodies. I could not find a reference in the explanatory second-reading speech on Ministerial responsibility. I oppose clause 3 because of the absence of any definition on those areas of land that will have differential ratings and Ministerial responsibility.

Mr MACLELLAN (Berwick)—The Minister of Public Works is still either unable or unwilling—and one becomes more suspicious that it is unwilling—to explain the position. One would have thought the honourable member for St Kilda, having previously been something of an expert in this matter, may have been able to assist the Committee. I noted that the honourable member had left the Committee, but he has now returned. I am surprised that, as a leading Government backbencher, the honourable member for St Kilda has not yet said anything on the subject. Is it because the honourable member has discovered that the Opposition has raised the matter and that something is wrong with the situation? Is it because there is an explanation which is still to be given?

It did not escape my notice, and doubtless it did not escape yours, Mr Acting Chairman, that the Chairman of the Board of Works was in the precincts of the House, although he is not visible at present, and doubtless somebody has consulted him. What in hell's name is the answer, and why can the Committee not be told the answer? What is the situation? What is the embarrassment the Government is suffering?

The Government does not want time to reconsider the matter by reporting progress. The Government does not want to report progress now and resume the debate after the suspension of the sitting for dinner. The Government does not want to say what the situation is. I make a passing reference to clause 4, which contains a lot of detail on the Board of Works submitting estimates to the Minister and providing fourteen days notice, but during the explanatory second-reading speech, the Minister indicated that he will be responsible for the setting of differential rates. Either the Minister or his advisers have miscalculated the intent of the proposed legislation.

One does not know whether the honourable member for St Kilda has been deprived of providing the Committee with information that he may have. Why is the honourable member sitting silent on the question? Why can the honourable member not assist the Committee and say that there will be no Ministerial control over the differential rates? If that is the situation, as one suspects from a reading of the Bill, and there will be Ministerial control by either some means or another, the Government cannot have it both ways. Either the Minister has the responsibility and takes the responsibility for differential rates, and that is what the explanatory second-reading speech was about, or else that is not the situation and the Board of Works will act at large.

If the Board of Works is going to operate at large with a completely open discretion on differential rates, the community is facing an alarming situation because the honourable member for

St Kilda has not said anything on the matter, although he has been elected to represent the electors of St Kilda. Indeed, the Minister will not explain the situation to the Committee, although he is the Minister responsible for the proposed legislation, even though the honourable gentleman appears innocent of its meaning and purpose, at least so far as the Committee is concerned.

Honourable members are elected to represent their electors and to explain to them what in hell's name this piece of legislation means, but I do not think there will be one member who will be able to leave this Chamber after the Committee passes this clause, if it is foolish enough to do so, and explain exactly what power has been given to the Melbourne and Metropolitan Board of Works, because it looks as though the Board of Works is to be able to strike whatever rate it likes on any category of property it likes, and to do that simply without the slightest authority from the Minister and subject only to giving the Minister fourteen days' notice. In other words, the Minister may be told fourteen days beforehand that the rates on certain properties will be reduced to the barest of minimum and the rates on other properties may be increased to astronomical levels.

Parliament is by this clause, and through the Government, being invited to hand over to the Board of Works a taxing power which it would give to no other authority. No one would say that this would be done by any responsible Parliament, any responsible Opposition, or any House of Parliament, let alone a Lower House which likes to pretend that it has some privilege in taxes and finances.

Here we are, about to hand over to the Board of Works a power which would be greater than the power of Parliament itself; the power indefinitely to strike, year after year, category by category, whatever rate it likes, up or down, in respect of various classes of property. The only obligation being imposed on the Board of Works by this Bill appears to be the obligation to give the Minister fourteen days' notice, not subject to Ministerial control.

I was staggered at the puff of wind that came from the Minister of Public Works. He makes very funny speeches on some occasions, and in his Opposition role was one of the great humourists of this Parliament when he was really wound up, but he must realize that he is now a Minister and must accept his responsibility. He must explain to Parliament and to the people, through Parliament, what the Bill means. It is not enough for him to stand up like a bag of wind and avoid the question. It was a straight, direct question raised genuinely by the Opposition. It is no answer for the Minister to say that this was an attempt to delay the Bill and to delay the provision of relief for the residential homeowner. It has nothing to do with providing relief for the residential homeowner, but it has a lot to do with responsibility to the Parliament and, through Parliament, to the people and the ratepayers of Melbourne, to explain to them what it is we are doing by this Bill.

Are we simply giving the Board of Works an unlimited and unrestricted power, subject only to the next clause which states that fourteen days' notice must be given to the Minister, to strike whatever rate it likes in respect of whatever class of property it identifies, or are we passing legislation that says that, subject to the control of a Minister answerable to Parliament, the Board of Works may have power to exercise some differential in the rates it strikes?

If the latter is the case, that is what the Opposition indicated it did not oppose. We did not oppose there being a variation in the rates between various classes of properties. What we do oppose is an unlimited and unfettered ability to vary the rates between classes of property without any Minister being responsible.

The Minister is exceptionally clever. He makes, as I said, very funny speeches on occasions, but he has to accept that he has the responsibility of

standing up in Parliament and explaining why in his second-reading speech he used the phrase "subject to the Minister" and why the Bill makes no reference to the Minister being involved in this case in any way.

The honourable member for St Kilda, because of his role in respect of the Board of Works and as a senior Government back-bencher of considerable talent and a person upon whom high hopes may rest, owes it to Parliament and through Parliament to the people who elected him and to the people of Melbourne to explain what the Bill and this clause means. I do not think he can duck or run away from it; he cannot say he was taken by surprise, because the Chairman of the Board of Works was in the precincts of this building and obviously was available for consultation had the honourable member chosen to do so. I do not want to allege that the honourable member has had a conversation with the Chairman of the Board of Works, because I do not know, but I should be very surprised if he denied it.

All I can say is that something has been winkled out which the Government is ashamed to front up to, and again we have seen one of the most devious performances of subterfuge which the Government is now becoming well known for. An explanation is never given frankly; a direct question is never answered. It is covered in an avalanche of words but is never answered directly. The Minister is about to join his colleague, the Minister for Local Government, as one of the two Ministers who introduced into the House a measure which is completely inconsistent with the second-reading speech. For the second time in this session—so few days and so few working weeks—we find we cannot trust the second-reading speeches of the Government.

Mr TANNER (Caulfield)—As you are aware, Mr Acting Chairman, I have expressed my opposition to the Bill, but I now express my opposition to this clause in particular. I have been extremely disappointed during the debate to see that time after time Opposition members have risen to voice their apprehensions; on one occasion a member of the National Party rose, but on no occasion have members of the Government party risen, except once, when the Minister, in a disappointingly flippant manner, refused to answer the questions and apprehensions that had been raised by members of the Opposition. Time and again members of the Opposition spoke on the Bill, and their apprehensions were caused particularly by this clause, yet when the Minister finally rose to speak, one heard an avalanche of words and saw a lot of waving of arms, but no answers were given.

This clause will hand over to the Board of Works the power to strike whatever rate it likes with no reference to Parliament. It will require no Ministerial supervision, which is disappointing, because in the second-reading speech this was claimed to exist.

As the honourable member for Berwick pointed out, this is the second time in the life of this Parliament that the Opposition has been misled in this way. How can we rely on the second-reading speech if it is not reflected in the provisions of the Bill? In future members of the Opposition will have no confidence in second-reading speeches and will have to scrutinize Bills clause by clause because, as has been found in clause 3 of this Bill, no Ministerial supervision is imposed and the Board of Works has the right to strike whatever rate it wishes with no reference to the Minister or to Parliament.

There are no safeguards in the Bill for the people of Melbourne, and, despite the Government's claims that it is going to provide assistance to certain people, it has in no way explained which people are going to receive the assistance.

The Bill is full of holes and inaccuracies, and something must be done by the Government to quell the apprehensions that members of the Opposition, and no doubt, the public, are going to feel.

Mr McCUTCHEON (St Kilda)—I rise at the request of the Deputy Leader of the Opposition who, unfortunately, is not now present in the Chamber, to give an explanation which I hope will cast some light on the darkness on the other side of the House.

The first thing I point out is that this is not a Bill to reform the Melbourne and Metropolitan Board of Works. The Opposition has been raising arguments as though this measure were the main piece of work of the Government in relation to the Board of Works. This Bill is merely a proposal to introduce rating reforms that will bring some relief in the critical areas that affect metropolitan ratepayers as a result of the revaluations and the unevenness of revaluations in recent years.

The Opposition has acknowledged that something has to be done to overcome that problem. This is a Bill which will do that, and if members of the Opposition are seen by the voters of Victoria, particularly metropolitan voters, to be opposing the measure, they will be the ones who will suffer. Clause 3 which is under debate contains a provision which will give relief to rural landholdings on the edge of the metropolitan area. When the board is putting through a main or an access for one of its services, past a quite large property, and some of the properties on the edge of the metropolitan area are large, that property has access to water because the main will go past that property. If the property was rated on its total value for that service, it would pay a much larger water rate component. This measure gives the board the opportunity of putting a differential on that large holding so that its proportion of rate paid for water is commensurate with the proportion of rate paid by other ratepayers in the metropolitan area. This can happen in more areas than just those that have been added since 1957. The present provisions of the Act do not allow the system to work equitably, and the amendments correct the situation. I should have thought that a number of the electorates represented by members of the Opposition would support this improvement to the Act.

The Opposition asks for Ministerial control. I point out that the ratepayers have little control over the rate striking ability of the board. The accountability of the present board is lamentable. That is the result of amendments in 1978 which are not the subject of this Bill. The Government has given notice that in a later sessional period of this Parliament it will introduce legislation to amend the operations of the Board of Works. The main question at issue now under clause 3 is the quite small amendment made so that equity can be provided on larger land holdings that have board services going past their front doors. Under normal circumstances those property owners would be rated an inequitable amount for access to that service.

Mr WILLIAMS (Doncaster)—The honourable member for St Kilda has still not provided the answer that the Opposition is seeking. I recall the Minister of Public Works and the honourable gentleman who occupied the adviser's box for a short time and whom I saw elsewhere a moment ago, when in Opposition telling honourable members what an awesome body the Melbourne and Metropolitan Board of Works was, that it had enormous, arbitrary dictatorial powers and that it was beyond Ministerial control. If that is so, honourable members deserve an answer. Is the Board of Works, particularly in rating which is very important to every honourable member because it is the hip pocket nerve that decides the fates of Governments, in control or does the Government have control over rating?

A number of my former colleagues in the eastern suburbs suffered severely because the former Government was blamed for the enormous escalation in Board of Works rates. I believe that is largely why the Labor Party now sits in Government in this State. The people in the eastern suburbs were tired of the escalating Board of Works rates which were rising faster

than was the rate of inflation. The reason for this was that property revaluations were rising in the eastern suburbs faster than those in the other suburbs.

I am most concerned about the differential rating proposition. I believe in helping the little fellow and particularly those on low incomes and limited budgets. I have no brief for the people at whom the Minister says this Bill is aimed, the people who can well afford to pay, and especially those who receive taxation benefits—the larger enterprises and those which pay rates on income-earning properties. I appreciate that principle. I am concerned about the basis on which the differential rate will be struck. If it is struck on a net annual valuation, it will be struck on a basis that is highly hypothetical. I know of no occasion on which a valuer ever inspected my property. If there is to be a correct net annual value, it must be assessed as the real estate agent assesses the value of a property when one wishes to sell it, or as the property is assessed when one wishes to borrow money against it. On such occasions the valuer looks at the property inside and out and takes particular note of how well it is painted and renovated. I note a caucus is assembling around the Minister of Public Works. I am incredulous that the Labor Party has so little faith in the Minister that he must be advised so conspicuously on the floor of the House by several of his colleagues who occupy vulnerable seats. They will be concerned if the Minister has blundered in relation to this clause.

Mrs PATRICK (Brighton)—On a point of order, Mr Acting Chairman, I note that a member of this honourable place is speaking to an honourable member from another place across the Bar of the Parliament. I draw that to your attention.

The ACTING CHAIRMAN (Mr Kirkwood)—I uphold the point of order. I ask honourable members to refrain from speaking to the gallery.

Mr WILLIAMS (Doncaster)—It is illustrative of the problems of the Labor Party newly in office, and members of the Opposition sympathize with them. It is understandable that the adviser is not in his correct place where he can pass messages to the Minister at the table, without insult to this Chamber. I observed the honourable gentleman in his proper place a moment ago and that is where he should be if he wants to direct advice to the Minister.

In relation to the defects of the rating base adopted by the board, it concerns me that the whole basis of Board of Works rating in this State is not in accordance with the finer principles of valuation. It is now proposed to impose further valuation discrepancies on the community. Mr Acting Chairman, as a former local government man, you will be aware that in a site valuation rating city, such as Preston or Doncaster and Templestowe the council did not go out of its way to encourage the valuer to spend a great deal of time directly assessing the net annual value of each property in the city. The council was not concerned with the Board of Works. If the valuer was conservative with net annual valuation for Board of Works purposes, the council was happy because it did not have to bear the wrath of the bulk of the constituents when they received their Board of Works rate bills.

However, the council was concerned that the site valuation was correct. The site valuation is easy to assess. It is based on the vacant block of land without improvements. It is simple, based on recent market sales of vacant blocks, particularly in the suburbs that I represent, to make an accurate site valuation. However, it is well nigh impossible to obtain a just and equitable net annual value. One starts with the value of the site and then must estimate the value of the improvements. As I pointed out, if the valuers sit in their offices and just read files and never go near the properties, how will it be possible to obtain a correct net annual value? Members of the Opposition, including myself, are highly suspicious of granting still further powers to the Board of Works

without ensuring Ministerial control over the board. The board will have a lovely time discriminating between areas, because of the valuation cycle some areas will incur large rises in the net annual value which will result in big rate increases, and which others will escape for a time. The valuers will go out to the City of Doncaster and Templestowe, the City of Ringwood, the City of Eltham, the shires of Lilydale and Upper Yarra and all the other places temporarily represented by members of the Government party where they believe they will find easy pickings. That is where the rate rises will be extortionate.

It is all very well to take the rate burden away from people in the inner suburbs where there are safe Labor seats, but when the penny drops and the valuations hit the people in the eastern suburbs where the Labor Party has a slender majority the Government will find itself in trouble. The defeated members in those areas will not thank the Minister of Public Works for foisting these provisions on them and not giving a satisfactory assurance that the Minister will be in control of the measure and not the boffins at the Board of Works.

Mr SIMPSON (Minister of Public Works)—I do not think that people who read the debate that has taken place this afternoon and who are at this moment desperately disadvantaged will be impressed. They will not be impressed by the various arguments put forward by members of the Opposition because nowhere have the arguments demonstrated the real intent behind what the Government is trying to do—to help those people and to eliminate the imbalances that exist.

The honourable member for Doncaster who has just resumed his seat has said he is happy to go to the people within the electorate he represents, when they are paying substantially increased rates, and say that this is the proper course of action but that he opposed in this House Chamber the introduction of differential rates.

We then heard continual talk about the failure to include a clause relating to the responsibility of the Minister. I refer the Committee to section 4B (1) and (2) of the Melbourne and Metropolitan Board of Works Act which states:

> (1) The Minister may at any time in writing to request the Board to propose in writing a scheme with respect to any particular matter or for carrying out any matter of general policy specified by the Minister.
>
> (2) The Minister may approve or disapprove the scheme proposed by the Board or may approve the scheme so proposed subject to such variations as he thinks fit.

The matter that concerns members opposite is covered in the Act. They seem to be supercritical because they did not raise this matter. They have painstakingly gone through the Bill and reminded the Government that Ministerial responsibility did not exist when in fact it did. They have deliberately tried to delay this measure.

I assure the Committee that the Government is resolute in its intention to rectify the imbalances that have occurred over the past two years. If this measure is passed in this and another House, the rates for the forthcoming financial year will provide a huge improvement for those people who are currently disadvantaged.

Mr RAMSAY (Balwyn)—I thank the Minister of Public Works for the explanation he has just given. The confusion that has obviously developed in this Chamber is the result of some apparent conflict between the proposed legislation and the explanatory second-reading speech. It is clear that clause 3 gives the board the right by resolution to exempt a person from this rate—not to modify the rate, to reduce it or cut it back, but to give a complete exemption if in the opinion of the board that relief should be given. Similarly clause 3 (6) provides that the board can reimpose the rate by a resolution of the board. There is no indication of Ministerial supervision over this area. That is what has been concerning the Opposition.

I ask the Minister of Public Works: Is it the intention of the Government to use the power he has referred to in section 4 of the principal Act for the Minister to supervise and keep a close eye on any exemption that may be given under clause 3?

It has been noted that under clause 4 there is a specific need for the board to advise the Minister of certain actions taken under that clause. Under clause 3, which amends section 99 of the principal Act, there is no obligation on the board to bring to the attention of the Minister exemptions it may or may not have decided to grant under the clause.

Can the Minister give an assurance that it is the intention of the Government—I am looking only for a statement of intention at this stage—that the Minister should keep an eye on exemptions that occur under clause 3 with the express purpose of allowing or disallowing them if the Government considers that the board has stepped out of line.

The Committee divided on the clause (Mr Wilton in the chair).

Ayes	50
Noes	22
Majority for the clause ..	28

AYES

Mr Cain	Mr Miller
Miss Callister	Mr Newton
Mr Cathie	Mr Norris
Dr Coghill	Mr Pope
Mr Culpin	Mrs Ray
Mr Ernst	Mr Remington
Mr Evans	Mr Roper
(Gippsland East)	Mr Ross-Edwards
Mr Fogarty	Mr Rowe
Mr Fordham	Mr Sheehan
Mr Gavin	*(Ivanhoe)*
Mr Gray	Mr Sheehan
Mr Hann	*(Ballarat South)*
Mr Harrowfield	Mr Shell
Mrs Hill	Mr Sidiropoulos
(Frankston)	Mr Simmonds
Mr Hill	Mr Simpson
(Warrandyte)	Mr Spyker
Mr Hockley	Mr Stirling
Mr Ihlein	Mrs Toner
Mr Jasper	Mr Trezise
Mr Jolly	Dr Vaughan
Mr Kennedy	Mr Wallace
Mr King	Mr Walsh
Mr Kirkwood	Mr Whiting
Mr McDonald	*Tellers:*
Mr McGrath	Mr McCutcheon
Mr Mathews	Mr McNamara

NOES

Mr Austin	Mr Ramsay
Mr Brown	Mr Reynolds
Mr Delzoppo	Mr Saltmarsh
Mr Dickinson	Mrs Sibree
Mr Evans	Mr Smith
(Ballarat North)	Mr Tanner
Mr Jona	Mr Thompson
Mr Kennett	Mr Williams
Mr Lieberman	Mr Wood
Mr McKellar	*Tellers:*
Mr Maclellan	Mr Burgin
Mrs Patrick	Mr Ebery

PAIR

Mr Wilkes	Mr Richardson

Clause 4 (Amendment of No. 6310 s. 175)

Mrs PATRICK (Brighton)—Although the Opposition has been given an explanation one and a half hours later, it still believes that, although there are some provisions in the principal Act, the provisions of this Bill should not take effect without the Minister's approval. No degree of certainty exists on whether the Minister does or does not have the oversight of these new differential rates.

When one reads clause 4 one finds that the Minister is to get notice:

> Before the Board proceeds to make and levy any rate under this section, it shall give not less than fourteen days' notice in writing to the Minister of its intention to make that rate and of the time and the period for which the rate is intended to be made and shall provide the Minister with a copy of the estimate.

It is this area that the Opposition believes should have been linked to the principal Act.

In addition, it is interesting because the board, during the term of office of the Liberal Government, did not even think of or mention any scheme, or change any rates without consulting the Minister. It is also interesting to consider whether this small provision, slipped in the proposed new section 2A, was a new direction to the Melbourne and Metropolitan Board of Works, because the provision provides clearly that notice must be given to the Minister.

Was the Government suggesting that the Board of Works would do something other than what it had done under a Liberal Government and that

it was suddenly going to strike rates and run off and have differential rating without consulting the Minister? Otherwise it is hard to see why this provision was inserted, having been given now the information that the whole of the operation of the Board of Works is subject to Ministerial approval. Why is this new provision required? For what is it included? It does not tie back to the principal Act, so was the Government suggesting that somebody who is a member of that proposed newly-constituted Board of Works was suddenly going to strike a rate without the Minister being informed? It is hard to understand the purpose of the new provision.

Perhaps the Minister of Public Works can offer an explanation—this I very much doubt, as previously it took him more than an hour and a half to give an explanation—whether or not there was to be Ministerial approval.

I do not know how the Minister is going to explain the reason behind clause 4 (*a*). There is no adequate explanation for suddenly giving the Minister fourteen days' notice in writing and providing him with a copy of the estimate. If that is true, I have no doubt the whole operations of the Board of Works are subject to approval. I pose that question to the Minister because I know full well that the Opposition is not going to get an answer, and I deplore the Bill if it cannot be followed and the reason for this clause is not known.

Mr MACLELLAN (Berwick)—The Minister's explanation on the previous clause in some ways makes the situation more complicated rather than explaining it, and it makes this clause even more complicated. It is now a greater problem for the Opposition. The Minister is saying, "There is no need for this clause". The Minister can require the Board of Works under the principal Act to prepare a scheme. If he did not like the differential rates in the scheme he could write his own rates in substitution for them. The Minister is saying that he will require the power to do something and if he does not like what the Board of Works does, he can rewrite it.

I ask the Minister what the words in proposed sub-section (6D) contained in clause 4 mean:

> A resolution shall not be made under sub-section (6C) in a case where the land or class of land is used primarily for residential commercial or industrial purposes.

People who owned residential land were not going to be greatly benefited. The Opposition was supposed to be holding up this great benefit for residential landholders, people who lived in houses. Yet proposed sub-section (6D) states:

> A resolution shall not be made under sub-section (6C) in a case where the land or class of land is used primarily for residential commercial or industrial purposes.

The Minister obviously has to give a further explanation. What does proposed sub-section (6D) mean? There will not be exemptions in respect of residential, commercial or industrial purposes land; to what land is the Bill referring? I suppose it could be referring to farm land, vacant land which is zoned for any of those purposes, or is in fact used primarily for any of those purposes. If the Minister is saying that the principal Act enables the Minister to give a direction to the board to prepare a scheme for differential rates, and if that board does not apply the sort of differential rates the Minister believes is appropriate, the Minister can alter them. I cannot understand why this proposed sub-section, and the previous proposed sub-section are before the Committee. It seems that the Minister had the power to act all the time; it is just a matter of exercising that power. As the honourable member for Brighton said, it has taken the Minister an hour-and-a-half to start to believe that fact, but having taken an hour-and-a-half to convince himself that he has found the answer to the problem of the Ministerial control, then what does this sub-section mean when it states:

> A resolution shall not be made under sub-section (6C) in a case where the land or class of land is used primarily for residential commercial or industrial purposes.

If the Minister's views on the Bill are correct, he expects the Board of Works to have a lower rate for residential purposes, and a higher rate for other categories of land. This sub-section prevents that in the sense that the Board of Works cannot give a complete exemption. The explanation lies in that the board might be able to have lesser rates, but not exemptions.

Clause 4 (c) of the Bill reads:

> For sub-section (6c) there shall be substituted the following sub-sections:
>
> "(6c) Where the Board is of the opinion that relief should be given under this sub-section in respect of any land or class of land upon which the Metropolitan General Rate would otherwise be made or levied, the Board may by resolution exempt the person or persons who would otherwise be from time to time liable to pay the rate in respect of the land or land of that class from liability to pay the rate in respect thereof either wholly or to such an extent as is specified by the resolution.
>
> (6D) A resolution shall not be made under sub-section (6c) in a case where the land or class of land is used primarily for residential commercial or industrial purposes.
>
> Any resolution made under sub-section (6c) may be revoked by resolution of the Board and shall have effect in each year until so revoked.".

The Minister will have to give an even more complicated explanation. I again offer him an opportunity, if he is without advisers to assist him in this complicated area, which rating always is, of reporting progress and resuming the debate after the dinner recess. In the meantime, the House could usefully continue with another debate. That would be a generous and mature response, but I see every chance of the Minister lurching straight into the same murky waters with this clause as he did with the last one. His explanation of the last clause does not clarify this one. This is why I reminded the Minister that his explanation of the last clause, if anything, has made the explanation of this one more complicated and difficult. The Minister suggests there is an overriding power of the principal Act, not specifically referred to in this clause, and that the Minister may require the board to devise a scheme and, having devised that scheme and submitted it to the Minister, if the Minister does not like it he may rewrite it. This particular clause is meant to be the heart and soul of the benefit to residential ratepayers to pay lower rates. The honourable member for Doncaster commented that under proposed sub-section (6c) the board will not be able to make a resolution in respect of those classes of land which are primarily used for residential, commercial or industrial purposes.

If the words mean what they appear to mean, and if the board cannot pass a resolution in respect of residential, commercial or industrial land primarily used for that purpose, then which land is possible to be exempted? I would have to say it is "other land"—and other land other than residential, commercial or industrial purposes—in which case the Minister has a problem and he has a problem to explain it to the Committee.

Mrs PATRICK (Brighton)—I thank the Deputy Leader of the Opposition. The clause to which he was referring states that a resolution will not be made where the land or class of land used primarily for residential commercial or industrial purposes. It seems under this clause that the only land that can be exempt is rural land. I believe the Government's intention is that all hospitals, charitable institutions, schools, all those people who presently provide services to the electors, to the community, and to Victoria generally, will not be exempt; their differential rate will not be equitable; they are going to be told to pay the full rate and thereby the burden again will be shifted. Does that mean that hospitals will have to pay high Melbourne and Metropolitan Board of Works rates? Does that mean that the great hospital levy will have to be raised? Is that what it means? Does it mean that the charitable institution that is performing a function, which currently does not pay full rates, will now have to pay full rates? What exactly does it mean? The Minister of Public Works should provide an explanation of exactly what the clause means. He should come out and be honest on behalf of the Government. We have heard a

great deal about honesty in government. When the Liberal Party was in Government, it was gibed at by the then Opposition, which said, "Be honest". Let the Government now be honest. Let the Government tell us what this clause actually means. Let it tell us whether it intends to include hospitals and charitable institutions, whether they are not to benefit from the differential rate; whether, in fact, they are to go backwards in time. Let the Minister give that explanation, not only to the Opposition, which has expressed its concern about the Bill being hastily drafted and not reflecting accurately the Government's intentions, but also to the people of Victoria and those who will have to pay this rate.

It is all very well for the honourable member for St Kilda to say that it will benefit the owner of a rural property through which a pipeline passes. I feel sympathy for people affected in that way and believe they should be given relief, but they should not be the only ones to receive assistance. Who else should gain relief? Does the Government suggest they should be only people who live in the inner-suburbs of the metropolitan area? It all comes back to the statement I made in the beginning: If the burden of the party is shifted, somebody else has to bear it. Will it be the hospitals, the charitable institutions or the schools, organizations that are not at present paying full rates? Let the Minister answer that!

Mr WILLIAMS (Doncaster)—Again, as the lone member of the Liberal Party representing the great City of Doncaster and Templestowe, I ask the Minister to explain, in unequivocal and unambiguous terms, what this clause is about. Apparently, the honourable member for Mitcham, who I notice is sitting alone in the House, without the honourable member for Warrandyte and the honourable member for Ivanhoe, who should be——

The CHAIRMAN (Mr Wilton)—Order! I suggest the honourable member should make his comments regarding the clause and give the Committee the benefit of his opinion on it, rather than speak about other matters.

Mr WILLIAMS—Mr Chairman, I am making the point that I am a lone voice on behalf of a population of approximately 100 000 people in the City of Doncaster and Templestowe. I seek an explanation from the Minister on the effect of the clause as it relates to the Melbourne and Metropolitan Board of Works rates. The honourable member for Warrandyte was very vocal, according to press reports in local papers during the past month, pleading on behalf of landowners whom he thought were being adversely affected by council decisions to increase rates. Why is he not present? He should be trying to assist people and finding out whether the proposition contained in the Bill will once again result in an increase of the rates of rural landowners.

It is all very well for me to have to do it. There is little rural land in the electorate I represent but in the electorate represented by the honourable member for Warrandyte, there is a considerable amount of rural land. I, for one, am speaking on behalf of the disfranchised landowners in the Warrandyte Ward of the City of Doncaster and Templestowe. The Parliamentary representative of these people has not seen fit to stand up during the debate and plead the cause of the electorate he represents.

It is a travesty of everything the Labor Party stands for for the Minister to have parroted off some speech prepared by an officer of the Board of Works. No doubt the board knows what it is on about, but the Minister even with the help of his eminent adviser who is at the table at present, the honourable member for St Kilda, has not been able to satisfy the Opposition about the intention of the clause.

I again appeal to the Minister to report progress, so that he can obtain proper advice and tell the Committee what is going on.

Mr McCUTCHEON (St. Kilda)—I shall attempt to clarify the situation for the Opposition. The proposed amendment to the Act that will actually provide differential rating powers is contained in paragraph (*b*), which

provides for the deletion or omission in section 175 of the principal Act, *inter alia*, of the words "different areas of included land" and the substitution of the words, *inter alia*, "different areas of land or different rateable properties in the metropolis". That alteration in the wording will have the effect of broadening the differential powers already contained in the principal Act and will enable the board to extend those powers across different areas and properties.

The Opposition questioned the effect of proposed section 175 (6D). The real effect will be to remove an amendment to the principal Act effected by a Bill passed on 19 May last year, when the Opposition was in Government. The amendment in that Bill was to allow for a rural sewerage rate. That provision is being removed so that, rather than being able to strike a special rural sewerage rate, the board will have the power to amend the size or proportion of the property on which the rate is struck. This is merely a different way of dealing with the problem. The system will be the same under clauses 3 and4.

Mr TANNER (Caulfield)—I thank the member for St Kilda for his explanation, but it still does not change my opposition to the Bill or to the clause. Time and again the Minister has been questioned about the Bill and the clause and it is obvious that the honourable gentleman is completely puzzled. He has had to call for outside help to assist him.

The Minister is proposing that the Parliament should hand over to the Board of Works complete power in this area, thus taking away the power of this Parliament. He seeks to allow the Board of Works, without any criteria to follow, to decide what the board's rates should be for various organizations or individuals. Despite constant questioning, the Minister has not explained who will gain from the proposed ability of the board to set differential rates. The Minister is refusing to explain to the Committee who will benefit. I ask him once again, particularly in relation to clause 4, to tell honourable members who is likely to benefit.

Mr SIMPSON (Minister of Public Works)—I am nonplussed by the continual questions being asked by members of the Opposition. What the Bill will do is to make available to the Board of Works a number of options to allow it to assist people who are desperately in need of that assistance. Questions concerning control and Ministerial responsibility have already been answered. If the honourable member for Caulfield was not paying attention, I refer him to sections 4A and 4B, and especially 4B(1) and (2), of the Act.

The honourable members for Caulfield, Doncaster and Brighton have continually asked for examples and an explanation of exactly where differential rates will be imposed. The Bill before the House will provide powers and options, under Ministerial control, that will allow the Board of Works to assist certain people. The decisions concerning those rates will take place after proper deliberation, through the proper channels and after proper investigation. I cannot give specific examples. However, I assure honourable members that the people who are most in need of assistance are those who will be given the most assistance through the measure.

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.

OPTOMETRISTS REGISTRATION (AMENDMENT) BILL

The debate (adjourned from June 3) on the motion of Mr Roper (Minister of Health) for the second reading of this Bill was resumed.

Mr WHITING (Mildura)—The Bill improves the registration procedures of optometrists in Victoria and makes some progress in that it will be possible for any registered optometrist to use certain drugs that previously were limited to those optometrists with special qualifications. This facility will be available now to all registered optometrists. I have discussed the pro-

visions of the Bill with optometrists of long-standing who perceive no problem with them. The drugs used by the optometrists would assist in eye examinations to assess eye damage.

The provision that an optometrist be not younger than twenty years of age is being removed. It is possible for persons younger than twenty years of age to achieve the necessary qualifications and their registration is being provided for in the Bill.

The Bill also increases penalties, in some cases from $500 to $1000 and from $1000 to $2000. The National Party is not unhappy with those provisions because they are in line with the inflationary trend that has occurred. Likewise, the National Party has no quarrel with the proposed increase in fees for optometrists, from $5 to $50 for renewal of registration and so on. The improvements contained in the measure will assist all Victorians.

Mr LIEBERMAN (Benambra)—The Opposition supports the Bill and commends the Minister of Health for introducing it so promptly following his appointment. The Victorian College of Optometry of the University of Melbourne has indicated that the college has examined the Bill and agreed with its provisions. The Minister of Health will not mind my saying that the Bill is based largely on proposals made by the college to the former Minister of Health, Mr Bill Borthwick. I understand the elements of the legislative measure compare identically with elements that were developed by the former Minister. I know that Mr Borthwick will be very happy that the measure has been proceeded with so promptly by the new Government.

The Australian Optometrical Association, Victorian Division, has confirmed its support also of the amendments proposed to the Act and states that it is in total agreement. The association mentioned that the Minister of Health was kind enough to brief the association on the measure. The association appreciates that and knows that the measure is in accordance with the legislation that was to be initiated by the former Minister of Health, Mr Borthwick.

There is a growing awareness in the community of the value of optometrical services. In the past, there has been some division in the community as to whether seeking the assistance of a qualified optometrist is appropriate compared with consulting a doctor and being referred to a specialist. I am sure the Minister of Health will agree that the uncertainty and uneasiness that existed appears to be rapidly disappearing and that the medical and optometrical professions have found their respective positions.

The availability of skilled optometrical services to the people of Victoria is important and just as important as the availability of skilled medical and specialist facilities for diseases of the eye and treatment of eye ailments.

The measure is significant. It marks another step in the progress and development of the science of optometry and its practice in Victoria. Speaking especially as a member of Parliament representing a country electorate, I anticipate continued dialogue with the Minister of Health and the Health Commission towards developing more services in country Victoria and maximizing the present facilities. I refer particularly to assisting aged people and pensioners where access to the Royal Victorian Eye and Ear Hospital in Melbourne is not so readily available and where optometrists might well be included in the services available to country people for the purposes of obtaining spectacles. At present—I know the Minister is aware of this—I regret that many pensioners in country areas seeking prescriptions and spectacles may obtain the prescriptions fairly readily, but when it comes to obtaining the spectacles they experience difficulty. A long waiting list exists at the Royal Victorian Eye and Ear Hospital. This is sad, and those honourable members who have elderly friends and constituents know the distress they suffer

because they do not have spectacles which suit their particular eye condition.

I have been a fairly vocal advocate in negotiations with the Health Commission and the optometrical profession that under the auspices of the Royal Victorian Eye and Ear Hospital and the Health Commission the profession should be allowed to fill prescriptions for pensioners in country areas rather than patients having to wait a long time for a Melbourne appointment. That system puts additional pressure on Melbourne. The Minister asks how the former Minister of Health, Mr Borthwick, felt about the matter. I am glad to say that Mr Borthwick was extremely sympathetic to my plea, and indeed agreed that he would endeavour to introduce such a system. The former Minister pointed out that the matter needed consultation because it was a delicate matter and involved health funding.

Prior to the election, as the Minister would know, a significant breakthrough was made in the area. However, the question of funding is still a difficulty. The arrangement to give recognition to the optometrists in this area had been agreed in principle. I look forward to the Minister carrying on that idea. I realize that the Government has financial problems, and if the Opposition can be of assistance it will gladly do so.

The Minister cannot pluck funds out of the air to fill the need, but the elderly and pensioners, particularly in isolated areas, should be given special attention. I hope the Minister will persuade the Treasurer, who is in the House, to give a sympathetic hearing to his case. He can be assured that he will have the full support of the Opposition. I wish the Bill a speedy passage and hope that the optometrical profession will go from strength to strength following its enactment.

Mrs SIBREE (Kew)—I support the Bill, which contains sensible provisions, and takes up the former Government's ideas of changing some provisions of the Act. I support also the remarks by the honourable member for Benambra when he pointed out that the Bill will improve the services available by Victorian optometrists.

Whenever I have spoken about the Bill to members of the profession I have noticed a glint of happiness in their eyes. The provision concerning the payment of fees to the registration board is a more sensible arrangement. On the topic of optometry and eye care, I refer especially to eye care for children. I have received many representations about this and I am sure the Minister in charge of the Bill will be interested to hear my comments. I realize that there are difficulties in supplying care in all areas, but I am mindful of a recent case in the electorate that I represent of a baby born with cataracts on his eyes. After a complicated and well-publicized operation, the cataracts, together with the lenses, were removed and contact lenses inserted.

The parents have informed me that the child will require contact lenses for many years which will be made even more expensive because a young baby will undoubtedly lose many lenses. I hope that the Minister, in dealing with the whole area of optometry, will be mindful of the real problems faced by the parents of children with eye problems and the continuing need for changes to spectacles and lenses that will result.

I refer particularly to an anomaly involving assistance provided by the Federal Government. I hope the Minister will take up the matter in any discussions that he has. The anomaly concerns the fact that children with a deafness disability receive support for hearing aids from the Federal Government but children with optometrical problems do not receive any benefits whatsoever for lenses or spectacles.

I hope in raising the matter I will be able to assist the Minister in taking the case further to Canberra in seeking further assistance for parents of children with eye difficulties. I realize real problems exist with costs and care and I am mindful that the Royal Victorian Institute for the Blind has probably also

made representations to the Minister. I reassure the honourable gentleman that he has my full support in taking the matter further. I support the Bill, which is a step in the right direction and full support must be given to people who are trying to help the general health of the community in more ways than one.

Mr ROPER (Minister of Health)—I thank the honourable members for Mildura, Benambra and Kew for participating in the debate. I have had close co-operation with optometrists for many years but particularly in the past six years when I was shadow Minister of Health. I value the approach of that profession in the preventative health area.

The week before last I had pleasure in assisting with the launching of National Vision Week which the profession was carrying out to encourage parents to pay attention to the eye care of their children. I take up the comments made by the honourable member for Kew because young children are not adequately and regularly assessed for eye defects, leading to the possibility of an eye problem which may considerably worsen.

It is usually relatively easier to detect a hearing disability, but the community tends to regard the majority of children as having normal eyesight. I am aware of the Federal Government's funding arrangements in this area as in other areas and have been for some time. I am also aware of the current nineteen months' waiting list for spectacles at the Royal Eye and Ear Hospital and the two-year plus waiting time for dentures at the Royal Dental Hospital of Melbourne. Both these problems need to be addressed because if people cannot be provided with these basic services, obviously the Government has failed to provide an adequate health service. Both these areas are being examined and I will certainly call on the honourable member for Kew to support the Government when it meets with the Commonwealth Government to ask for assistance for disadvantaged people.

The motion was agreed to.

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

PSYCHOLOGICAL PRACTICES (SCIENTOLOGY) BILL

The debate (adjourned from June 3) on the motion of Mr Roper (Minister of Health) for the second reading of this Bill was resumed.

Mr LIEBERMAN (Benambra)—This small Bill will have a significant effect. The Opposition does not oppose it, but it should be made clear to honourable members that in doing so it has no intention of being seen to endorse the practice of scientology. The Minister is obviously of the same mind on this matter. The Opposition considers that in not opposing the Bill it is taking a logical course in a difficult and vexed matter that will haunt the community for many years to come.

The Opposition makes it absolutely clear that by not opposing the Bill it does not endorse any of the other sects or cults that have sprung up in Australia, including Victoria. Many people in the community are troubled by the presence and practice of some of these cults and sects and the way in which they operate. I wish I did not have to say to honourable members that this will not be the last we will hear on the matter. That attitude would be burying our heads in the sand. Honourable members will hear considerably more about the activities of these cults and sects. All of us, as Parliamentarians and Victorians, should resolve to be more alert, interested and concerned about how they operate and what they are about.

I read some comments on overseas views on scientology. I do not want to rake over the coals, but I consider that the Anderson inquiry, which was held before I entered Parliament, is noteworthy of mention. I shall mention some matters that occurred overseas so that they will appear in *Hansard*. People in Victoria who are interested in the subject will then have reference to overseas experience of scientology so that I will serve a purpose in pro-

viding the information and people can make up their own minds about the matter. An article appeared in the June 1980 *Readers Digest*—unfortunately I do not have a copy of it—entitled, "Scientology: Anatomy of a Frightening Cult". The article provided information on the anatomy of scientology that people interested might like to read.

I also understand that it has been confirmed overseas that Mary Sue Hubbard, the wife of Lafayette Ron Hubbard, the founder of scientology, together with four other highly ranking members of the Church of Scientology in America, have been sentenced to prison terms in the United States of America on charges of conspiring to burgle and infiltrate Government agencies. In addition, I understand they were fined $10 000 each with the court ruling that they must go to gaol immediately, even though an appeal was pending. The evidence on which the convictions were based were documents siezed in raids on the church's offices. The documents allegedly disclosed a campaign by the organization in America to obtain documents illegally from an internal legal service to deal with certain people in the United States of America. The documents also had some relation to the Department of Federal Justice and other Federal agencies.

I consider that matter ought to be mentioned because of the alarm held by people in Victoria, which is not unique to Victoria but spread throughout the world. I notice that the Minister's second-reading speech advises that the investigation and review of the Psychological Practices Act by Dr Evans of the Health Commission, which was set up under the former Government, is continuing. I am glad that is the case. I take it that the Minister is virtually confirming that the Government considers the review should be allowed to be completed. The Opposition looks forward to the report being available as soon as possible.

It will allow a study to be undertaken of psychological practices in this State and, although I understand that the terms of reference specifically exclude the practice of scientology, if one can call it that, I anticipate that the report will give some guidance and assistance to all of us in considering whether any action by legislation or by other means will be appropriate, at least for psychological practices in the State.

Someone mentioned to me that perhaps Parliament should one day consider introducing legislation that will require at least the disclosure of collections of funds by some of these groups. I know that the Minister and the Opposition will not want traditional churches to feel they are under pressure or required to participate in an exercise of that kind. That is the difficulty involved. At question time today I was interested to hear the Minister indicating that he will inform the House about an organization that collects money and obviously fleeces the community under the guise of helping the disadvantaged, particularly physically and mentally handicapped people. The report that the Minister will make available on this issue will provide Parliament with another opportunity of considering how some so-called religious organizations are raising money for so-called good works in the community. Obviously the Minister will enlighten honourable members with that knowledge. The report that the Minister will make available will be another source of assistance to honourable members as well as Dr Evans' report into the Psychological Practices Act.

With those words and with some trepidation, I wish the Minister of Health good luck. Introducing this Bill would not have been an easy decision to make and I commend him on making the decision so promptly in his career as Minister. The Opposition does not oppose the Bill.

Mr WHITING (Mildura)—This is a simple Bill that repeals sections 30, 31 and 32 of the principal Act. As mentioned in the second-reading speech, it will have the effect of taking away the prohibition on the use of a galvanometer E-meter or similar instrument

and will prevent persons from accepting fees for that type of service. It will also no longer require persons to send any scientological records to the Attorney-General, as was required under the principal Act. Like the honourable member for Benambra, the National Party does not oppose the Bill. However, it has some concern about any organization that would have its adherents or others, including applicants for membership, subjected to any kind of psychological pressure to become members or to remain members of that organization. Like other members of my party, I have had discussions with the Rev. Bob Allsop of the Church of Scientology and a number of other representatives of that organization, and they appear to be genuine in their beliefs.

The National Party believes it is necessary that the Bill should be passed to remove the prohibition that was placed on the Church of Scientology in the 1960s. As has been stated by other speakers, members of my party do not necessarily support scientology or any other cult.

It is interesting to note that the working party under Dr Evans of the Health Commission reviewed the Psychological Practices Act. As a result of its findings, that working party supported the repeal of these three sections of the Act, but not of the others. Perhaps that is significant.

However, if such pressures as were mentioned are possible within some religions or cults that have developed over recent years, the National Party believes action either of a voluntary nature or by way of legislation will be required at some future time to prevent the stress and distress that these kinds of pressures can cause. The talk of programming or deprogramming of a person in the way that has been described, especially overseas, concerns me and other members of the National Party, and we hope that is not the intention of any organization in Victoria at the present time. That being the case, we can rest easily in this regard. Honourable members who believe freedom of speech and freedom of religion should be available to all persons must support the Bill now before the House.

Mr SALTMARSH (Wantirna)—I want to say only a few words, basically to defend the freedom and the right of individuals to follow and practise their own systems of belief, no matter how much others may question them. It is important to recognize that the Act which is now being repealed—and I congratulate the Minister on bringing the Bill forward so soon—was the result, in the first instance, of some agitation by a couple of Labor Party members of the Legislative Council at that time. As a result of some outlandish statements there and further accusations in some elements of the press, an inquiry was set up. I believe that inquiry has not been well endorsed anywhere else in the world. In fact, I understand that copies of the Anderson report were sought from jurisdictions and administrations both in Australia and overseas, and none of those were prepared to substantiate as valid the sorts of claims that were made. Perhaps that comes back to the quality of the report itself, and I will not comment on that matter except to say that I believe there is a major question mark about its methodology.

I follow on some of the concerns expressed by the honourable member for Benambra, and these obviously are concerns that many people have about all sorts of activity, whether it be activity of a religious nature or of some other kind. Rather than trying, by means of our so-called democratic systems, to provide legislation that denies the basic freedom of association and freedom from belief, Governments ought to ensure that actions which are shady or criminal are subject to the criminal law. Fraud, theft, coercion or whatever should be subject to the appropriate course of law rather than Governments seeking to proscribe freedoms.

Historically, we know that most social systems have involved special castes, and the daily activities of most people are determined by reference in some way to what might be called the vision

of the good life. Any society is free if, and only if, all people are at liberty to formulate and strive to realize their own vision of the good life. Whether they realize that vision may be another matter, but if that vision of the good life involves, for example, mountaineering, I should be free to pursue that vision in that I should enjoy the right to make the attempt to climb a mountain. In turn, other people are obligated to refrain from coercively preventing my making that attempt. Of course, some visions of the good life will appear to be strange, quaint, ugly or even misguided. One person, for example, may join the flat earth society or the green ant society.

Mr Roper—What is that one?

Mr SALTMARSH—Some say there may be some special merit in green ants. Another may spend his time accumulating possessions; yet another may join a religious or a political revivalist group. Defending the liberty of people to formulate and to strive to realize their fulfilment of goals or visions, even if that vision be by way of scientology, in no way implies approval of those value systems.

It seems to me that Governments should be value neutral. They should neither proscribe nor prescribe, nor should they reward any noncoercive vision of the good life. For example, if a Government were to make charity obligatory, at least in principle another Government could make the exercise of charity a criminal offence. It could be argued that, when a Government goes beyond protecting the individual from force, fraud and theft, it is no longer a Government but a State. Honourable members know well that Mussolini and other dictators of the right as well as dictators of the left have operated on the basic assumption: All things in the State, nothing outside the State, nothing against the State.

The pursuit of the vision of the good life can be regarded as the pursuit of rational self-interest in which a social dimension adds to the strength of a community of people. It seems that this is an important basic right, and I am delighted that the Government has recognized it in this way. Through the experience gained from this whole scientology episode, we must realize that, in a democracy, there must be protection for the freedom to believe, even if the belief appears to be stupid, provided that no damage is being done to people by coercion, theft or fraud.

I come back to my original point that, rather than seeking to proscribe a system of beliefs, the Government should ensure that any movement away from what may be accepted as normal behaviour in our society should be treated through the normal process of the criminal procedure if criminal allegations occur. I support the Bill. I hope honourable members will not see the day when this sort of measure being repealed is again introduced but, rather, will take action at the appropriate level to protect basic freedoms.

Mr WILLIAMS (Doncaster)—Unlike my colleague, the honourable member for Wantirna, I do not support the Bill. The Minister of Health has had the most extraordinary influence on two things—the cure of people who are afflicted by drugs and now the care of people who are afflicted by a peculiar religion. On both I have to differ with my colleague, the honourable member for Wantirna.

I agree with the sentiments behind the Bill. Freedom of religion must be allowed in this country, but shades of the Hon. Jack Galbally who quite properly drew to the attention of the people of Victoria the enormous harm being done by those who were practising scientology! In my opinion it was a cynical, money-gathering exercise by a man named Ron Hubbard, a former fiction writer. Documentation exists to prove that Mr Hubbard succinctly set on record his intention to establish a religion to make money. Unfortunately, persons were foolish enough to follow the activities of Mr Hubbard, in a similar way that persons in the United States of America and Australia are following the activities of the Moonies and the Hare Krishna sect.

It is the right of any person to make a fool of either himself or herself. Although I am a member of the Liberal Party and I quote John Stuart Mills, on the liberty of one individual, I do not think anybody has a complete and untrammelled right to generate enormous income from contributions made by people to a religious sect. Often in the cases I have cited, money is sent overseas and is not spent in Australia, and that is the difference between established religious institutions and religious cults. The financial contributions made to established religions are, in the main, devoted to charitable and teaching works and so on.

However, Mr Hubbard lives in extraordinary luxury overseas and has at his disposal yachts and castles; indeed, Mr Hubbard is living the life of Reilly on money that has been contributed by members of the Church of Scientology. However, I find the attitude of certain members of the Labor Party extraordinary on the cult of scientology.

I well recall when Senator Murphy, as he then was, as Commonwealth Attorney-General allowed the Church of Scientology to conduct marriage ceremonies on the specious ruling that scientology was a religion. Therefore, the members of the Church of Scientology adopted the view that because the church was allowed to conduct marriage ceremonies, the practice of scientology should be given the status of a religion. Honourable members might not be aware but, when handing down a decision on whether the Church of Scientology should be liable for payroll tax, Mr Justice Crockett was adamant that scientology did not constitute a religion. The practice of scientology represents a travesty of established religious principles.

Mr Whiting—How long ago was that decision?

Mr WILLIAMS—I am surprised at the honourable member for Mildura.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I ask the honourable member for Doncaster not to be provoked.

Mr WILLIAMS—Mr Speaker, I thank you for your advice. I am astonished that I should be provoked on a Bill like this.

The SPEAKER—Order! I ask the honourable member not to be.

Mr WILLIAMS—It is to be hoped that, like the Minister of Health and the honourable member for Wantirna, I am a person of goodwill and it is not my wish to oppress the beliefs of anyone. Persons should be entitled to choose which religion they wish to belong to and persons should be free to express their political opinions. It is to be hoped that the Bill does represent the first step on the road to full freedom from religious persecution. However, I am still reluctant to support the Bill.

Dr VAUGHAN (Glenhuntly)—I am unsure of what to make of the remarks of the honourable member for Doncaster who, as usual, is having two bob each way. The best thing to do would be to ignore the remarks of the honourable member. I am pleased to speak in support of the Bill. Before I became a member of Parliament, I had never met a member of the Church of Scientology. Shortly after being elected to the Parliament that situation was rectified.

Indeed, on almost a weekly basis at times during the past three years, I have had the opportunity to meet numerous members of the Church of Scientology. That situation would apply to most other honourable members.

Mr Saltmarsh—Was that at church?

Dr VAUGHAN—It was not. As a member of Parliament, I discovered that I represent a significant group of members of the Church of Scientology. I have found the members of that church to be a fine group of citizens, although I know little of the details of their religion. However, I am prepared to accept that it is a religion. I am of the view that the Psychological Practices Act should never have contained sections 30, 31 and 32. It is a tragedy and a pity that it has taken seventeen years to rectify a serious

error of judgment made by the Parliament of the day. I conclude by saying that I commend the Bill to the House.

Mr ROPER (Minister of Health)—I thank the honourable members for Benambra, Mildura, Wantirna, Doncaster and Glenhuntly for their contributions to the debate and for the fact that the Parliament will ensure that the Bill is passed unopposed.

It is only a small measure, but it is one that should have been passed some time ago. I can understand the difficulties that some persons have experienced on the matter. The Government is not endorsing the Church of Scientology, but it is saying that the Parliament should not set itself up as a judge on religion and on what can and cannot be practised. There are other ways of resolving those problems and honourable members should be careful before they allow legislation of the Parliament to make a judgment on what constitutes a religion.

The motion was agreed to.

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

The sitting was suspended at 6.28 *p.m. until* 8.5 *p.m.*

COUNCIL OF LAW REPORTING IN VICTORIA BILL

This Bill was received from the Council and, on the motion of Mr CAIN (Attorney-General), was read a first time.

HISTORIC BUILDINGS (AMENDMENT) BILL

The debate (adjourned from May 27) on the motion of Mr Cain (Premier) for the second reading of this Bill was resumed.

Mrs PATRICK (Brighton)—As the House will no doubt be aware, the Historic Buildings Act was amended in Parliament late in the 1981 autumn sessional period and was proclaimed, and that Act came into force on 1 June 1982. The main differences between the previous measure that was introduced and proclaimed and this Bill are firstly, that, the provisional register is to be abolished. The provisional register was established under the 1981 Act and would have operated, as I said, from 1 June 1982. The reason for setting up the provisional register was that it provided another avenue of adding buildings quickly to the register, subject to the owner of the building entering into a covenant for the future preservation and protection of the buildings.

It is interesting that the Labor Government now sees fit to abolish that provisional register, because it was well thought out. I pay tribute to the honourable member for Benambra for the hard work he did as Minister for Planning under the Liberal Government and for the thought that he put into the establishment of the provisional register. I had some doubts in my mind about the setting up of the register, but they were dispelled by a good description of the register and what it means, which was set out very well in a submission received by the Inter-Churches Committee of Planning, a group of lay people, who stated that:

> The Historic Buildings Bill removes the provisional register. This register was established so that the parties could avoid the unnecessary expense involved in lengthy hearings by the Historic Buildings Preservation Council.
>
> It permitted owners of buildings to volunteer particular buildings for designation and to discuss the terms of any designation with the appropriate Minister.
>
> Apart from the expense saved by the owners, particularly the churches, it also assisted the Government by the parties voluntarily co-operating with the notion of an Historic Buildings Register.

This was an excellent provision; as I have already stated, it stopped lengthy proceedings. There are many people in Victoria who own buildings of historic significance who were quite ready, willing and able to co-operate with the Government of the day in setting up this provisional register.

It is a retrograde step in the field of preservation of historic buildings that the provision of the register has been deleted from the Bill.

The next difference is that the numbers on the Historic Buildings Council have been increased from twelve to fifteen. The additional members will be a nominee of the Minister, an architectural historian and one of a panel of three names submitted by the Victorian Public Service Association. Members of the Opposition believe it is proper that the Victorian Public Service Association should be represented because the Bill also covers public buildings, a subject to which I shall address myself later. The powers of the council will be widened by clause 8 to include a power to report on buildings classified by the National Trust and on matters of its own motion. The Opposition has no quarrel with those two recommendations.

In regard to the examination of whether the buildings should be added to the register, at present an application to have a building examined can be initiated by the owner, the Minister, the National Trust of Australia (Victoria) or the Historic Buildings Council itself. Under this Bill any person can initiate an inquiry into an historic building. The Opposition believes this could lead to many mischievous applications. I own a house that was in existence in 1850 and that is not classified, not registered. I would be prepared to co-operate with the provisional register, if asked. The new provisions allow any person who is interested in that house to have investigations made into it. Moreover, I do not want to sell my house, but perhaps another person would want to sell his and the price could be substantially decreased if it was known at the time of the auction, and most houses are sold at public auction, that an examination was proceeding, initiated by any person. The Opposition finds this a difficult concept, that any person, without any right, can go to the council and suggest an investigation. I suggest that there is ample opportunity for an interested person to go to the National Trust and to ask it to look at the building. Honourable members who receive the National Trust newsletter will know that constantly their attention is being drawn to buildings that are of historical significance and that have been investigated by the National Trust and the cause taken up to preserve them. Under the 1981 Act anybody can apply to the Minister.

In the present Bill, although a building may have historical or architectural significance, no provision is made for economic factors to be taken into consideration. In relation to a State-owned building, it is clearly spelt out that consideration must be given to whether it is economically feasible to maintain that public building. Although the Minister in another place states that he wishes to ensure that both privately-owned and State-owned buildings are dealt with in the same manner, that will not occur. No provision is made for whether it is economically feasible to preserve privately-owned buildings. Members of the Opposition oppose that provision.

In the submission by the Inter-Churches Committee for Planning, one finds a good piece about churches being dealt with under the Bill. The committee states that the manner of liturgical celebration should not be subjected to the scrutiny of the council. The committee regards it as an unwarranted intrusion of the State into the area of public worship by individual churches. It states that any rights sought by the Government to constrain the alteration of churches for liturgical purposes, whether interior or exterior, is outrageous and, it is suggested, it may even be blasphemous. The committee says that no Government has any right to restrict the freedom of action in areas regarding public worship by any church unless the basic rights of others is being affected, and the alteration of buildings for liturgical purposes can never be regarded as a deprivation of the basic rights of others in society. The committee says that this is an offence against the basic right of religious freedom.

It has been said one can drive a horse and cart through the provisions of the 1981 Act relating to churches. The Opposition does not believe this. There has been no opportunity to test the 1981 legislation which came into

operation only early this month. The committee's submission goes on to say that it finds the provision which allows any person to make representation to be undesirable and that this could be used for mischievous purposes. It mentions economic factors. It says that the Bill, by amending section 18(7), removes the consideration of economic factors from the matters which the council is obliged to take into account when considering whether it should make a recommendation to the Minister.

The committee states further that economic considerations are extremely relevant to the owners, and I suggest that that is indeed so, and under the 1981 Bill there was a provision for a rolling fund to deal with questions of compensation and so forth.

The committee also says that economic consideration should be relevant to the question of designation, unless the Government can provide full and adequate compensation for the economic loss suffered by the owners as a result of the designation. Moreover, the committee states that the new Bill prevents any appeal being made to the Planning Appeals Board through the Minister in respect of the recommendation of the Historic Buildings Council, and that the right of appeal should be preserved. With that the Opposition agrees.

Clause 15 allows the council to delegate its function of issuing interim preservation orders and this is seen as a dangerous precedent. It may be that this Bill will preserve historic buildings for the future and there is no doubt that the Opposition and the Government wish historic buildings to be preserved for the enjoyment of future generations—they are part of our history which is not very old. Therefore, the Opposition is anxious for this to happen. However, perhaps the whole matter should be reconsidered in the light of current thought. On what should this new thought be based?

The Opposition believes the 1981 Bill should have been given a chance because this is a young country and we are learning and feeling our way and there are questions of balancing economic loss against preserving historic buildings, and owners' rights have to be taken into consideration. I am sure the Premier will appreciate what I am saying about property rights because in Victoria and in Australia there is freehold property. How far do freehold property rights extend? The situation in the United Kingdom might be different because in that country there is much leasehold land. Australians have been used to owning their own homes and their half-acre blocks of land and people have been used to doing what they wish with their homes so long as they do not break the law or affect the rights of other people. The whole question of preserving historic buildings goes to those rights. It goes to the question of whether a person owns his own home, or whether the Australian's home is his castle. Can any person, under the Bill, demand an investigation? There are very large questions at issue. I suggest that the Government has, once again, been hasty. It has the churches off side.

An article appeared in the *Herald* on 9 June 1982 under the heading, "Pulpit protest on Act change" which states:

> Statements of protest were read today in Melbourne's oldest Catholic church, St. Francis, in Lonsdale Street, against proposed amendments to the Historic Buildings Act 1981.
>
> The rector, Fr. Tony Lawless, said today the amendments "swept away many of the safeguards and healthy limitations of the 1981 Act."
>
> Fr. Lawless said the amendment would infringe on the rights of churches to conduct worship in their own buildings in the way that they thought best.
>
> He said the church was concerned that the amendment repealed an explicit exemption in the 1981 Act.
>
> This exemption left the church free to make alterations "for the purpose of religious and liturgical natures."
>
> Fr. Lawless said: "The new Bill would give the Historic Buildings Council power over alterations, even to the painting, plastering and any form of decoration.
>
> Fr. Lawless said that in modern practices of worship, to keep pace with modern life, it was quite common for the churches to adapt their decoration and layout to provide for better participation by the people.

"It would be quite unacceptable that the church be required to have a permit from the Historic Buildings Council for this," he said.

Fr. Lawless said it would place the historic significance of the building above its purpose —the worship of God.

The thought comes to me that churches exist to serve people and to provide a place of worship for the people of Victoria. If they want to alter something—for example, put a cross on a wall or inset it into a wall they should not have to run to the Historic Buildings Council. Not only does that cost time and money, the churches exist to give support to people who believe in what they espouse. In these days of materialism, it is refreshing that the churches are still doing such good work. This measure will hamper them in the provision of services to the people. If they want to bring their particular religion closer to the people by altering their buildings in some way, this measure will prevent them from doing so.

The Opposition opposes the Bill on the grounds that the 1981 Act was not given a chance. I move:

That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the provisions of the Historic Buildings Act 1981 have been given a fair trial and until extensive consultations have taken place with all interested and affected persons in the State of Victoria."

The DEPUTY SPEAKER (Mr Wilton) —Is the amendment seconded?

Mr LIEBERMAN (Benambra)—I second the amendment.

Mrs PATRICK (Brighton)—I am supported in this reasoned amendment and in expressing the views of the Opposition by the honourable member for Benambra, who has taken this matter close to his heart. When we say a fair trial and extensive consultations, one could not criticize the former Minister for Planning on that ground. He had extensive consultations with numbers of interesting people. That is why the 1981 Bill was introduced. A lot of thought went into that Bill and it should be given a fair trial.

When one talks about extensive consultations, we again find in this place today that it does not appear that much consultation has taken place on this measure, particularly when the churches have banded together and made a submission to members of Parliament setting out this disagreement with the Bill.

One wonders why the church leaders were not listened to when no doubt they approached the Government and said they were unhappy about this measure. I know that many of the church leaders—I do not want to single them out—have worked very hard in contacting members of the Government and have resorted to the Opposition because they realize that they will not get a hearing from any of the members of the Government.

The Government appears not to be interested in what the churches want or think or whether they are unhappy.

I see I am getting the wind up signal from an honourable member who is chewing gum on the other side of the House. Honourable members will be interested to hear his contribution to the debate.

The Opposition believes that consultation has not taken place otherwise the extensive submission to which I have referred would not have been made by the Inter-Churches Committee for Planning.

Having spoken to some of the church leaders as recently as a couple of days ago, I know they have had no approaches from the Government to have discussions or to try to get over the difficulties. This Government that wanted consultation, that accused the former Government of introducing legislation without consultation, does not in this instance seem to have put its money where its mouth is. The church leaders are disappointed and upset.

I am sure there will be members of the community who will be absolutely horrified when they learn that, under the proposed legislation, any person can ask that a home or building be

investigated by the Historic Buildings Council. In my view, that is improper and is an infringement of personal liberty.

The Government has once again been hasty in introducing this measure without giving the Historic Buildings (Amendment) Act, which was recently passed and which came into operation early this month, a fair trial. Had time been given to see how that worked, we may have had better legislation and a whole new look at the historic buildings scene generally.

Mr WHITING (Mildura)—The Bill is interesting because one only has to read the speech of the Premier when he introduced it to realize that somebody has been examining the situation for quite some time and one may suspect some of the back-bench members—perhaps the honourable member for St Kilda—could have written the second-reading speech, because the terminology is very much along his line of thought. The first thing the Premier stated was:

> In its present form the 1981 Act is unacceptable to this Government.

I do not remember that the Opposition, as it was then, being so violently opposed to all the provisions in the 1981 Bill.

Mr Cain—It was a long debate.

Mr WHITING—I realize that it was a long debate, but the Opposition was not so violently opposed to many of the provisions which the Government is now seeking to remove from the 1981 Bill. It is interesting because as the honourable member for Brighton has said, there has not really been a trial of the present Act because it was due to come into effect on 1 June.

Secondly, the checks and balances that were contained in the 1981 Bill are considerable and one would have at least thought that a Government rushing to pass other measures through Parliament may have been prepared to leave the Historic Buildings Act for amendment at a later stage, if that was the wish of the Government, after first seeing how the provisions worked in practice and whether it needed such violent amendments that are contained in this measure.

The Premier claimed:

> The Government sees the replacement as lacking the conceptual quality of the original Act.

I guess honourable members could argue that point for a number of days. Until the 1981 amendments had been put into effect and given a chance to prove themselves to see whether there were deficiencies or otherwise in the actual registration of buildings, together with the effect the provisions had on various people who owned or had control of buildings that would be on the register of the Historic Buildings Council, the Government may have seen that maybe there was not such a great need for large scale amendment.

A further comment of the Premier was that because of the amendments before the House, the long-term certainty should be the objective. One could believe that that is probably the case, with the long-term certainty in the actual provisions of the Act, but then again, the same could be said of the previous provisions because, as I stated earlier, they contained a number of procedures that were available under every circumstance that could have come up under the registration of a particular building. Those provisions would have coped with the majority of situations that could arise, and, therefore, be covered reasonably well under the 1981 Act.

The Premier also claimed, that in addition to the immediate changes, the Government committed itself to a comprehensive review of all aspects of heritage control. Possibly as a result of that, further amendments will be made to tighten the provisions. There could possibly be control over those people who are fortunate or perhaps unfortunate enough to own buildings that are considered to be part of Victoria's heritage and, therefore, should be preserved with or without financial support from the Government or any other organization which is usually carried out at considerable cost to themselves. That is not an unreason-

able suggestion in most cases because generally people are prepared to cope with that sort of situation if the building is truly historic and a building in which they have a great deal of pride. There may be a proliferation of buildings that may eventually have to be preserved and the expense of maintaining them at the original standard with the limitations that are placed on the usage of those buildings, because of their shape and size and so on, can be an immense burden to the persons or organizations controlling them.

I refer particularly to the situation faced by the Uniting Church in Australia where it often finds that in most towns there are two buildings under its control—the original Methodist Church and the original Presbyterian Church—and either one or both could be described as an historic building in every sense. Obviously, the Uniting Church does not wish to retain both buildings. Victoria could be faced with a situation where anybody who believes in a large register of historic buildings, will be rushing around, under the provisions of the Bill, seeking to have these buildings on the register and, therefore, preventing, in most cases, the possibility of them being sold or transferred to be used for other purposes. That would not apply under the new provisions provided in the Bill.

The Premier should be cognizant of that fact and the fact that all honourable members have received representations from the inter-church committee for planning, pointing out the problems that face it in its planning, particularly with regard to buildings that are in the precincts of the church and not necessarily the church building itself. A permit would have to be provided or obtained before any alteration could take place in those buildings. The honourable member for Brighton believes that a permit could even be required in the case of a repainting or any small alteration such as plastering and so on. That is taking the measure a little further than I am prepared to take it, but that possibly may be the case.

Another provision that disturbs members of the National Party is the fact that the Historic Buildings Council, contrary to what is normally considered to be the Westminster tradition of Ministerial responsibility, will not have to obtain the consent of the Minister to issue an interim preservation order but the chairman and council will be able to issue an order subject to confirmation by the council. We have then a group of 15 people—admittedly with one member representing the Minister—with various interests around the State, making decisions for which the Minister himself would not at any time be responsible to the Parliament.

It is rather frightening when honourable members who endeavour to uphold the Westminster tradition, which is the best we have at present, find this departure so clearly spelt out in the Bill.

Mr Maclellan—The operations of the Government Buildings Advisory Council are being merged with the Historic Buildings Council.

Mr WHITING—I agree, the Government Buildings Advisory Council activities are being merged with the Historic Buildings Council activities and, therefore, they have a different set of rules, but on the other hand, that is not of any major importance; although, again, the Minister will not be responsible for those buildings by virtue of the fact that the council is not responsible to him. He will have no control over the activities of the council in any way once the Bill is passed.

The National Party is not unhappy about the addition of the two members to the council because, obviously, it is suitable that an architectural historian be placed on the council, and naturally a representative of the Victorian Public Service Association, because of the involvement or inclusion of the Government Advisory Council provisions, merging them with the Historic Buildings Council provisions, that organization rightly should have representation.

Many of the other provisions are contained in the clauses of the Bill and I will have more to say on those points at a later stage. It is interesting that the Premier indicated earlier in his second-reading speech that the Government believes that any process of review should be, in his words:

> to add substantially to equity and reliability whilst meeting the broad objective of simple, inexpensive decision-making at an appropriate level.

This is all very fine because, obviously, if it were to take place, the council, and those people involved with the registration of historic buildings and the like, would probably have disagreements from time to time. However, if some inexpensive decision-making process is available, that is all right.

The Premier went on to say in his second-reading speech:

> The cross-section nature of the council, its broad terms of reference in this respect, and the provision of a right to be heard before a permit is refused, offer the owner a high degree of protection against biased or unfair decisions. If a decision is seen by an applicant to be improperly reached, the owner has, naturally, recourse to the courts.

Recourse to the courts under those circumstances would be an expensive undertaking. I find it hard to reconcile that comment with the earlier comment of the Premier that there should be simple, inexpensive decision-making at an appropriate level, when the only appeal provision is recourse to the courts.

The National Party is concerned about the comments of the Inter-Churches Committee for Planning. It believes the committee is genuine in its belief that this Bill is an affront to the decision-making ability of individual church bodies. I do not know whether the Premier intended that result when he introduced the Bill, but there will be more said about it during the Committee stage.

The National Party, because it doubts the genuine reasons for having such a rapid change to the existing untried legislation, will support the amendment moved by the honourable member for Brighton. If that motion were carried, and the present provisions of the Act were given a fair trial, the National Party would be far happier with the end result. With the co-operation of all people involved with historic buildings throughout the State, and people volunteering to provide information or allowing their buildings to be registered without any great argument, there will be a much more effective register of historic buildings and preservation of those buildings for many years to come than by force being used and by a council not responsible to Parliament.

If the Government is hell-bent on proceeding with this line, it will meet opposition from people who would normally be on side. I earnestly request the Premier to think about the comments of people who have already made submissions, and about the comments made by members of Parliament, before proceeding with the implementation of this Bill through this House and another place.

The DEPUTY SPEAKER (Mr Wilton) —In calling the honourable member for Benambra, I advise the House that honourable members will be now addressing themselves to both the amendment and the question that the Bill be now read a second time.

Mr LIEBERMAN (Benambra)—I support the comments of the shadow Minister for the Opposition and I support the amendment. Before going into detail, as the Minister for Planning in the former Government, it would be appropriate for me to refresh the memories of honourable members about some of the circumstances surrounding the legislation which the Cain Government Bill seeks to amend, and also the history leading up to the 1981 legislation.

The first point I ought to make is that if honourable members think that framing laws dealing with heritage preservation when it affects private property is easy, then they are kidding themselves. I speak with conviction on that because I had the pleasure of being Minister for three years in this State, responsible for the historic pre-

servation laws affecting private property. Those three years were challenging, and also very worrying on occasions, because there is inherent conflict in what Parliament seeks to do through the statute law with respect to the ownership of property, how it might be used and effected; the aspirations of sections of the community, like members of the National Trust, as to which property ought or ought not be preserved. It is a mine field, and very worrying at times, but overall it was satisfying.

I wanted to know a lot more about how these laws came about and I did not confine myself just to Victorian history. I did a lot of research and had discussions with people from other parts of Australia and overseas on their experience in this area. I remind honourable members that it was the Victorian Liberal Government that introduced the first law into Australia dealing with historic buildings. It is about eight years ago now that that legislation was passed. It was picked up in part by other States, New South Wales and South Australia; I do not think Western Australia, Tasmania, or Queensland, for reasons honourable members would understand very well.

In the eight years of operation of the Victorian legislation a lot was learned. Many sincere, dedicated people were involved, and a lot was achieved. A number of buildings were placed on the Register of Historic Buildings and problems dealing with how those buildings could be saved were overcome. Some new policies were developed as well, and these had tremendous potential. I hope the Premier will pursue those policies and give them his endorsement as time goes on. There were programmes in Maldon, Chiltern, Yackandandah and Beechworth. Those last three places are within the electorate I represent. With a small amount of priming money, $20 000 to $25 000, an architectural advisory service was provided for private owners and, with encouragement and assistance, they became involved in the challenge of preserving their properties. Many of them succeeded. Many buildings were thought to be beyond viable future use but people found a way of saving them. They made them attractive and fit to live in, or to be used for business, and the success stories are there for people to see.

I invite honourable members to visit Beechworth, Chiltern and Yackandandah to see the progress that has been made in the preservation of historic buildings, and then to go to Maldon, which was started by the former Minister for Planning, Mr Geoff Hayes. That project has been tremendously successful. I understand that as many as 15 000 people visit Maldon every week-end to breathe in the atmosphere of the wonderful old buildings and to view their precincts. That is an indication of what can be achieved with imagination, co-operation and team work, and a minimum amount of funds.

The over-all challenge to preserve all buildings that are considered by some people to be worthy of preservation, is where the real problem arises. The difficulties and problems that I experienced as Minister for Planning were not unique to me; they exist in England where, even with England's rich history and magnificent old buildings, which survived the second world war, the people had many problems in preserving some of those buildings. I found that the controversy that existed there was often not resolved and bitterness existed in some quarters there as it appeared to in some quarters in Victoria.

In America, I thought the hassles faced were similar to those faced by Victoria. It was there that I became convinced that one of the best ways in which the preservation of private buildings could be achieved was through depreciation tax provisions. This is particularly so when economics are involved. That is always the case and there is no point in attempting to hide it. It will always be the case. The Federal Government in America had recognized the value of heritage in the nation by introducing provisions in its income tax laws to enable depreciation claims to be made. The law in America

allows the cost of capital improvements involved in preserving buildings recognized as worthy of preservation to be written off for income tax purposes. I understand that approximately 50 per cent of the successful preservation projects in America are attributable to that incentive.

One can easily imagine that a commercial enterprise making profits that would attract a corporate tax of, say, 46 cents or 50 cents in the dollar, would welcome, for example, the opportunity of spending $1 million on saving, preserving and recycling a building, if it could write off that $1 million for income tax purposes over a period of five or ten years. The former Government, of which I was a member, commenced a campaign to persuade the Federal Government to examine the idea of inserting incentives of that nature in the Federal income tax legislation.

I can claim some limited success, in that I was able to secure the agreement of the Prime Minister and the Federal Treasurer to refer the question of depreciation on buildings on State registers to the committee studying depreciation under the income tax laws in connection with investment building. I am eagerly awaiting the outcome of that committee's deliberations. In the meantime, I was able to secure the support of all the State Ministers responsible for planning, who were kind enough to support the Victorian Government's submissions to the Commonwealth. I hope the Cain Government will also support the initiatives commenced by the former Government.

I am convinced that by a single act, the introduction into Federal law of the right to depreciation for moneys expended on buildings on the registers, would solve most of the problems encountered by the States, particularly with commercial buildings.

Honourable members have commented about the fact that the legislation I was responsible for introducing, which was to become law this year, will not be given the chance of a trial. That is a pity, not because I introduced it and take some pride in it— I remember the blood, sweat and tears shed in the conferences and negotiations held with many people— but because I believe it was worthy of trial. I well remember moving 80 or more amendments to the measure. Of those, 40 involved alterations to words but the remaining 40 or so were amendments of principle. I was prepared to move them, even though I was criticized for doing so, because I had learnt from consultation with many people that the Bill as it then stood could be improved and I believed the inclusion of the amendments would make the legislation worthy of further support and minimize the conflict, resentment and apprehension felt by some members of the community. I make no apologies for that. Legislation dealing with matters of this type should be developed in this fashion.

It is a shame that the Premier does not have a base of experience concerning the operation of the 1981 measure before proposing amendments of the nature proposed in the Bill. He and his party have said, "They are not suitable to us". That is the Premier's right. He has the mandate. I hope, while the Bill is between here and another place, or during the Committee stage, the Premier will give consideration to changing his view on some of the proposals contained in the measure.

The first point is that an architectural historian is to become a member of the council. There is nothing wrong with that. I had thought that a member of that discipline could have been included under the categories provided in the measure introduced by the former Government, but a specific provision is to be made. Never mind, the Opposition will support the Premier in that; if he wants that discipline categorized, so be it.

The Premier rejects the establishment of a provisional register, which, as the honourable member for Brighton mentioned, was to be the new means of trying to bring parties together. At first, the provisional register was severely criticized by many people who

did not understand it. They said it would provide a chance for the Minister of the day to do deals behind closed doors. As a Minister for Planning, one gets used to that sort of unfair comment because people tend to be a bit derisive in that regard. They do not really understand what goes on and the effort put into trying to resolve problems and trying to achieve something that is worth while for both the owners of affected properties and the heritage of the people of Victoria.

If people took the trouble to examine the provisions of the 1981 measure, they would find that the provisional register would allow for maximum consultation. Nothing could be done without the knowledge of the Historic Buildings Council. The Minister was obliged to notify the council of negotiations, the registrar was to be alerted and the protection afforded the relevant buildings was iron clad. In fact, the provisions were so severe that one wondered whether many owners would want to take the opportunity of using the provisional register.

Despite all that, the Premier has said that the provisional register is to go. It is a pity the honourable gentleman is not prepared to try it for six or twelve months. He might then have been able to tell the House some success stories about buildings that might not have been saved had it not been for the provisional register. There will be no chance for that. Only time will tell what the effect of not having that mechanism will be.

The Premier proposes to insert in the principal Act a provision that will allow any person to apply to the Historic Buildings Council for a building to be examined. That was the law before the 1981 legislation, which attempted to remove areas of concern for many people. Whether that concern was really justified, only time will tell. They were concerned that the earlier provision had held back consultation and created unnecessary obstacles. Because of that concern, the 1981 legislation limited, to some degree, the persons who could apply to have a building examined for possible inclusion on the register. It provided that the National Trust of Australia (Victoria) could apply to the council. Of course, the trust has a representative on the council anyway, so it would have ample opportunity of trying to persuade the council to initiate an inquiry; the council, on its own initiative, could examine a building for suitability for inclusion; the owner of a building could also apply to have it examined for suitability; and the Minister could make application.

The Bill proposes to provide that any person may apply to the council to make an examination of whether a building should be added to the register. It was the belief of the former Government that any person who did not fit into the categories I have mentioned would have ample opportunity to apply to the Minister, asking him to bring it to the attention of the council, or could write to the National Trust, making the same request. If the person was a member of the National Trust, he could in that way ask the trust to initiate an application. The former Government was not cutting off the rights of any person outside that group to have a building examined. Indeed, there were more than adequate means for a person to do that but the Premier has decided to extend that additional means of examination. Unfortunately, this will create occasional areas of concern that will lead to an undermining of the confidence people need to have in the justice and equity of this sort of legislation.

Occasionally, despite the best of intentions of the Premier—and I accept that he means well—he will have ill-considered applications coming from people and under the statute and because of an ill-considered application has been made, it will immediately set in train a statutory process which will frighten the hell out of the owner in many cases and put the trust off-side at a time when a bit of patience and diplomacy could have been brought into the fold of consultation and perhaps a solution found to overcome the

perceived problem about preservation and perhaps lead to an agreement for the building to be registered without the need for the adversary role and atmosphere to develop. That is the tragedy of putting it that way.

I know it is democratic to say any person can apply but it should not be forgotten that one is talking about the rights of people with respect to their own property. That is very precious. I do not think any honourable member will argue about the need to regard a person's property as precious in a democracy. Already there are laws that impinge on the rights of property, but democracy has evolved over the years with the belief that those rights ought to exist. Laws on planning impinge on rights and occasionally there are a few screams, and I could tell honourable members stories about those, but the fact is that most people accept that this is reasonable in a modern society and thus there are laws on planning; heritage law is another layer of responsibility and a potential erosion of property rights, and is a highly sensitive issue.

Parliamentarians must find the right mix of laws preferably with the least amount of restrictions possible to achieve the harmony, trust and confidence of people to get them to accept the extra responsibility they might not want with their own property so as to save a building that the community believes is worthy of preservation because it is part of our heritage. That is the challenge.

One does not add to the soup pot, if I can call it that, an unnecessary area of aggravation because the job will be made harder perhaps not this year or next year but sometime after that. A property will become the subject of a highly controversial argument or discussion. Perhaps there will be another Rialto—I hope there is not. That was a challenge to the Liberal Party, which it was able to solve but it did not do Victoria, the owners and the National Trust any good; while the matter was unresolved it did not do anyone any good. That problem was solved but eventually the Government will have a major area of controversy that will immediately excite the people again on the problem of heritage law and there will be that erosion of confidence that one needs to overcome the problem.

It is a shame that the Premier has to include this provision. I would not say that if I thought the rights of a person to have a building examined were not reasonably provided for in the 1981 Bill. There ought to be the rights of the citizen to express his interest in heritage and to have some mechanism of following it through. The law as it stands is reasonable. Through proper channels, any person can have a building considered and I think that is the way it ought to be. That ought to at least be tried, but it looks as though that may not be possible.

The other major area of change is the proposal by the Government to remove from the legislation provisions regarding the economic effects of preservation and the viability issues that were provided in the 1981 legislation. I find it rather fascinating. The Cain Labor Party Historic Buildings (Amendment) Bill will be a permanent monument to the strength, power and influence of Victoria's new Minister of Public Works and I congratulate him.

If one reads the measure, one will perceive that the Minister is so persuasive and powerful at the Cabinet table that he is able to have special provisions inserted on Government buildings on the questions of economics. He has been able to achieve this—and I refer honourable members to proposed new section 30(3) in clause 20. Some elements of economic criteria have been inserted for buildings owned by the Crown. It is fascinating to note that the Government is prepared to make such a provision—and it is quite wise in having those provisions inserted. Why on earth is it not prepared to maintain equal rights for private property owners?

The 1981 legislation initiated by the Government of which I was a member provides for some equity, some justice and for the right to have economics considered. Those provisions are to be struck out by this legislative measure.

Strangely, because of the persuasiveness of Victoria's Minister of Public Works, the Government is inserting economic provisions for Government buildings. The Minister of Public Works did well but the people of Victoria who own private property have done very badly. That is a tragedy and I cannot fathom it.

As I said before, I took the trouble of studying the laws in other States to determine whether there was any justification in inserting economic criteria in the Bill for which I was responsible. It seemed fundamental that if one were saying to a property owner that his property is of such great importance and significance that it ought to be classified as a building of historic significance and put on a register, which means hereafter he cannot do what any other property owner can do, whether renovation or demolition unless he satisfies the Historic Buildings Council and if not and he damages the building, under certain circumstances he may go to gaol, the same criteria should apply to public buildings. That is very heavy stuff and, when talking of heritage, I suppose it has to be that way.

What is wrong with the 1981 provisions of the former Government? Because of the level of law and obligation on a property owner, if either a property owner or the Historic Buildings Council decide that economic factors need to be considered because the question of preservation is of concern, what is wrong with that being examined? What is wrong with the legislation providing for that right? I cannot work out why the Labor Party Government will not allow it.

I had recognized that there was some validity in the argument that economics should not be the first criterion. I was prepared to accept that and that was the justification for some of the substantial amendments that I moved to the 1981 Bill. I was convinced that, when examining the historic significance of buildings, economics should be a matter of separate consideration. I came to that view after consultation with many people. I also came to the view that when one comes to the question of recommending a building for addition to the registry for preservation the question of preservation and economics are inseparable. One cannot bury one's head in the sand and say, "Do not worry about the economics of keeping the building safe and intact." One cannot say, "Forget about the law which says a person may go to gaol if a building is not preserved."

The economics and the preservation aspects are inseparable. That is why when in Government, the Opposition in 1981 introduced a Bill which provided for the rights of the owner to ask for the economics to be taken into account and to ask for a report about the viability of the project. In this way a balanced report could go to the Minister before he went to the Governor in Council with the recommendation. In that way the owner could ask for a review if he felt the economic burden was too high. If in the final outcome the owner was rejected in all those processes and told, "Forget about the economic arguments; they are not sound; they are rejected and the building will go on the register", at least the Parliament and the owner could be satisfied that justice had been done.

Under that Bill members of Parliament would feel that the owner had canvassed all areas of concern. The owner could present his economic argument, and have it carefully evaluated, if necessary by an independent person. Finally the Minister through Cabinet would make the fateful recommendation and then be accountable for his decision to the Parliament and the people of Victoria under the Westminster system.

Unfortunately, the Bill before the House removes these elements of justice and equality. It is a pity and it is not an area of legislation which the Liberal Government introduced without precedent. I remind honourable members that the New South Wales heritage legislation which was enacted in 1977 provides for these factors. I understand that the legislation has been amended a few times since, but remains basically the same. Section 41 of the New South

Wales legislation provides for the consideration of economic factors. The Act states *inter alia*:

> Where an owner . . . makes a submission by way of objection on any one or more of the following grounds, namely—
>
> (a) that the building, work, relic or place the subject of that proposal should not be subject to a permanent conservation order by reason that it is not an item of the environmental heritage;
>
> (b) that the building, work, relic or place the subject of that proposal should not be subject to a permanent consevation order by reason that its permanent conservation is not necessary;
>
> (c) that the building, work, relic or place the subject of that proposal should not be subject to a permanent conservation order by reason that such an order would render the building, work, relic or place incapable of reasonable or economic use; or
>
> (d) that conservation of the building work, relic or place the subject of that proposal could not be achieved without causing undue financial hardship . . .

The New South Wales legislation provides the owner with some rights and protection and I suggest similar rights should be allowed for in the Victorian legislation. I will be following up the matter in Committee and opposing an amendment concerning the aspect affecting churches. It is a tragedy and the Premier should have regard for the amendment of the honourable member for Brighton. The honourable gentleman should take the opportunity of deferring discussion further so that he can once again meet with the churches. The Bill seeks to place churches in a position where they have to approach the preservation council. In that way the preservation council becomes the court that will determine what the liturgical or religious practice is.

Mr DICKINSON (South Barwon)—I support the amendment. Previous speakers have mentioned the concern for the abolition of the provisional register which is a retrograde step and the dangers of allowing any person to initiate the classification of a building. They have also mentioned the economic factors whereby a party can be put to the problems of a building remaining empty for a long time. We saw what happened with the Rialto building. If we bring the matter home there are 25 per cent of buildings listed by the National Trust of Australia which belong to churches, whether they be Catholic, Uniting Church in Australia, Anglican or Presbyterian Church of Victoria.

In response to an interjection, I shall begin with the Presbyterian church for the benefit of our friends from Scotland! In Geelong the building known as St Giles Presbyterian church has sat idle for five years and cannot be demolished because it is on the historic buildings register. The hands of the owners are tied. Members of the House may not be aware that prior to the building of the Mercy Maternity Hospital, a well-wisher had classified a cottage on the site which formerly belonged to Bishop Gould. Thousands of dollars later the building was removed from the register so that the building of the hospital could go ahead.

Honourable members are probably also aware of instances where, prior to the sale of a building, it is classified and put on the register. I can single out Raheen in Kew, the former home of Archbishop Mannix and Lathamstowe, which is an Anglican rest home for clergy in Queenscliff.

I also refer to the building belonging to the Uniting Church in Toorak Road and more recently the Clark Rubber Ltd building which is a mock Gothic building, constructed of Portland cement, next to St Paul's Cathedral in Flinders Street. The facade to this building is classified, and plans for development of this property are being delayed.

It can be said that unless we are careful the State can be accused of unwarranted intrusion into private property rights. In 1981 when the former Bill was discussed I can well recall Archbishop Little sharpening his cutlass in readiness to meet the former Minister for Planning, the honourable member for Benambra. On that occasion the church was not at first consulted and I had the fortune to be a lay member of the inter-church buildings committee. After putting various submissions together to the Government, due weight was given to the considerations of that committee concerning unwarranted interference whether it be a church or private prop-

erty. Someone may have a development in mind and may be hindered by a well wisher placing it on a register.

I can remember another instance involving an old weatherboard property owned by the Catholic church in Burnley which was placed on the register. That building was about to be developed into homes for the elderly and once again the church was put to needless expense to remove it from the register.

If the State is to have this protection of its heritage some people must bear the legal costs of placing buildings on the register. If buildings are placed on the register and later removed the person responsible should bear the brunt of the expense. Honourable members are aware of many buildings which are important to our heritage whether it be the Smeaton flour mill near Ballarat, the Portarlington Flour Mill, the Russell's Bridge Flour Mill or Barwon Park near Winchelsea. Another area important to our heritage is the Anglican Church at the old gold mining town of Steiglitz near Geelong. An unnecessary burden would be placed on the church if this was classified and had to be restored.

If a church building is on the register, the church is forced to maintain that building to the required standard. It is of concern to the church that some buildings have gone beyond their economic life. The placing of buildings on the register can be an untold burden on a church and its congregation.

Churches have limited funds to do their work in the community and ask for special consideration with the retention of this preliminary register so that the hardship is lessened. I urge the House to consider the amendment and not to place the preservation of buildings before the interests of people. When it all boils down, the good sense of many people in the community has saved many historical objects of community interest for posterity by virtue of the fact that they are worth saving and common sense has prevailed.

The structures will be preserved because of their true worth, not because someone gets carried away and manipulates the provisions of the Act, bringing untold economic hardship on those who own the buildings.

Mr BURGIN (Polwarth)—This is a unique debate because, for the first time in my memory of this House, debate on an issue has been one-sided. It seems to me that the Premier and the Minister for the Arts are battling this issue on their own. Not one honourable member on the Government side of the House is backing the proposed legislation. Maybe the gag has been applied, but it would be interesting for members of the public and the Opposition to hear the views of the Government on this amending legislation.

I fully support the remarks that previous speakers of the Opposition and National Party have made on how the amendments affect churches in Victoria. They are naturally worried about the measure because the amendments will intrude into worship in Victoria. It is deplorable that the Premier has been willing to introduce these amendments without consulting the people involved. I plead with the Premier to accept the reasoned amendment moved by the Opposition for that reason. I have been involved with historic buildings, which I want to save as much as anyone else in this House, but I have been particularly involved in the problems that the proposed legislation have created for private persons in their private homes. I refer to the homes that they live in, which are their castles and which have always been considered to be so. These buildings are predominantly out in country areas, which is where the electorate that I represent is situated.

Ever since the legislation was introduced I have been involved in the problem of preserving private homes for the future. I wanted to be able to preserve those private homes as much as anyone else, but I consider that the people who are living in them have significant rights as well. I refer to times when young people who were just married took over a homestead on a property. The property may have been split up over the years so that not a

large income was received in order to keep the homestead going. Those people suffered the indignity of having to put up with people from various departments—connected with the Bill—coming into their homes and telling them what colours they could paint their rooms. They came in uninvited, without notifying the owners, and on other occasions they did not arrive when they had notified the owners they were coming and the owners had stayed home to receive them. Those may have been the bad old days and matters may have improved since that time.

Mr Simpson—When did this occur?

Mr BURGIN—These events occurred after the legislation came into effect eight years ago. Private homeowners who wished only to look after their homesteads and keep them intact were being told to paint their rooms blue, even if they had a baby girl, because that is the colour they had originally been painted. This occurred before the legislation was changed, introducing common sense into the Act and causing the people administering the Act to adopt a more common-sense approach.

It seems to me that without giving the last amendment a trial the Premier has decided to turn back the clock a number of years to the days when these events can happen again. The situation was reached in which homesteads were often classified only for a staircase in the building, not for the structure of the actual building. Common-sense should prevail and people in those homes should not be burdened with the extra additional cost and additional hassle when a staircase can be preserved in other ways without including all of the building and its surrounds.

The same position has applied on many occasions in which one could not alter the colour of decor in rooms without the permission of the Historic Buildings Council. That is carrying the matter too far. If one wants to preserve a wallpaper that is 100 years old, one should reserve it and put restrictions on it being altered, but restrictions should not be put on walls that have been painted and re-painted over the years because someone noted on the original plans that the decorating was handled in a certain way 100 years ago and put restrictions on the family concerned to restore the building in the same manner. That is what was happening and what will happen under the proposed legislation.

Mr Premier, you mentioned earlier today on four or five occasions that you are a reasonable man. I heard you say it and laughed about it because I really think you are, but thought that for you to be saying it was carrying it a little too far.

The SPEAKER (the Hon. C. T. Edmunds)—Order! The honourable member for Polwarth should address the Chair.

Mr BURGIN—I laughed when the Premier said that. I believe he can be an extremely reasonable man and all I ask him to do is not to change the legislation at this time but simply to lay the Bill aside for a period and listen to the problems of the people who are involved and caught up with private domestic homes.

I am not talking about the private commercial situation as that is another category. I ask the Premier, through you, Mr Speaker, to consider the private domestic home situation. People in those homes do not always have the money to be able to afford to repair a slate roof as it should be, and yet they can be compelled to do so. There are many other incidents in which magnificent homesteads are falling into disrepair. They may be on the Historic Buildings Register, but nothing is being done to them because the owners cannot afford to restore them.

If the public and individual persons who have rights want these buildings preserved, let the taxpayer help in some instances. I also consider that if the taxpayer is helping in the provision of money to restore some of these private domestic homes, the individual owner must withstand restrictions placed on him. If he is willing to look after that home on his own account, as those people have done in so many

cases for generations, I do not consider that person should have a number of people telling him what to do on matters that really have nothing to do with the state of the home that is required to be preserved.

I plead with the Premier to hold off this Bill for a period and listen to those people, as I have listened to them over a number of years. The former Minister listened to them but, so far as I am concerned, he did not go far enough on this subject either. If one listens to these people one hears of the problems that are involved with the private, domestic home that they want to look after on their own account, as their forebears have done before them for many years.

Mr EBERY (Midlands)—The Bill being debated has the same title as the first Bill to be introduced in 1974. When it was spawned, the reason behind it probably was to make provision for the township of Maldon to be classified by the National Trust. Maldon was the first town in Australia to be classified by the trust.

No doubt the Government fully intended to ensure that the township of Maldon was retained in its historic state and many mistakes were made during those first few years when various buildings in the township were ordered to be retained. One of the problems Maldon faced initially was the almost total lack of communication with the Historical Buildings Council which was located in Melbourne. That caused dissention within the local community, and that was where the majority of the problems arose. Costly delays in planning resulted and even the Maldon hospital committee was placed in a difficult financial situation. The Historical Buildings Council was sometimes completely unrelenting in those early days and that, too, created problems.

When Mr Hayes took over as Minister for Planning, the problems began to be resolved. Mr Nigel Lewis, a consultant to the Town and Country Planning Board, was employed two or three days a week at Maldon talking to the local community and explaining ways and means by which people could improve their properties, and then the revolving fund was established. I hope the Premier will continue that fund because it was most beneficial. It gave a sense of pride to the local community in Maldon and virtually saved the town. The character of the township of Maldon has improved to a marked degree over the past four or five years, and that is an indication of the importance of the revolving fund.

The Premier should also consider employing further specialist people throughout the State. Where communication is good, the sense of "them and us" is overcome. There can be no doubt that, in relation to Maldon, the appointment of Mr Nigel Lewis was the best way of overcoming difficulties regarding the preservation of historic buildings.

At the same time, economic factors must be considered. I can quote one instance that occurred a number of years ago. In about 1977, one couple employed three people to restore a derelict home. They were prepared to spend $50 000 to $60 000 on the property. Then the Historical Buildings Council placed an order on the wallpaper. The wallpaper had been applied in the kitchen to be used as the backdrop for the film *Break of Day* and the trust classified the wallpaper which had been in position for only six months.

The point I am making is that Ministerial responsibility must be established. The Minister should have at least overviewing responsibility. If the Historical Buildings Council is not responsible to the Minister, those types of instances can occur and the overriding responsibility should be with the Minister. The Premier should ensure that that type of responsibility is accepted.

It is interesting that the Minister of Public Works is not bound to respond in respect of buildings under his control and I believe the Historical Buildings Council should take cognizance of the economic factor of buildings. Why should some sections of the community

be exempt from responding to the register when others are not? That is a double standard.

The House should support the amendment moved by the honourable member for Brighton so that the Historic Buildings Act 1981 can be given a fair trial. As I have already said, when the Historic Buildings Bill was introduced a number of mistakes were made, but the Government nevertheless allowed the Act to continue to operate and, as a result, the 1981 Act was a better Act, but the present Government is not prepared to give this amendment a fair trial. It is not allowing the consultative process which it always pursued when in opposition. I urge the House to support the amendment.

Mr RICHARDSON (Forest Hill)—This is an important Bill. The history of settlement in Victoria is relatively short, yet a number of signifiicant and substantial buildings exist in this State. Due respect should be paid to the architectural heritage of Victoria. Honourable members opposite have said that the Bill recognizes the importance of these buildings to the heritage of Victoria and that recognition is bestowed upon those persons who own the buildings. However, what bothers the Opposition, and indeed many sections of the community, especially the churches and private owners of historical buildings, is that although the historical and architectural significance of buildings is recognized, the rights of Victoria are not recognized in the same way by the present Government.

The Opposition is deeply concerned that the propositions contained in the Bill do not take account of the rights of the individual, the churches and the owners of many of the buildings that will be covered by the proposed legislation. Honourable members opposite have made what could be described as almost passing references to the importance of liturgical practice. Indeed, the Government has given a rather glib assurance that there will be no interruption or interference with the rights of the churches and liturgical practice in the relationship between the provision of the proposed legislation, its operation and those buildings that are used by active churches in the community.

However, the community is faced with the problem that the Government has already given a multitude of bland assurances on a variety of matters. The evidence is that one simply cannot believe what the Government has said. The explanatory second-reading speech is couched in the most delightful phrases. That speech has been nicely put together and it contains bland assurances to all and sundry that rights will be preserved and that the architectural heritage of Victoria shall continue forever. However, the substance of the Bill does not measure up to the assurances contained in the explanatory second-reading speech given by the Premier.

Not only does the Opposition fear for the preservation of individual, corporation and church rights within the community, but also the community is fearful for those rights. The churches are deeply concerned about the implications of the proposed legislation. The churches are concerned that the Government cannot be trusted to measure up to the sorts of assurances it has given.

The Opposition is concerned that the rights of individuals should not be trampled underfoot by a Socialist Government in pursuit of some idealogical goal. The Opposition is concerned that historic buildings of architectural and other significance should be preserved. The former Government enacted legislation to that effect.

The Government wishes to sweep the provisions of the 1981 legislation aside, but it has not given any good reason for its action. There are several pages of the explanatory second-reading speech contained in *Hansard*, but nowhere in that speech is there an adequate justification for the decision of the Government to refuse to give the 1981 legislation a chance to demonstrate whether or not the provisions of that legislation will work; one will never know if the Government continues with its course of action because the 1981

legislation will be repealed. The proposed legislation carries many threats to individuals and organizations within the community. Why was the Government not prepared to allow the 1981 legislation to run its course and to demonstrate either one way or the other that it would meet the needs of the community?

One could adopt the most charitable view and say that the Government is driven by its own ideology. That appears to be the most charitable explanation that one could provide for the action taken by the Government in introducing a Bill of this type. The Opposition has moved an amendment, which states, *inter alia*:

> That this House refuses to read this Bill a second time until the provisions of the Historic Buildings Act 1981 have been given a fair trial and until extensive consultations have taken place with all interested and affected persons in the State of Victoria.

That is an eminently reasonable suggestion. After all, the Government cannot claim that the provisions of the 1981 legislation have been a failure because the Government has not given the legislation a chance. The Government has decided, in a high-handed manner, to sweep the 1981 legislation aside in pursuit of its idealogical objectives. One suspects that the new Government having come to office, in a fit of pique, has decided that it will sweep away as much as is possible of what has gone before under other Administrations. I appeal to the House and to the Premier, who made much of his reasonableness this morning during question time——

Mr Cain—You didn't laugh.

Mr RICHARDSON—No. I find very little to laugh about in the Premier. I appeal to this most reasonable of Premiers to consider the amendment that has been moved by the Opposition in the interests of the individual within the community; in the interests of organizations within the community and in the interests of the many churches within the community that are genuinely concerned about the intrusion into their rights as religious organizations.

The amendment, if adopted, would not interfere with the intention of the Government to preserve historic buildings that are of architectural significance. However, if the Government retained the 1981 legislation, it would demonstrate to the community that it is a reasonable Government and that it is not a Government that operates in a high-handed, idealogical and Draconian manner. The Government would reveal that it is prepared to listen to the requests of individuals, organizations and bodies within the community that are genuinely concerned about the provisions contained in the Bill before the House.

I ask the Premier to consider his position on the matter and to give the 1981 legislation an opportunity to run a course. If the Premier does agree to the proposition, and if that course is allowed to run for a certain period of time, it should be allowed to run fairly. There should not be any deliberate attempt by the Government to make it fail so that it can demonstrate what a disastrous piece of legislation it was.

I ask the Premier to give the 1981 legislation a fair trial in the interests of fairness to the community, to the unselfish organizations and to individuals.

Mr SALTMARSH (Wantirna)—I want to say a few words on behalf of churches, because many people believe that because churches have a lot of property, they are wealthy and can afford to undertake expensive repairs and renovations on some of the buildings they have developed over many years for their worship and the service they provide to the community.

The churches, because they have been one of the most basic of social units in our society, have provided many of the early buildings which are now regarded as being of historic merit and value. However, because the churches see themselves as having a continuing life of their own, constantly

adapting to social change and need, from time to time the shape or style of their building needs to be changed to conform with varying standards and expectations of community life. Therefore, to have a requirement that they may not change in the way they believe is legitimate for their own life, and to be required to appeal to some other outside body which is not interested in understanding the role of the churches or their liturgical needs seems to be a deep intrusion into the rights of citizens and of groups. It is a fundamental right that must be responded to, and I hope the Premier will give real consideration to this matter.

As I understand it, it is not that the churches are necessarily concerned about having to conform to certain standards for their buildings; they are concerned about an outside body seeking to tell them what their internal activities should be and what form they should take. Even if that is done unwittingly, it is still a basic intrusion which must be regarded as a real problem in a democratic society. I do not want to expand on this view, but simply to make the one basic point that we must respect the integrity of these groups, without interfering and without giving instructions to them to change the way in which they see their life being adapted.

On the other hand, these days churches in many instances do not have large congregations. Years ago it was regarded as a public responsibility of people to support their church, so instead of taxes, large contributions were made to churches. Some people know about this through present stewardship drives and similar activities. Nevertheless, in past years a significant public contribution was made to maintaining the fabric of the building of the churches.

These days the circumstances have changed and there is not the same capacity within the community to provide for the maintenance and upkeep of these properties. Therefore, if a Government seeks by the means contained in this measure to ensure that maintenance is carried out, for some reason other than liturgical, on particular types or forms of building, it is incumbent that additional public resources also be made available to enable that work to be done. This is a basic right that attaches to the very nature of property.

If we deny the nature of property, in a real sense we also deny the nature of freedom.

I therefore ask the Premier to take into account seriously what is being done in this measure and at least let it stand over for the time being to allow further consultation, to establish and maintain the goodwill of the community.

Mr WILLIAMS (Doncaster)—It is a new experience for me to sit in Opposition. For nine years I had to endure people on the other side of the House going on and on, so if some of us are getting our own back now, that is not surprising!

This is another example of a half-baked Bill that the Government is trying to steamroll through, as it does in Caucus. I do not know how the junior Government back-benchers will ever get experience of speaking in the House, because they are not enabled to make their contributions to debate. I am sure there are honourable members with brilliant minds on the other side of the House who must be concerned, as I am, about the preservation of our historic buildings.

I represent an electorate in which there are some remarkably old buildings that need preservation. One of these is the Holy Trinity Church in Doncaster which is much more than 100 years old. That church needs to be protected for our future heritage.

The churches are quite right in their objection to this Bill. But of all controversies that have been debated in Parliament seldom has there been one in which every church across the spectrum —the Catholic Church, the Church of England, the Uniting Church, the Greek Orthodox community and the Jewish community—is gravely concerned about the effect of this Bill on its privileges and heritage.

We are all concerned to maintain our freedom of expression and our freedom of religious beliefs. In some respects the Bill threatens the traditions of our way of life, and I oppose it.

Mr A. T. EVANS (Ballarat North)—I appreciate the opportunity of saying a few words in this debate. The honourable member for South Barwon raised the matter of the Smeaton flour mill, which is probably our most historic building in Victoria. It is a five-storey bluestone building which was built by the pioneers in the early days and which still contains a water wheel which is in running condition and could become one of the highlights of the tourist industry in this State.

The SPEAKER (the Hon. C. T. Edmunds)—I presume this water wheel is relevant to the Bill?

Mr A. T. EVANS—Sir, it is more historic than some of the fittings and some of the characters around this House.

The SPEAKER—It was the relevance to the Bill that I was curious about.

Mr A. T. EVANS—In fact, I believe it could be much more active!

The reason why this mill has been preserved is very important to this debate. The honourable member for Polwarth, in particular, said that families who still control or own these buildings are prepared to co-operate in playing their role in preserving the buildings for the future, but the question that is asked is: Why should they carry the cost?

I believe the answer can be found in the preservation of this magnificent building in as much as the Commonwealth Government and the State Government have both contributed by providing essential funds for the preservation of the building. For years I have maintained that it is too much to ask for the full restoration of many of these valuable buildings which play an important role in the heritage and history of our State. The least the Government can do is to weatherproof these buildings so that in the future other generations can restore them to their past magnitude and glory. This mill was roofed with Welsh tiles which came out as ballast in the windjammers. The building has been restored and the windows have been repaned and it is now weatherproofed. It is one example of what can be done with some understanding by the Government instead of simply imposing a hard law and ruling on the owners of the building.

Another example of which I am particularly proud is the restoration of the Baker Hill building in Ballarat which is now regarded as one of the landmarks throughout the world of the McDonald chain of stores. During the fight to prevent the demolition of this building, I stood alongside the ladies of the National Trust and the long-haired young fellows to protest against plans to erect one of the standard McDonald glass and aluminium buildings. The retention and restoration of that building by the McDonald's chain was a hallmark in the preservation of old buildings in Ballarat and also in the approach that the McDonald chain had throughout the world. It found that people liked that kind of building and the patronage exceeded expectations. Now wherever possible, McDonalds has tried to make its contribution to the preservation to these types of buildings.

Only one other example comes to mind at this stage—the preservation and weatherproofing of a building in Clunes which was the original Methodist church in the town. This was a prefabricated building made in England and brought out here, somewhat like the Parliament House in Sydney. Was not that the rum hospital, a prefabricated building brought to Australia?

The SPEAKER (the Hon. C. T. Edmunds)—Order! The honourable member will address his remarks to the Chair.

Mr A. T. EVANS—Certainly, Sir. I did not think you were so interested, but I apologize. This building in Clunes, which was used by the local boy scouts,

was preserved when it was likely to be demolished, because it was becoming run down and the weather was getting into it, by no other group than the Young Liberals which had working bees to preserve the building. Today it has been vacated by the scouts for another building in the town, but at least it has been weatherproofed and will be preserved for the future.

I ask for tolerance by the Premier and his Government because I believe in a little co-operation instead of standing over the owners to preserve many of these buildings for the future of Victoria.

Mr CAIN (Premier)—I suppose one could listen to this debate with a sense of *déjà vu* because it was all debated in this place fifteen months ago. Those who took part will confirm that not much new has been said today. Perhaps the only new principle embraced in this Bill that was not contained in the measure before the Parliament earlier is the joining together of Government and non-Government buildings in the one provision. That is a different provision. Last time the debate was long. I believe there have been three Bills on this subject before the House on previous occasions. As the former Minister said, there were some 80 amendments during the course of that Bill.

I also point out that the Government is making a benign response to the arguments raised by the Opposition because, as I said before, it believes all the relevant issues have been debated by the Parliament before. I point out that the 1981 Bill to which reference was made was gazetted and proclaimed three days before the election—I think I am correct in saying it was 30 March or thereabouts—in the full knowledge that there was a sharp conflict between the two principal parties in this Parliament over the principal issues, the subject of this measure and the subject of the 1981 Bill.

Mr Lieberman—The Parliament passed the Bill.

Mr CAIN—I am not suggesting that it did not, but that was the sequence of what occurred. That affects the Government's attitude on this measure. Firstly, I shall deal with some of the arguments raised by honourable members during the course of the debate. I believe all Opposition speakers missed the critical point of this measure. The Bill separates the identification process from the preservation process. That is the key feature. I make it clear that the fact that a building is identified as being an historic building does not necessarily mean that any further action will be taken in respect of preservation. It merely creates the situation of identification having taken place, and the second stage of the process may or may not occur.

I shall deal briefly with a couple of points raised by both the honourable members for Brighton and Benambra whom I regarded as the principal Opposition speakers on the Bill. Each raised the question of the provisional register which was to go. The Government makes no apology for that. It does not believe any good purpose is served by the register. There is nothing attractive about it. All the arguments about the provisional register that were made during the last debate still apply. It opens the way for a back-room process. It is not out in the open as it should be. The Opposition believes the register and the process set out in the present Bill which reinforce the 1974 provision are the proper ways of dealing with the question.

The other matter raised with some vigour by the Opposition was the third-party applications. Those are now excluded by the present Act. What I describe as "Any person" is precluded from making a direct application in regard to the identification or preservation of a building. He or she must now lobby either the Minister, the Historic Buildings Council or the National Trust to "get a guernsey". The Government believes the community has an interest in buildings at large and that certain individuals have a right to exercise their franchise or to put their views in respect of particular buildings. If the application is pedantic, frivolous or vexatious it will be quickly identified as being so by the Historic Buildings Council and will be put out the door.

The alternative of that process is the capacity for knowing how to work the system and lobby.

The next matters raised by both the honourable members for Benambra and Brighton were economic considerations. The Government regards these as creating a situation where one has transitory economic considerations and personal matters determining the future of a building for all time. I point out that economic considerations change. It could well be argued today that very few, if any, city buildings could be said to be economically viable for the present cost of money and the cost of maintaining even a building of recent vintage and recent origin. What is economically viable is subjective.

Under the provisions of section 22 of the principal Act almost anything that an owner asserts could be held to be of economic consideration and make a building, as it presently stands, not economically viable.

The last consideration of consequence put by the Opposition is the concern of churches. I say at the outset that the position the churches will enjoy under the amending provision is a stronger position than they enjoyed from 1974 to the present time.

Mrs Patrick—Why are they not happy about it?

Mr CAIN—The 1981 Act has not been proclaimed. I see the honourable member for Benambra endorses what I say, that from 1974 until the 1981 Act was passed the churches did not enjoy the position it is now said they enjoy and which they wish to preserve.

The churches are in effect saying that they should be treated differently from anyone else, that there are special reasons why they should be treated differently. As I said, the churches are better off now than they were under the 1974 Act.

The provisions contained in clause 18 make it clear that there is a right of determination in respect to those matters which it is suggested concern the churches. Clause 18 (*b*) states:

> For sub-section (11) there shall be substituted the following:
>
> "(11) In determining an application in respect to any alteration to a registered building or registered land (being a church or land within the precinct of a church) for purposes which are of a religious or liturgical nature the Council shall not make a determination which will prevent the carrying out of religious rites liturgies or accepted practices of worship in or relating to that church."

The honourable member for Benambra interjects to say that the council acts as judge and jury. That is the role in which the council is cast in the determination of historic buildings generally. What is being put is that churches should be treated differently from anybody else. In regard to the determination of that provision, the churches are better off than they were from 1974 to 1981.

The other matter I want to join issue with is the suggestion from an honourable member opposite that there was no discussion with the churches. I am advised by the Minister that there has been considerable discussion with the churches, that he had discussions with them and will continue to do so and intends not to ride roughshod over their views. In his report to me, the Minister believes he had satisfied the reservations the churches had by the insertion of the provision contained in clause 18 (*b*).

The Government does not accept the recent amendment moved by the honourable member for Brighton. It is not possible to try out something that can and will be as destructive as the provisions contained in the 1981 Act and restore the position. One cannot put buildings back together again. The other reason the Government is not prepared to give it a trial, as suggested, is that expectations are raised when a measure is in operation for some time.

As indicated earlier in response to the remarks by the honourable member for Mildura, there was considerable debate on this matter. The present Government, when it was in Opposition, made its views very clear about the measure and

the former Minister for Local Government and I spent seven or eight hours debating the issue at this table. The Government is not prepared to as it were acquiesce in the course of debate to the implementation of the 1981 Bill that would lead to the destruction of buildings and a situation that cannot be restored.

The only other matter that should be raised is in respect of the point made by a couple of speakers about why public buildings are being treated differently from other buildings, so far as economic considerations are concerned. Let me make a couple of points about that. At the outset I say that the provisions with respect to public buildings are a complete copy of the provisions of the old Act that was designed or structured by the honourable member for Benambra when he was Minister for Local Government. I acknowledge that they are far from satisfactory and they will be reviewed.

I do not think that the economic considerations referred to in those provisions which are contained in clause 30 and which talk about the future uses of the building and any renovations or additions to the building which are necessary or desirable or which will be required to enable such proposed use are different and distinct from the economic considerations which are contained in the 1981 Act. The honourable member for Benambra agrees. They are not to be seen as being on all fours.

To reinforce that view, I direct the attention of the House to the provisions of section 22 of the principal Act. I repeat that in the provisions relating to public buildings the process of identification and preservation is merged and the whole issue is clouded.

I conclude on the point on which I opened in this debate by saying that the Government believes that is the fundamental weakness in these provisions that will be reviewed and, more importantly, the fundamental weakness and the failure on the part of the Opposition to comprehend the desire of the Government and the policy in this Bill to sever those two functions.

I repeat that the primary thrust of the measure is to sever the identification and the preservation processes and to say that they should not be merged. One identifies first and may or may not preserve in the future.

The House divided on the question that the words proposed by Mrs Patrick to be omitted stand part of the motion (the Hon. C. T. Edmunds in the chair).

Ayes	44
Noes	28
Majority against the amendment	16

AYES

Mr Cain	Mr Miller
Miss Callister	Mr Newton
Mr Cathie	Mr Norris
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mr Rowe
Mr Fogarty	Mr Sheehan *(Ivanhoe)*
Mr Fordham	Mr Shell
Mr Gavin	Mr Sidiropoulos
Mr Gray	Mr Simmonds
Mr Harrowfield	Mr Simpson
Mrs Hill *(Frankston)*	Mr Spyker
Mr Hill *(Warrandyte)*	Mr Stirling
Mr Hockley	Mrs Toner
Mr Ihlein	Mr Trezise
Mr Jolly	Dr Vaughan
Mr Kennedy	Mr Walsh
Mr King	Mr Wilton
Mr Kirkwood	*Tellers:*
Mr McCutcheon	Mr Pope
Mr McDonald	Mr Sheehan *(Ballarat South)*
Mr Mathews	

NOES

Mr Austin	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Reynolds
Mr Dickinson	Mr Richardson
Mr Ebery	Mr Ross-Edwards
Mr Evans *(Ballarat North)*	Mrs Sibree
Mr Evans *(Gippsland East)*	Mr Tanner
Mr Hann	Mr Thompson
Mr Jasper	Mr Wallace
Mr Jona	Mr Whiting
Mr Lieberman	Mr Williams
Mr McGrath	Mr Wood
Mr McKellar	*Tellers:*
Mr McNamara	Mr Delzoppo
	Mr Saltmarsh

The House divided on the motion (the Hon. C. T. Edmunds in the chair).

Ayes	44
Noes	28
Majority for the motion	16

AYES

Mr Cain	Mr Miller
Miss Callister	Mr Newton
Mr Cathie	Mr Norris
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
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Mr Fogarty	Mr Sheehan (*Ivanhoe*)
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Mr Gavin	Mr Sidiropoulos
Mr Gray	Mr Simmonds
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Mrs Hill (*Frankston*)	Mr Spyker
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Mr Hockley	Mrs Toner
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Mr Jolly	Dr Vaughan
Mr Kennedy	Mr Walsh
Mr King	Mr Wilton
Mr Kirkwood	*Tellers:*
Mr McCutcheon	Mr Pope
Mr McDonald	Mr Sheehan (*Ballarat South*)
Mr Mathews	

NOES

Mr Austin	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Reynolds
Mr Dickinson	Mr Richardson
Mr Ebery	Mr Ross-Edwards
Mr Evans (*Ballarat North*)	Mrs Sibree
Mr Evans (*Gippsland East*)	Mr Tanner
Mr Hann	Mr Thompson
Mr Jasper	Mr Wallace
Mr Jona	Mr Whiting
Mr Lieberman	Mr Williams
Mr McGrath	Mr Wood
Mr McKellar	*Tellers:*
Mr McNamara	Mr Delzoppo
	Mr Saltmarsh

The SPEAKER (the Hon. C. T. Edmunds)—Order! The time appointed by Sessional Orders for me to interrupt the business of the House has now arrived.

On the motion of Mr FORDHAM (Minister of Education), the sitting was continued.

The Bill was read a second time and committed.

Clauses 1 to 11 were agreed to.

Clause 12 (Amendment of 9667 s. 15)

Mrs PATRICK (Brighton) — This clause repeals section 15 of the principal Act of 1981, which set up a provisional register. This is to be abolished and there is no longer to be a provisional register. The Opposition believes that the provisional register enabled some buildings of historic interest to be listed by negotiation and it saved owners unnecessary expense.

The Opposition is opposed to this section being repealed and will vote accordingly.

The Committee divided on the clause (Mr Wilton in the chair).

Ayes	43
Noes	28
Majority for the clause ..	15

AYES

Mr Cain	Mr Newton
Miss Callister	Mr Norris
Mr Cathie	Mr Pope
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mr Rowe
Mr Fogarty	Mr Sheehan (*Ivanhoe*)
Mr Fordham	Mr Sheehan (*Ballarat South*)
Mr Harrowfield	Mr Shell
Mrs Hill (*Frankston*)	Mr Sidiropoulos
Mr Hill (*Warrandyte*)	Mr Simmonds
Mr Hockley	Mr Simpson
Mr Ihlein	Mr Spyker
Mr Jolly	Mr Stirling
Mr Kennedy	Mrs Toner
Mr King	Mr Trezise
Mr Kirkwood	Dr Vaughan
Mr McCutcheon	Mr Walsh
Mr McDonald	*Tellers:*
Mr Mathews	Mr Gavin
Mr Miller	Mr Gray

NOES

Mr Austin	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Reynolds
Mr Delzoppo	Mr Richardson
Mr Dickinson	Mr Ross-Edwards
Mr Ebery	Mr Saltmarsh
Mr Evans (*Ballarat North*)	Mr Tanner
Mr Evans (*Gippsland East*)	Mr Thompson
Mr Hann	Mr Wallace
Mr Jasper	Mr Whiting
Mr Jona	Mr Williams
Mr Lieberman	Mr Wood
Mr McGrath	*Tellers:*
Mr McKellar	Mr McNamara
	Mrs Sibree

Clauses 13 and 14 were agreed to.

Clause 15 (Amendment of No. 9667 s. 18)

Mr WOOD (Swan Hill)—Many members of the Opposition have expressed concern about problems that may be created by the amendments proposed by the Government in the Bill. Clause 15(*a*) provides for the amendment of section 18(1)(c) of the principal Act to provide that any person may make application in the prescribed form for the examination of a building to be included on the register. This matter has been thoroughly debated, and the Premier talked about the right of any person to have an input. I do not think anybody could deny the right of a citizen to have an input in asking whether a building is of historic significance.

Under the 1981 measure, the National Trust, the Historic Building Council and the Minister are able to seek or carry out an investigation of any building that may be considered to be of historic significance, to determine whether it should be put in the register and preserved in its entirety or in part, and any person could go to the Minister, the council or the trust seeking such an examination. However, under the proposed legislation, any person can make application in the prescribed form to the Historic Buildings Council to examine a specific building to determine whether it is worthy of preservation.

The CHAIRMAN (Mr Wilton)—Order! There is too much audible conversation in the Chamber. The House is not a place in which to conduct meetings. If honourable members wish to confer with one another, they should leave the Chamber.

Mr WOOD—Under the existing provisions, a person is able to go to the Historic Buildings Council, the National Trust or the Minister seeking the classification of a building he or she believes is of some significance. Under this clause, any person may make an application in the prescribed form in his own right and such an application must be examined. The Government said all applications will be examined promptly and will be over and done with quickly, so there will be no worry about a vexatious litigant or a person who may be fanatical about a particular building. However, I point out that the Bill contains no provision to stop a person making as many applications as he or she wishes. Those applications must be examined and must go through the proper process. There is no provision that allows the Minister to say, "Look, you have had three or four goes. We do not agree with you, so forget it".

A vexatious litigant or overzealous person could walk the streets of Richmond, Carlton, Port Melbourne, Williamstown, Swan Hill, Maldon or any other part of the State and one by one make applications for buildings to be examined by the Historic Buildings Council which would be obliged to examine each application. There is nothing to stop that type of person from continually, hour by hour, day by day, week by week, making application for certain buildings to be examined. Some people may believe buildings are worthy of preservation even though those buildings may be only twenty years old. It may be that someone could get a little carried away about the need for preservation of a specific building, which in fact has little or no historical significance.

Practices of that nature will considerably increase the work load of the Historic Buildings Council. I am at a loss to understand how the council would deal with each application. It cannot merely say, "Well, we took a photograph of the building" or, "We sent Fred over to look at it". The council must specifically examine each building about which an application is made. A person who did not like his neighbour could, when the neighbour puts his property on the market, make an application in the prescribed form to have the neighbour's building placed on the register. If there were an auction, the applicant could then advise the auctioneer that such an application had been made. What happens then? It means that the auctioneer must say to the would-be purchaser that an application has been made. The auc-

tioneer would be mad if he did not do that. Of course, the value of the property would drop and interested purchasers would say that until the application is determined they did not want a bar of the property.

No time limit has been set down in which the council must consider an application. Any person can make application to the council and a ludicrous situation could arise where, because of stupidity or a crazy idea that all buildings more than 30 years old must be preserved, a vexatious application could be placed with the council and there would be no time limit on the council to examine the application.

It is all very well for the Premier to say that common-sense would prevail but there are people in the community —and all honourable members know of them in their own areas—who are fanatical about the preservation of old buildings irrespective of their design, architecture, appropriate age, and so on. Those persons believe a building should be preserved regardless of worth or cost. In the 1981 Bill a provision was made wherein the council had to reply to an application within some six weeks and state whether it agreed with the application. There is no such time limit with this Bill. There could be a great list of thousands of buildings that individuals have asked to be classified and put on the register that the council must examine in detail. The Premier said that that is not likely to happen but he also expressed some concern about any person doing so and wiped it off by saying that it is the right of an individual to have an influence.

The Opposition does not deny or argue that a person has not got the right. The right under the 1981 Bill was that any person could go to the council or the Minister and ask for an examination of a building. Under the 1981 Bill, if that person was pedantic, a vexatious litigant, and so on, the council could decide that it had had enough of that person's representations but under the provisions of this Bill, irrespective of the merits of the building, the application must be examined by the council. That concerns me and I am sure that it concerns many property owners. An agnostic or an atheist or someone who simply hates churches and secular groups could create mischief by going around saying and making application that all churches in Victoria should be examined.

I am concerned also that in clause 15(*b*) the economic factor is being repealed so that the provisions of the Bill will apply to the private sector and not to the Government sector. The Premier has stated that the Government Buildings Advisory Council and the Historic Buildings Council are being brought together and I suppose it could be said that is logical. However, why thould there be a law for the Government sector and not for the private sector and vice versa? Yet the economic factor is considered for Government buildings and not for private buildings. Why? In both the Government Buildings Advisory Council Act and in the Historic Buildings Act 1981 these economic factors were considered, and rightly so.

I shall not canvass that argument in detail because it has been dealt with very capably by the honourable member for Benambra. Is it fair to say to a person who has a building believed to be of historical significance on one side of the street that the Government is not worried about the economic factor, whether it will ruin that person, or his business or his livelihood; that the Government is dealing with the building on the criterion that does not allow economic factors to be considered when across the road the economic factors of a school of historic significance will be considered and the Government will say to the Education Department that if the department cannot afford to renovate the school to its original condition, the criterion of economic factors will apply? In this respect there should not be a law for the private sector that does not apply to the Government sector.

How can the Government logically say to a person that the Government is not worried if that person cannot afford it but the Government is worried if a Government department cannot afford it? If a building is owned by the Government and for years the economic factor has applied to that building and the Government department that owns it has not had to renovate it to its original state and has perhaps replaced a broken original slate roof with an iron roof and that building, because it is surplus to the requirements of the department, is sold subsequently the Government should not then say to the private purchaser that he must restore the building to its original condition. That is unreasonable. The economic factor must relate to both private and Government buildings. For those reasons and many others that concern the Opposition, the clause is rejected by the Opposition.

Mr LIEBERMAN (Benambra)—One other element of clause 15 that causes the Opposition great concern is the removal of questions regarding economic disability and financial hardship. I did say during the second-reading debate that there was precedent in other States, for example, New South Wales, for these factors to be examined and that the wording was not exactly the same as the 1981 Victorian legislation but nevertheless the principal expression was clear.

During the debate, the Premier replied on the need to separate the question of historic significance and the economics and one point he made that struck me—and I do not know whether I misunderstood him—was that he at least acknowledged by implication the validity of the argument that economic factors should be considered at some time.

By interjection, the Premier says now he was not saying that in his reply, so with that response I have no hesitation in saying to the Committee that, if one removes the economic factors and matters to do with hardship on the owner, the operation of the amended legislation, if the Bill is passed, will mean that there is no method in the legislation providing for an examination of economic factors and hardship for private property owners.

There will be a great chasm in which the owner will have nowhere to go. Parliament will not have laid down any principles in the Act for the council, the Minister or the Governor in Council to consider and examine economic factors and hardship.

That needs no more words from me; it stands for all honourable members to see quite plainly and clearly that they will have put owners of properties in Victoria in a position where, having had their building established to be worthy of preservation because of its historic significance, their concern, anguish, hardship and economic difficulties cannot be examined.

Further, assuming the goodwill of members of the council—and I am sure that will always be evident in considering matters in the future—those members will have to make up for themselves in some way or another an excuse for not putting a building on the register if in their view it is worthy of preservation because of its historic significance if they find evidence of economic hardship and the fact that it is not practicable. Members of the council will have to dream up some way of removing it because the legislation will not enable them to have regard to economic factors. There is a double fault because of the Government's proposed legislation.

Mrs PATRICK (Brighton)—While the previous speaker was talking it came into my head that economic consideration would not be given to private owners under this Historic Buildings (Amendment) Bill because there are more and more examples of the Government regarding itself as judge and jury on what people own and what is their economic situation. I suppose the Government considers that anybody who owns an historic house has the means of paying for it to be restored for the rest of Victoria. Unfortunately that is not so. As the Premier would

know, many young people are interested in old houses and are slaving to get them into good condition. The houses may be only single-fronted dwellings but have some historic significance. I ask the Premier to give further thought to this economic question, particularly when one considers the provisions in the Bill relating to public buildings.

It is a dangerous precedent when considering whether a building is of architectural or historic importance, that one is not permitted or encouraged to look at economic considerations. I am almost tempted to say that this matter is of such significance that progress should be reported so that it can be considered a little more. However, honourable members will see what develops in relation to the other clauses.

Mr CAIN (Premier)—The honourable member for Benambra is overlooking the provisions of section 27(2) of the 1981 Act which, as I understand it, remain unchanged with the amending Bill. I believe that provision ensures that the economic factors remain specifically in the permit application provisions contained in that section.

Mr WHITING (Mildura)—This clause makes several amendments to section 18 of the principal Act. Section 18(1) reads:

> The Council shall—
>
> (*a*) of its own motion;
>
> (*b*) on the application of the National Trust of Australia (Victoria);
>
> (*c*) on the application of the owner of the relevant building in the prescribed form; or
>
> (*d*) at the direction of the Minister—
>
> make an examination as to whether a building should be added to or removed from the register or that any alteration be made to any item on the register.

With the amendment section 18(1) (*c*) will now read:

> on the application of the owner or any person in the prescribed form,

That is a major departure and, as has already been pointed out, any person who has a vague interest in a building that looks to be of some age can immediately say, "That looks as though it should be preserved. Get the necessary form and place it before the Historic Buildings Council for consideration". As I think the honourable member for Benambra pointed out, the council would then have to find some reason why it believed it was not necessary to place that building on the register. It is quite possible that a further amendment to this same clause will allow the council to give to the owner of the building, if he so requests it, a written statement of the reason for its recommendation. Presumably, if the recommendation was in the negative, the council would have to inform the person who made the original recommendation that the building be included on the register.

The work load of the council will increase considerably because contrary to the view of the Premier, obviously many more people will now be making recommendations. In the past a person would have to convince the Historic Buildings Council, the National Trust or the Minister that a building should be included and then the examination procedure would take place. I do not believe that will be the case from now on. Many people will make recommendations that buildings be placed on the register. The council will then have to go through the procedure of examining all those buildings and making recommendations one way or the other on whether they should be included.

The other provision that is repealed relates to what I describe as the checks and balances on the situation. Sub-sections (3), (4), (5) and (10) of section 18 are all being repealed straight off the cuff, as it were. Sub-section (3) states:

> The council shall not make an examination in respect of any building which is subject to an application to the Minister pursuant to section 15 unless the Minister otherwise directs.

With that, and the removal of sub-sections (4) and (5), the checks that will be placed on the council particularly will be removed and it will be very easy for the council to go its merry way at the behest of any person who sees fit to make a recommendation that a building should be included

on the register. It will be found that the whole procedure will perhaps be abused to such an extent that a large amount of unnecessary work will be required of the council, particularly as the present Act contains many provisions which I believe would have covered the situation adequately.

The alteration to sub-section (7) is also of extreme importance because this provided the parameters by which the council was to make the examination. It reads:

> In making an examination the Council shall consider whether the building is of such architectural or historic importance as to warrant preservation of the building and may at that time consider whether—
>
> (*a*) preservation of the building is economically feasible;
>
> (*b*) registration would render the building incapable of reasonable or economic use; and
>
> (*c*) preservation of the building could be achieved without causing undue financial hardship to the owner in relation to the building or land—

All these provisions are to be removed and there will be a new sub-section (7) which will read:

> In making an examination the Council shall consider whether the building is of architectural or historic importance.

This completely removes the economic feasibility, the undue hardship and whether the registration renders the building incapable of reasonable or economic use. Those three points are vitally important to the fact that if a person owns a building which it is recommended by some other person should be registered, all these points that should now be taken into consideration are not necessary to be considered. I am quite certain that considerable hardship will be caused to a number of people in that regard. I have already mentioned the removal of paragraph (*a*) of sub-section (8) and leaving only the requirement that before a recommendation is made to the Minister under sub-section (6) the council shall give the owner of any building concerned an opportunity of being heard and if the owner so requests a hearing the council will furnish him with a further statement of the reasons for the recommendation.

The part removed covers the situation where, if the owner so requests at the hearing, the council shall consider and report on any submission made by the owner in relation to the matters set out in sub-section (7) with regard to financial hardship, economic feasibility, and so on.

The Bill produces a combination of the removal of both these parts which will mean that all the owner is entitled to is a hearing. The only result of that is that he will obtain a written statement of the reasons for the council's recommendation. Considerable hardship could be caused to the owners of some buildings and also the economic feasibility of retaining a building in its existing state will be completely ignored so far as the council is concerned. In that way the owner will be considerably disadvantaged. Therefore, for the reasons outlined. the National Party opposes clause 15.

Mr LIEBERMAN (Benambra)—I have some comments in response to the points made by the Premier. I thank the honourable gentleman for drawing attention to the provisions of clause 27 of the Bill which he states satisfactorily deal with the concern that I expressed in relation to the 1981 Act.

The point at issue has been made clear to the Premier after listening to the honourable member for Mildura. Of course, the issue is that, under the 1981 Act, when the building is being examined in the first place for historical significance and possible recommendation for inclusion on the register, the owner may request the council to take into account the matters concerning economics and hardship referred to by the honourable member for Mildura.

The council itself—even if the owner does not—can take this into account. In many cases this could be a useful and proper exercise. The Premier states that the relief the owner may want is contained already in section 27 of the 1981 Act. However, unfortunately section 27 of the 1981 Act applies after the building is on the register and where the

owner is seeking a permit for alterations. In any event, section 27 (1) of the 1981 Act does not require the council to consider the one important element of the clause in the 1981 legislation which is under amendment now. I refer to section 18 concerning whether or not preservation of the building is economically feasible.

This creates an unfortunate situation and it is no wonder that owners become apprehensive about heritage and preservation. This will become aggravated under the proposals of the Premier when the owner is placed in a position where first of all his building is examined. One can take the example of an owner who does not believe his building should be examined for many reasons. At that time he is deprived of the right to ask that the economic factors be considered. Under the Bill the question of economic feasibility is not relevant. Even buildings found to be of historical significance may be added to the register. The owner is in a no-win nonplussed situation!

The owner has to apply under section 27 of the 1981 Act for a permit to demolish or repair. He may have to dream up a proposal for alteration with demolition even if he did not want to. Therefore this hastens the process of alienation. The owner may have been prepared to sit quietly and use the building even though it may not be preserved for ever. However, this provision places him in a situation where his back is against the wall. The economic factors, which may bear heavily upon him, will not have been canvassed. If a building is about to be put on the register, it is human nature that the owner will look for a way out. That is the experience in heritage all over the world. The owner will become more and more determined that by hook or by crook he will remove his building from the register. The 1981 Act provided a wonderful opportunity for a proper examination of the owner's concern about economic factors whether the owner asked for it or whether the council thought it would be prudent. It may well be one of the types the honourable member for Swan Hill mentioned where a capricious or vexatious person may make an application and the council may wish to knock him out on the grounds of economic feasibility.

The CHAIRMAN (Mr Wilton)—Order! I do not want to stifle the debate on this important question, but I would like to draw the attention of the honourable member to the fact that the economic factor has been alluded to by four speakers from the Opposition side. I suggest that the honourable member give some consideration to the fact that this point has been laboured to some extent. I do not intend to rule on the matter but I draw the attention of the honourable member to that point.

Mr LIEBERMAN—I appreciate your comments, Mr Chairman, and the message in them. I had intended to speak only once during the Committee stage but the comments of the Premier prompted a response. I hope honourable members are as alarmed as I am about the consequences of the clause. The clause represents another lost opportunity in removing some areas of dispute and alienation in the quest for successful heritage.

The Committee divided on the clause (Mr Wilton in the chair).

Ayes	43
Noes	27
Majority for the clause ..	16

AYES

Mr Cain	Mr Newton
Miss Callister	Mr Norris
Mr Cathie	Mr Pope
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mr Rowe
Mr Fogarty	Mr Sheehan *(Ivanhoe)*
Mr Fordham	Mr Sheehan *(Ballarat South)*
Mr Harrowfield	Mr Shell
Mrs Hill *(Frankston)*	Mr Sidiropoulos
Mr Hill *(Warrandyte)*	Mr Simmonds
Mr Hockley	Mr Simpson
Mr Ihlein	Mr Spyker
Mr Jolly	Mr Stirling
Mr Kennedy	Mrs Toner
Mr King	Mr Trezise
Mr Kirkwood	Dr Vaughan
Mr McCutcheon	Mr Walsh
Mr McDonald	*Tellers:*
Mr Mathews	Mr Gavin
Mr Miller	Mr Gray

NOES

Mr Austin	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Reynolds
Mr Delzoppo	Mr Richardson
Mr Dickinson	Mr Ross-Edwards
Mr Ebery	Mr Saltmarsh
Mr Evans	Mr Tanner
(Ballarat North)	Mr Thompson
Mr Evans	Mr Wallace
(Gippsland East)	Mr Whiting
Mr Hann	Mr Williams
Mr Jasper	Mr Wood
Mr Jona	*Tellers:*
Mr Lieberman	Mr McNamara
Mr McKellar	Mrs Sibree

PAIR

Mr Wilkes	Mr McGrath

Clause 16 (Amendment of No. 9667 s. 21.)

Mrs PATRICK (Brighton)—I draw the attention of the Committee to the amendment contained in clause 16 which deletes section 21 (2) of the principal Act which provides that a notice pursuant to sub-section (1), which states that the council shall give notice to each person who appears to the council to be the owner of the building or land, shall invite submissions to be made to the Minister setting a time period of not less than 28 days. It also states the manner in which the submission shall be made. That condition is being deleted by the Bill which means that there will be no time limit in which notice is to be given. The Opposition draws the attention to the Committee to that deletion.

The clause was agreed to.

Clause 17 (Repeal ss. 22, 23, 24 and 25.)

Mrs PATRICK (Brighton)—Clause 17 deletes sections 22, 23, 24 and 25 of the principal Act. Four of those sections state:

22. An owner of a building or land may make a submission to the Minister on any matter that the Council was required to consider under section 18 and in particular in relation to the following matters:

(*a*) That the building or land the subject of the recommendation should not be placed on the register because it is not of historic or architectural importance;

(*b*) That the building or land the subject of the recommendation should not be placed on the register by reason that its registration is not necessary;

(*c*) That the building or land the subject of the recommendation should not be placed on the register by reason that such a recommendation would render the building or land incapable of reasonable or economic use;

(*d*) That the preservation of the building or land the subject of the recommendation could not be achieved without causing undue financial hardship to the owner in relation to the building or land.

23. Where a person makes submissions on a recommendation of the Council pursuant to section 22, the Minister shall appoint the chief chairman of the Planning Appeals Board to hold an inquiry into all submissions made with respect to that recommendation.

24. At an inquiry held under section 23—

(*a*) any person who has made a submission pursuant to section 22;

(*b*) the National Trust of Australia (Victoria);

(*c*) the Historic Buildings Council; and

(*d*) any other person with the consent of the owner and the Council or with the leave of the Minister—

may appear at the inquiry.

Section 25 provides that at the conclusion of an inquiry held under section 23, the person who held the inquiry shall furnish a report in writing to the Minister and the Minister shall forward a copy of the report to the owner of the building or land and to the council.

This provision is being repealed. When a building is placed on the Historic Buildings Register that will be the end of it. There will be no appeal. The matter of whether the building should be placed on the register in the first instance will not be considered. The Opposition vehemently opposes the clause.

Mr LIEBERMAN (Benambra)—The honourable member for Brighton has, of course, drawn the attention of the Committee to a very sad result if clause 17 is agreed to. In addition, it highlights another omission that was canvassed at great length during the debate on the 1981 Bill, that this approach by the Government in fact emasculates the Westminster system and puts an extra burden on some property owners

in the State as a result of a decision made by the Historic Buildings Council, albeit in good faith, and not by a Minister of the Crown who is answerable to Parliament. It leaves a gulf in the operation of the modern Parliament. It leaves the Minister in the position in which he is deprived of the opportunity of having a proper input into decision-making in the Parliamentary system. For that reason, as well as the reasons raised by my colleague, the honourable member for Brighton, I suggest that the clause be rejected as it weakens and diminishes the rights of owners of property in this State and puts them in a no-win situation. They are in a worse position than property owners in other parts of Australia and again are on the defensive. They are looking for ways of successful heritage and partnership, but are being forced to find a way to leave Victoria.

Mr WHITING (Mildura)—This is an important clause because it completely repeals four sections of the Act, as the honourable member for Brighton has pointed out. It basically takes away the ground rules for inquiries held into submissions made by owners of buildings or land. Any person who is subject to a recommendation that a building be included on the registry will find that he or she has no guidelines on how to put forward a point of view should that person be concerned that the council will make a decision that will adversely affect him or her, subject to the provisions of section 18 that honourable members previously discussed with regard to the economic viability and so on.

It is of extreme concern to me that even the right of appearance at an inquiry currently provided in section 24 will be repealed. Under those provisions, only four types of persons were permitted to appear at an inquiry. Any person who has made a submission pursuant to section 22, representatives of the National Trust of Australia (Victoria) and the Historic Buildings Council and any other person with the consent of the owner and the council or with the leave of the Minister.

Those provisions are being taken away completely and it will be virtually impossible presumably for any person to attend an inquiry without restrictions on them. It will not do them any good because they will not be able to make any input into the inquiry. The owner will be virtually prevented from getting a fair hearing at whatever inquiry takes place. By the same token, under section 25 the inquiry was required to furnish a report in writing to the Minister containing a summary of the submissions made at the inquiry, the findings of that person with respect to those submissions and a recommendation as to how they should be dealt with.

Presumably, no other report of that inquiry is to be provided. It will be left completely up in the air and one will find that the so-called open Government that the present Premier has so proudly spoken about during the election campaign will have completely disappeared. It will be a sad day for the State of Victoria when this situation is allowed to prevail.

Mr CAIN (Premier)—In brief reply, I make it clear to the Committee that the Government took a serious view about the provisions that the clause removes. During the 1981 debate I indicated that the powers given to the Minister and the obligations cast on him were powers and obligations that no Minister should have because it would involve him in a process that Ministers and Governments ought, if possible, to keep away from.

The Government considers that the clause takes many of the considerations that were contained in the 1981 Bill out of the political arena. So far as possible, it will achieve a result whereby a body that is seen to be above and away from matters of contention can make a determination. The public of Victoria would have more confidence in that sort of operation than the acute, constant and deep involvement of the Minister in the process at this level.

The Committee divided on the clause (Mr Wilton in the chair).

Ayes	43
Noes	28
Majority for the clause ..	15

AYES

Mr Cain	Mr Newton
Miss Callister	Mr Norris
Mr Cathie	Mr Pope
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mr Rowe
Mr Fogarty	Mr Sheehan (*Ivanhoe*)
Mr Fordham	Mr Sheehan (*Ballarat South*)
Mr Harrowfield	Mr Shell
Mrs Hill (*Frankston*)	Mr Sidiropoulos
Mr Hill (*Warrandyte*)	Mr Simmonds
Mr Hockley	Mr Simpson
Mr Ihlein	Mr Spyker
Mr Jolly	Mr Stirling
Mr Kennedy	Mrs Toner
Mr King	Mr Trezise
Mr Kirkwood	Dr Vaughan
Mr McCutcheon	Mr Walsh
Mr McDonald	*Tellers:*
Mr Mathews	Mr Gavin
Mr Miller	Mr Gray

NOES

Mr Austin	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Reynolds
Mr Delzoppo	Mr Richardson
Mr Dickinson	Mr Ross-Edwards
Mr Ebery	Mr Saltmarsh
Mr Evans (*Ballarat North*)	Mrr Tanner
Mr Evans (*Gippsland East*)	Mr Thompson
Mr Hann	Mr Wallace
Mr Jasper	Mr Whiting
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lieberman	*Tellers:*
Mr McKellar	Mr McNamara
	Mr Sibree

PAIR

Mr Wilkes	Mr McGrath

Clause 18 (Amendment of No. 9667 s.26.)

Mrs PATRICK (Brighton)—The Opposition has canvassed at length its view on the matter and the churches have had the benefit of examining this clause. The churches are not happy with it and wish to return to the provisions of the 1981 Act.

It is no good the Premier pointing out that in 1974 the churches were worse off. The fact of the matter is that they are worse off as they were consulted and had consented to the 1981 Act and the amendment is seen as a retrograde step. They do not wish to have any interference of a religious or liturgical nature when they wish to make alterations to their buildings. In the main, it would be timely to say that the Government cannot offer any examples of where the churches have not looked after their properties and the fabric of their churches. They have tried to preserve something for future Victorians. The churches ought to be given the chance, as under the 1981 Act, to continue with that work of preserving our heritage. They are not likely to destroy the beauty and the graciousness of historic buildings.

Restrictions are now to be placed on them and they do not wish to be mentioned in the Bill—they wish to be exempt. The inter-church planning committee sent a thoughtful submission to all members of the Opposition and one realizes that they take a responsible attitude.

Mr WOOD (Swan Hill)—As the honourable member for Brighton has stated, this matter has been subjected to a great deal of discussion this evening, but the ramifications of the amendment to the principal Act are on the head of the Government. Earlier, the Premier stated that churches were better off now than they were in 1974, but they were better off in 1954 than they were in 1974, and so it goes on if one goes back far enough. That is a completely ridiculous argument or simile to put forward.

Under the 1981 Act, the churches did not have to apply for a permit if they stated that the purposes for which they needed to make alterations were of a religious or liturgical nature. Under the proposed amendment, if the churches wish to make any alterations to the buildings, they must prove to the Historical Buildings Preservation Council that the purpose for the alteration is of a religious or liturgical nature. Who decides this? Under the proposed amendments, the council will probably be absolutely flooded with work. It will now have to decide whether the alterations are of a religious or liturgical nature. Are they qualified to do this?

In the past, the churches have exercised a tremendous amount of responsibility in the preservation of their buildings, and I do not believe honourable members would argue about that. The churches should determine whether they believe honestly and deeply that the alterations are of a religious or liturgical nature.

The Historic Buildings Council will now have to make that decision. The churches will have to go cap-in-hand to try to sell to the council that what they intend to do is within the confines and beliefs of their religion. The churches will have to convince the council that the moving of an altar or the provision of a crucifix fall within that category.

The churches are quite rightly worried about the ramifications of the proposed amendment and are worried because the composition of the Historic Buildings Council changes from time to time and places the council in a position of determining the validity of the religious beliefs of the people or the liturgical beliefs of a church group. Surely, the council can determine the preservation of a building without having that extra responsibility thrust on to it.

In 1981, the then Minister for Planning held many discussions with the churches and they were quite happy with the amendments as they were then proposed. I am sure that all honourable members believe that it is not the wish of the churches to desecrate or destroy their church buildings for any willy-nilly reason. The churches are the best determiners of whether the alterations are necessary for the buildings which fall in these categories.

When one first reads the clause that seems fair, but when compared to the 1981 Act it becomes obvious that the Historic Buildings Preservation Council will make that determination. I do not believe the church groups have any wish or desire to alter a building on a whim or without the alterations falling into the particular religious needs. I am sure that if the 1981 Act had been allowed to run on, the churches would have honoured and respected its provisions and displayed a tremendous amount of responsibility in making their determinations. For those reasons the Opposition opposes the proposed amendment contained in clause 18.

Mr WHITING (Mildura)—Clause 18 of the Bill makes several amendments to section 26 of the principal Act. Amongst them, it repeals sub-section (9) which provides:

> Sections 27, 28, 29, 30, 31 and 32 shall with such modifications as are necessary apply to an application for a declaration under the last preceding sub-section as if the application were an application for a permit.

That refers, of course, to a permit to make alterations to buildings that are on the register or to buildings that are within the precincts of a building that is on the register. It is possible that church halls, school halls and the like are included on land adjacent to a church building that is already on the register of historic buildings. With that part of the section removed, the amendment then goes on to replace the existing sub-section (11) by substituting in its stead the following sub-section:

> In determining an application in respect to any alteration to a registered building or registered land (being a church or land within the precinct of a church) for purposes which are of a religious or liturgical nature the Council shall not make a determination which will prevent the carrying out of religious rites liturgies or accepted practices of worship in or relating to that church.

That may sound nice but all it says is that the council shall not make a determination which will prevent the carrying out of religious rites, liturgies or accepted practices, and so on. It does not say that it will prevent the alterations or that it will allow alterations to be made that would, in the view of the church body concerned, be necessary for its operations and the carrying out of whatever purposes it believes the building is best suited for. All it says is that the determination shall not prevent the carrying out of religious rites. The rest of it is so wide open that a horse and cart could be driven through it with regard to all the other restrictions that could be imposed on the body by way of instructions with regard to matters

such as repainting and other such matters as were referred to by the honourable member for Polwarth. Honourable members have heard that the Historic Buildings Council makes some ridiculous requirements in that respect.

Further, there are before the House the submissions of Monsignor P. H. Jones on behalf of the Inter Churches Committee for Planning. He stated:

> The submission was presented to the Minister for Planning on 3rd June. The Minister was advised that you would receive this copy.
>
> The Churches unanimously support the provision in the existing Act in relation to Liturgical matters, and are unanimously opposed to the proposed changes.

Unfortunately, honourable members are not aware of the Minister's reaction to that proposal because he is in another place and, presumably, the Premier did not refer to him for his comments with regard to that meeting on 3 June.

I will quickly quote, for the benefit of honourable members, the list of churches and their representatives who attended that meeting. They are as follows:

Anglican Church in Australia
Most Rev. Archbishop Robert Dann
Mr Ron Crosbie
Registrar

Baptist Union of Victoria
Mr Bill Wolson
President
Mr Michael North
Secretary

Catholic
Most Rev. Archbishop T. F. Little
Rev. Monsignor P. H. Jones
Secretary

Churches of Christ
Mr F. B. Alcorn
President
Mr Allan J. Emmett
Executive Officer and Secretary

Presbyterian Church of Victoria
Mr J. C. D. Gleadow
Office Manager

The Salvation Army
Colonel Wesley Harris
Chief Secretary
Major Edward H. Schmidtke
Property Department Officer

Uniting Church in Australia
Rev. Ronald W. Allardice
Inter Churches Representative to Historical Buildings Council
Mr A. R. Gillespie
Executive Secretary Resources Commission and Finance Division

Mr Whiting

Those people, in their considered opinion, were opposed to the changes that are embodied in this clause. They were strongly in support of the provision contained in the existing Act that has not been given a fair trial in Victoria.

I cannot understand the failure of the Premier and the Minister for Planning to take notice of those people, especially when the Reverend Ronald Allardice is the representative of the churches on the Historic Buildings Council. The Government may say that the churches of Victoria have a representative on that council, but if he is to be ignored by the Minister for Planning when the churches send a deputation to the Minister on such an important matter, what is the use of his place on that council? Is he there only, on a consultative basis, to give some expert opinion on church buildings around this city? I am extremely concerned that the Government has not seen fit to take heed of this eminent group of leading citizens in and around Melbourne.

This House is also indebted to Monsignor Jones for supplying the Declaration of Religious Liberty issued by Vatican II on 7 December 1965. I wish to quote to the House the following section of that declaration:

> 2. The Vatican Council declares that the human person has a right to religious freedom. Freedom of this kind means that all men should be immune from coercion on the part of individuals, social groups and every human power so that, within due limits, nobody is forced to act against his convictions in religious matters in private or in public, alone or in associations with others. This right of the human person to religious freedom must be given such recognition in the constitutional order of society as will make it a civil right . . .

Honourable members have heard much from the Government on many occasions about the civil rights of ordinary individuals in this State. This declaration presents the views of the second Vatican council on the religious freedom of the individual. One does not now hear the Government espousing this declaration so that the rights of one individual representing the churches on the Historic Buildings Council may be considered. At this stage, that has not

occurred and I am disappointed in the attitude of the Premier and the Minister for Planning on this matter.

Mr WILLIAMS (Doncaster)—I propose to speak along the same line as the honourable member for Mildura. I, too, with the Christian churches, am horrified at the Government running riot in this field. One would think that the Labor Party would have more to do than to interfere with the Christian churches and their freedom to construct and improve their own buildings in accordance with their own liturgical requirements. No Government has the right to restrict religious freedom. It annoys me that the anti-religious bigots will interfere every time a church wants to make an alteration or to improve its property. Religious bigots will raise Cain about the alterations.

I have personal experience of this in a premises bordering on the Doncaster electorate. The Greek Orthodox Community purchased a church building in Macedon Avenue, North Balwyn, from the Uniting Church of Australia. Most of the Greek people who attend religious worship at this Greek Orthodox church are from the Doncaster electorate. Unfortunately, the burghers of the City of Camberwell decided that these people needed a planning permit before making liturgical alterations within their church. In recent times, a number of protests have been raised by residents of Macedon Avenue about members of the Greek community from the Doncaster electorate coming there on a Sunday to participate in the sort of worship that takes place there. Any other church community would be proud to have its church filled to overflowing but, because of this planning permit requirement, there is interference by the Camberwell City Council with the freedom of the Greek community to conduct its religious services.

On most days of the year there is no problem with an overflow of people, because, like every other congregation, the church is only half full, but there are special days in the calendar of the Greek community where the church is full to overflowing and, on those few days of the year, there is some discomfort caused to the surrounding people. Lacking sympathy for the Greek community there is a great hue and cry about restricting this church to something like 100 people. This is a gross interference with the freedom of the Greek community to worship.

The CHAIRMAN (Mr Wilton)—Order! I direct the attention of the honourable member to the fact that the clause under consideration does not have anything to do with the religious beliefs of the Greek community, and I ask him to bring his remarks back to the clause. In the Committee stage, the debate is quite specific on the clause.

Mr WILLIAMS—With respect, Mr Chairman, I was elaborating about people who have a dislike of religious beliefs, now being given power in this clause to make complaint and to unreasonably make objection about people who are going around in their normal way and properly conducting their religion without harm to anyone. They may seek to make structural alterations in the case of the church of which I am speaking. There is a very different religious approach by the Uniting Church, of which I am proud to be a member. The people of the Uniting Church are probably too austere and too conservative. Our church halls are bare, and without the usual adornments one would expect to see in a Catholic Church or a Greek Church. If these good Greek people wanted to alter their church according to their beliefs, under this Bill they would be frustrated and subject to censorship by people in the historic buildings section of whatever department will be administering this Act. These people cannot be expected to understand the full nuances of the Greek religion or the Roman Catholic religion. Why should they have powers of religious censorship given to them under this Bill?

I am surprised at the Labor Party. I know that it is now in office because it was able to overcome the fears of a very sincere religious group who once believed that the Labor Party was too

representative of Communism, but have now trusted the Cain Labor Government. The Catholic community who voted for the Labor Party at the last election have had their trust betrayed by its Government implementing this clause.

Mrs PATRICK (Brighton)—I thank the honourable member for Mildura for his expansion on the submissions made by the Inter Churches Committee for Planning. About 25 per cent of the buildings on the present register are churches, so that one-quarter of the buildings on the present register are churches and those church communities do not want to be told how to look after their buildings.

It is interesting that the Premier has been at the table during this debate. He considers the Bill important enough to be handling it, and yet there has not been one contribution, especially during the Committee stage, from the back bench.

Mr Ebery—Mr Chairman, I direct your attention to the state of the House.

A quorum was formed.

Mrs PATRICK—As I was saying, there has not been a contribution made by any member of the Labor Party on the front bench, the middle bench or the back bench, and one wonders what their attitude is. I am sure that many of them attend church. I wonder what they will say to their church leaders on this clause. It is interesting that they do not regard it seriously because they have not made a contribution. Members of the Labor Party have talked about civil liberties, human rights and so on, but it is a retrograde step to turn back the provisions in the 1981 Bill brought in by the Liberal Government and to place restrictions on churches. The Opposition is definitely opposed to this clause and regards this problem as most serious.

The Committee divided on the clause (Mr Wilton in the chair).

Ayes	43
Noes	27
Majority for the clause ..	16

AYES

Mr Cain	Mr Miller
Miss Callister	Mr Newton
Mr Cathie	Mr Norris
Dr Coghill	Mr Pope
Mr Crabb	Mrs Ray
Mr Culpin	Mr Remington
Mr Ernst	Mr Roper
Mr Fogarty	Mr Rowe
Mr Fordham	Mr Sheehan
Mr Gavin	(*Ballarat South*)
Mr Gray	Mr Shell
Mr Harrowfield	Mr Sidiropoulos
Mrs Hill	Mr Simmonds
(*Frankston*)	Mr Simpson
Mr Hill	Mr Spyker
(*Warrandyte*)	Mr Stirling
Mr Hockley	Mrs Toner
Mr Ihlein	Mr Trezise
Mr Jolly	Dr Vaughan
Mr Kennedy	Mr Walsh
Mr King	*Tellers:*
Mr Kirkwood	Mr McDonald
Mr McCutcheon	Mr Sheehan
Mr Mathews	(*Ivanhoe*)

NOES

Mr Austin	Mrs Patrick
Mr Brown	Mr Reynolds
Mr Burgin	Mr Richardson
Mr Delzoppo	Mr Ross-Edwards
Mr Ebery	Mr Saltmarsh
Mr Evans	Mrs Sibree
(*Gippsland East*)	Mr Tanner
Mr Hann	Mr Thompson
Mr Jasper	Mr Whiting
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lieberman	
Mr McKellar	*Tellers:*
Mr McNamara	Mr Dickinson
Mr Maclellan	Mr Wallace

Clauses 19 and 20 were agreed to.

Clause 21 (Amendment of No. 9667, s. 40)

Mr LIEBERMAN (Benambra)—It is the belief of the Opposition that the proposed amendment, which, if adopted, will remove the need for the Minister for Planning to be consulted for the purpose of consenting to an interim order being placed on a property, has not had the benefit of a full examination and property owners have not had an opportunity of having an input on the amendment. Therefore, the amendment should be opposed.

The Opposition cannot understand the removal of the need for oversight by the Minister. It is the intention of the Government to vest the responsi-

bility for interim preservation orders in the Chairman of the Historic Buildings Council, which, for a period of fourteen days will, in many cases, put a blight on the property affected. That is a power that will not rest easily on the shoulders of the chairman, no matter how skilful he is. It is a power that should rest with the Minister, who should be answerable to Parliament.

The Committee divided on the clause (Mr Wilton in the chair).

Ayes	42
Noes	27
Majority for the clause ..	15

AYES

Mr Cain	Mr Miller
Miss Callister	Mr Newton
Mr Cathie	Mr Pope
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mr Rowe
Mr Fogarty	Mr Sheehan (*Ballarat South*)
Mr Fordham	Mr Shell
Mr Gavin	Mr Sidiropoulos
Mr Gray	Mr Simmonds
Mr Harrowfield	Mr Simpson
Mrs Hill (*Frankston*)	Mr Spyker
Mr Hill (*Warrandyte*)	Mr Stirling
Mr Ihlein	Mrs Toner
Mr Jolly	Mr Trezise
Mr Kennedy	Dr Vaughan
Mr King	Mr Walsh
Mr Kirkwood	*Tellers:*
Mr McCutcheon	Mr Norris
Mr McDonald	Mr Sheehan (*Ivanhoe*)
Mr Mathews	

NOES

Mr Austin	Mrs Patrick
Mr Burgin	Mr Reynolds
Mr Delzoppo	Mr Richardson
Mr Dickinson	Mr Ross-Edwards
Mr Ebery	Mr Saltmarsh
Mr Evans (*Gippsland East*)	Mrs Sibree
Mr Hann	Mr Thompson
Mr Jasper	Mr Wallace
Mr Jona	Mr Whiting
Mr Kennett	Mr Williams
Mr Lieberman	Mr Wood
Mr McKellar	*Tellers:*
Mr McNamara	Mr Brown
Mr Maclellan	Mr Tanner

The remaining clauses were agreed to.

The schedule

The Committee divided on the schedule (Mr Hockley in the chair).

Ayes	49
Noes	20
Majority for the schedule	29

AYES

Mr Cain	Mr Mathews
Miss Callister	Mr Miller
Mr Cathie	Mr Newton
Dr Coghill	Mr Pope
Mr Crabb	Mrs Ray
Mr Culpin	Mr Remington
Mr Ernst	Mr Roper
Mr Evans (*Gippsland East*)	Mr Ross-Edwards
Mr Fogarty	Mr Rowe
Mr Fordham	Mr Sheehan (*Ballarat South*)
Mr Gavin	Mr Shell
Mr Gray	Mr Sidiropoulos
Mr Hann	Mr Simmonds
Mr Harrowfield	Mr Simpson
Mrs Hill (*Frankston*)	Mr Spyker
Mr Hill (*Warrandyte*)	Mr Stirling
Mr Ihlein	Mrs Toner
Mr Jasper	Mr Trezise
Mr Jolly	Dr Vaughan
Mr Kennedy	Mr Wallace
Mr King	Mr Walsh
Mr Kirkwood	Mr Whiting
Mr McCutcheon	*Tellers:*
Mr McDonald	Mr Norris
Mr McNamara	Mr Sheehan (*Ivanhoe*)

NOES

Mr Austin	Mr Reynolds
Mr Burgin	Mr Richardson
Mr Delzoppo	Mr Saltmarsh
Mr Dickinson	Mrs Sibree
Mr Ebery	Mr Thompson
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lieberman	
Mr McKellar	*Tellers:*
Mr Maclellan	Mr Brown
Mrs Patrick	Mr Tanner

The Bill was reported to the House without amendment, and the report was adopted.

Mr CAIN (Premier)—I move:

That this Bill be now read a third time.

The House divided on the motion (the Hon. C. T. Edmunds in the chair).

Ayes	44
Noes	28
Majority for the motion ..	16

AYES

Mr Cain
Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray
Mr Harrowfield
Mrs Hill *(Frankston)*
Mr Hill *(Warrandyte)*
Mr Hockley
Mr Ihlein
Mr Jolly
Mr King
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Mathews
Mr Miller
Mr Newton
Mr Norris
Mr Pope
Mr Remington
Mr Roper
Mr Rowe
Mr Sheehan *(Ivanhoe)*
Mr Sheehan *(Ballarat South)*
Mr Shell
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilton

Tellers:
Mr Kennedy
Mrs Ray

NOES

Mr Austin
Mr Brown
Mr Burgin
Mr Dickinson
Mr Ebery
Mr Evans *(Gippsland East)*
Mr Hann
Mr Jasper
Mr Jona
Mr Kennett
Mr Lieberman
Mr McGrath
Mr McKellar
Mr McNamara
Mr Maclellan
Mrs Patrick
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mr Saltmarsh
Mrs Sibree
Mr Tanner
Mr Thompson
Mr Whiting
Mr Williams
Mr Wood

Tellers:
Mr Delzoppo
Mr Wallace

The Bill was read a third time.

CONSTITUTION (EXECUTIVE COUNCIL EXPENSES) BILL

The SPEAKER (the Hon. C. T. Edmunds) 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 Constitution (Executive Council Expenses) Bill.

Mr CAIN (Premier), pursuant to Standing Order No. 169, moved for leave to bring in a Bill to increase the amount payable for the Clerk and the expenses of the Executive Council.

The motion was agreed to.

The Bill was brought in and read a first time.

PETROLEUM (SUBMERGED LANDS) BILL

The SPEAKER (the Hon. C. T. Edmunds) 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 Petroleum (Submerged Lands) Bill.

Mr MATHEWS (Minister for the Arts), pursuant to Standing Order No. 169, moved for leave to bring in a Bill to make provision with respect to the exploration for and the exploitation of the petroleum resources, and certain other resources, of certain submerged lands adjacent to the coasts of Victoria, to amend the Petroleum Act 1958 and the Acts Interpretation Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

ENVIRONMENT PROTECTION (PENALTIES) BILL

This Bill was received from the Council and, on the motion of Mr CATHIE (Minister of Housing), was read a first time.

PAY-ROLL TAX (AMENDMENT) 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.

It was ordered that the message be taken into consideration next day.

ADJOURNMENT

Parliamentary committees — Housing Commission flats in Geelong—House in Cranbourne—Adult Deaf Society of Victoria — Charity collectors — Newspaper allegations again honourable member—Inglewood and District Light Harness Club—Calder Highway upgrading — Recession in building industry

Mr FORDHAM (Minister of Education)—I move:

That the House do now adjourn.

Mrs SIBREE (Kew)—I refer to the Premier the question of the appointment of Parliamentary committees. I raised this question on 26 April and sought guidance and answers from the Premier on why the Government had not yet proceeded with the appointment of the Public Bodies Review Committee and other Parliamentary committees consequent upon Parliament being prorogued between sessions. I sought an indication from the Premier that he would proceed as quickly as possible to appoint those committees. Some six or seven weeks have elapsed since the beginning of this session of Parliament and those committees have not yet been appointed. The matter is of grave concern to members of Parliament and to the community, which expects Parliament to be carrying out its work both in the House and in its committees.

The SPEAKER (the Hon. C. T. Edmunds)—Order! There is too much audible conversation in the House.

Mrs SIBREE—Apparently, the Government is not interested in the problem, but the community is. The time of Parliament is being wasted while these committees remain unappointed and while important matters are not being debated and work is not being carried out by them. The work of the committees is being truncated by the loss of six to seven weeks.

I am concerned also at the loss of enthusiasm and commitment of the various water bodies to the inquiries that were part of the work of the Public Bodies Review Committee. A great rapport had been established between the water bodies, the communities affected and the committee, and those bodies looked to the committee for guidance and leadership in changes that will take place in their operations later this year or early next year. I am further concerned that questions on the work of these committees should be raised in the House.

The delay in setting up Parliamentary committees has been more than unreasonable. The Act states that as soon as practicable after the commencement of every session of Parliament these committees should be appointed, and I believe the questions of convenience and practicability have been far streched in the definition the Government has used in allowing a couple of months to elapse already in those appointments.

I understand some notice of those appointments was given today but I am not aware of it. I anticipate hearing further on the matter. I refer the Premier especially to the very real concern of the community, particularly, for the reappointment of the Public Bodies Review Committee and the Road Safety Committee. A number of members of interstate committees have been in Melbourne looking to meet with members of the Road Safety Committee and were unable to do so. That committee has been a leading committee in Victoria and is noted for its innovative initiatives.

The Government stands condemned that the Parliamentary committees have not yet been appointed. I hope the Government can give a satisfactory explanation of the lengthy delay because I understand the Government is debating the issue of the chairmanship of the committees being filled by Government members and the chair having a casting and deliberative vote. I seek from the Premier also the real intention behind these delays and an assurance that the delays will not be continued.

Mr SHELL (Geelong West)—I direct the attention of the Minister of Housing to the lack of heating in Housing Commission pensioner flats in Yooringa Avenue, Norlane and other parts of Geelong. With the extreme cold of winter, this matter needs urgent attention. The heating appliances installed in these bed-sitter flats are obsolete and can no longer satisfactorily provide adequate heat so that tenants must use

electric heaters to supplement the heating or they must wrap themselves in blankets or go to bed to keep warm. In this day and age this is not good enough, and I ask the Minister to take note.

Mr DELZOPPO (Narracan)—I draw to the attention of the Minister of Housing the injustice suffered by Mr and Mrs Gallagher of Drouin South who purchased a house in Cranbourne in 1978 for $35 000. They arranged finance from the Provident Building Society for a loan of $29 000, on two conditions, firstly, that there was verification of income from their accountant and, secondly, that they gave an undertaking to repaint the exterior and repair the floor of the house. A further loan of $6000 was secured by way of a second mortgage. These people spent about $4500 on repairs and satisfied the covenant on the loan.

During 1980 the society acknowledged that the repairs had been done and its valuers inspected the property. On 3 September the society's solicitors sent a letter of demand calling for completion of the work pursuant to the covenant. A first notice to pay or quit was sent on 7 October 1981. Matters came to a head when, after some time, the Gallaghers received notice that their possessions had been placed out on the street, and a day after this was done they received notice to quit. The reason for their eviction was that they had not complied with the covenant to do the repairs in total, although they had complied with the spirit of the arrangement. On legal advice I am told that in the opinion of one solicitor this is the first time that such a flimsy excuse has been used to force people out of their home.

The worst part is yet to come. The Gallaghers asked to have their house sold at auction but were told that this would not be allowed and that it had to be sold by private treaty with a reserve price of $29 000, although they had already spend $35 000 in 1978 and a further $4500 on repairs. I believe gross injustice has been done, and I ask the Minister to use his good offices to bring about some help to these people.

Mr McGRATH (Lowan)—In July 1979 the Adult Deaf Society of Victoria received a block grant of $7250 from the Health Commission of Victoria as a one-off grant. Its purpose was to supply hearing aids on a means test basis for people in need, as the people were low income earners and unemployed persons, people in receipt of special pensions and those not entitled to a pensioner health benefits card. The price of a hearing aid for those people is about $350 to $600 and any Government assistance they receive for the provision of these hearing aids is gratefully accepted.

Many people were referred for this apparatus. Referrals were received from medical practitioners, para-medical people, welfare workers in community health centres and metropolitan hospitals, including the Royal Victorian Eye and Ear Hospital. Therefore, a need showed up. During the pilot scheme some 50 hearing aids were provided and were of much benefit to the people who were assisted. The Adult Deaf Society of Victoria believes there could be a fitting rate of about 100 of these aids a year.

When the Health Commission withdrew the grant in 1980 a public appeal was launched to raise money to provide the hearing aids for the people in need. To a degree the appeal was successful but I believe the Adult Deaf Society of Victoria was a worth-while organization doing much good work for people who suffer from hearing disability. I ask the Minister of Health to consider allowing the Health Commission to make this grant to the society whether $7000 a year or a similar amount, even if it is on a dollar for dollar basis with the public donations, to provide the needed aids. Many people are in difficult circumstances and, because of the hearing disability, suffer increased disadvantages. Although it was indicated that the

scheme would be only a once-off grant, will the Minister consider making the grant available again to the society?

Mr GRAY (Syndal)—I raise a matter primarily for the attention of the Minister for Police and Emergency Services although the Minister for Community Welfare Services may also be interested in it. It relates to the increasingly prevalent practice by persons collecting funds for charitable and other purposes of frequenting major road intersections to collect donations from passing motorists. It has come to my attention that some of these collectors are so enthusiastic about their job that they do not even bother clearing the roadway when there is a change of lights. I have noticed some collectors standing on the dividing white lines when the lights are green. They seem to be under the mistaken impression that they are immune from the traffic which whizzes by them within centimetres.

I am concerned, firstly, because so many charitable organizations are forced to go to such extreme lengths to obtain funds to carry out the good works which they perform and secondly about the safety of the individual collectors who have been given this task. I am further concerned that this practice is becoming more prevalent and at many major intersections, for example at the intersection of Dandenong and Warrigal roads, at the entrance to the South Eastern Freeway, at the intersection of Springvale and Dandenong roads, on many occasions I have found collectors collecting funds for charitable and other purposes. Will the Minister inform the House on the law relating to collections of this nature and whether some action can be taken to ensure the safety of people in this position to avoid a tragic injury or possibly death on the road?

Mr WILLIAMS (Doncaster)—I raise with the Minister for Immigration and Ethnic Affairs the undesirable influence of a man named Con Alexopoulos and Mr Jim Gogos, editor of the Greek newspaper *Neos Cosmos* or *New World*. My Greek friends, of whom I have many, are most upset at an article in last week's *Neos Cosmos* attacking me as a racist because I drew attention to the activities of Mr Alexopoulos in relation to starting-price bookmaking operations in this city. The overwhelming majority of Greeks——

The SPEAKER (the Hon. C. T. Edmunds)—Order! Although the honourable member has just begun his remarks I am having difficulty in attempting to determine how the responsibility of the Minister is associated with what is printed in the newspaper. Will the honourable member advise me as soon as possible how the Minister has responsibility in this direction?

Mr WILLIAMS—It is my contention that the Minister of Immigration and Ethnic Affairs is most interested in creating goodwill between all members of the ethnic community in Victoria and facilitating their becoming Australian citizens. One does not want disruption and undesirable division in the country. One desires political debate but not undue opinions by a man who is engaged in undesirable activities and using a business association with the editor of a Greek newspaper. The gentlemen concerned are engaged in an activity at the Peninsula Gardens, Rosebud, where rock concerts are conducted to the detriment of the people in the area. Marijuana is also being sold.

The SPEAKER—Order! I do not want to restrict the honourable member but he has now gone off on another tangent. I ask the honourable member to advise me as quickly as possible how the Minister of Immigration and Ethnic Affairs has some responsibility for what is printed in a newspaper. I am having difficulty at present, and I ask the honourable member to return to the original point and explain to me how the Minister has these responsibilities.

Mr WILLIAMS—It is my contention that the Minister of Immigration and Ethnic Affairs has a wide charter to investigate, publications in Greek which Australians do not understand unless

translations are made available. The English-speaking community is not able to understand Greek publications without the assistance of translators from the Ministers department.

It is a pretty rotten deal that I can be attacked in a Greek newspaper and not know what is written about me. I seek the help of the Minister in checking on the facts supplied to me by Greek friends. If honourable members read the letters to the editor column in the *Southern Peninsula Gazette* they will see that ratepayer after ratepayer is angry that the Shire of Flinders has——

Mr SIMMONDS (Minister for Employment and Training)—On a point of order, I understand that honourable members can raise only one matter at a time on the adjournment.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I uphold the point of order and ask the honourable member to round off his remarks.

Mr WILLIAMS (Doncaster)—I ask the Minister to investigate the undesirable activities of Mr Alexopoulos and Mr Gogos for the goodwill of the people of Australia of all races.

Mr EBERY (Midlands)—I raise a matter for the Minister representing the Minister of Lands concerning the Inglewood and District Light Harness Club which has made application for an area of land which is subject to a Land Conservation Council final recommendation for the north central study area of Victoria.

Under the Land Conservation Council recommendation the land in question is known as "G3" and has been recommended for use for eucalypt oil production. The total area is 6390 hectares and the harness club required only about 7 hectares. The club has 70 members and at present the horses are trained along the road. Naturally, this is detrimental to the training of horses and at the same time is dangerous to motor vehicles if the horses become excited. Eucalypt oil is derived from the blue mallee tree. I have examined the area in question and few blue mallee trees can be found in the area which the harness club wishes to use. Adjacent to the area in question is the Inglewood Gun Club and the activities of the club would not be harmful to the flora and fauna in this small area.

Will the Minister ascertain whether the Land Conservation Council will alter its final recommendation for this small area of land which could be also used for other purposes such as pony club and cycling, as well as for the harness club? The land is adjacent to the township of Inglewood. I request that the land in question be leased to the harness club whose activities have the support of the Shire of Korong.

Mr REYNOLDS (Gisborne)—I am sorry the Minister of Transport is not in the House to hear the remarks I wish to make. Since this is one of the first late night of the session it has probably knocked him out. I raise for the attention of the Minister the current priorities associated with upgrading the Calder Highway. It is graded to a four-lane freeway standard to Bendigo. Most recent work in the area has taken place through the Black Forest area and the highway has been upgraded to four lanes between Gisborne and Woodend through the Macedon area.

The work is urgently needed because the road is twisty with poor visibility, particularly in winter with fog, rain and snow. Several times last year ice on the road caused cars to skid off in all directions. However, the work carried out in the Macedon area is causing a problem farther down the road. This morning a constituent advised me that yesterday evening, which was the Queen's Birthday holiday, at 4.45 p.m. the traffic had built up from Gisborne for 8 miles along the highway in a northerly direction. The provision of four lanes in the Black Forest has caused traffic to travel so fast through that area that bank-ups are caused in the township of Gisborne. It is wonderful that we have improvements in one area but it accentuates and exacerbates a problem in another area.

I ask the Minister of Transport to reconsider, in his priorities, rather than upgrading the Calder Highway after

completing the Keilor bypass to four lane standard through to Diggers Rest, an investigation of the possibility of bypassing the township of Gisborne which creates the biggest bottleneck on the 100 mile trip from Bendigo to Melbourne. It would be of great advantage to everyone who uses it, particularly those from the Niddrie and Essendon areas who go away for those odd weekends to their country properties at Castlemaine and the like.

I suggest that the priorities could be reviewed and perhaps the Gisborne bypass could take precedence over some of the work that is to take place further south. I ask the Minister to examine this suggestion.

Mr KENNETT (Burwood)—I raise a matter with the Premier relating to the state of the building industry in Victoria that is not, it is regretted, uncommon with other States but is somewhat more depressed in Victoria than in New South Wales and Queensland.

One of the areas of hope, in terms of the building industry being able to see out the next eighteen months, given the figures that have been released by the Housing Industry Association and from Canberra, lies very much in the new Government's commitment to build an additional two thousand homes for welfare purposes within its first year of office.

There are—it is again regretted—two major building companies that will probably declare next week that they will be going out of business. The additional 2000 homes that were promised by the Government prior to 3 April could provide a means whereby those firms and the employment generated by them will be able to trade out of what will be a dire economic situation for the next eighteen months.

The Minister of Housing, to whom the Premier has delegated this query, indicated three weeks ago in the House that he has put forward a submission to Treasury for approval for the Labor Party Government to meet this commitment. It is necessary that if the building industry, firstly, is to have any idea of how it can plan for its future because of the stringent economic conditions under which we live at the moment, that the Government must at this stage indicate openly and publicly whether the submissions made by the Minister of Housing to Treasury have been accepted or rejected and, it is hoped, if they have been accepted, in what form, when will those tenders be let and how is the money to be raised to pay for the additional 2000 homes?

I have asked this question three or four times in the past without receiving an answer. One of the things the Treasurer does not realize is that if this demand is to be met in the total time frame that is left, given the twelve-months period from when the Australian Labor Party assumed office on 3 April, it is not only the building industry but those people who have had their expectations built up, both on the Ministry of Housing waiting list and those in high-rise flats who have been promised removal from those flats to independent accommodation——

Mr Cathie—That was the Hamer promise in 1976.

Mr KENNETT—It is easy for the Minister of Housing to interject.

The SPEAKER (the Hon. C. T. Edmunds)—Order! Interjections are disorderly.

Mr KENNETT—Quite disorderly. It would be interesting to see whether the Minister can answer the question specifically this time so that those who are waiting for accommodation to be provided, and particularly the building industry that is going through a major slump, can get some indication of how they can best plan and prepare for the eighteen months that lie ahead.

The SPEAKER—Order! The honourable member has one minute.

Mr KENNETT—Tonight the building industry representatives I spoke to have indicated that, if in fact the Government could give them a blueprint as to when those additional 2000 houses will be put to tender, many of them would

be able to plan their employment and survival situations over the next twelve to eighteen months.

This is a very serious situation. The Government has a commitment and it is running out of time, in terms of being able to meet that commitment.

I ask the Minister of Housing to indicate to the House specifically whether his submission was successful and if it was successful to please indicate to the House, on behalf of the building industry, how that commitment is going to be met.

The SPEAKER—Order! The time for raising matters has expired.

Mr FORDHAM (Minister of Education)—The honourable member for Kew raised the delay in the establishment of Parliamentary Committees with particular reference to the Public Bodies Review Committee. The honourable member perhaps did not notice earlier today that I specifically gave notice of a Bill to be introduced this week dealing with the establishment of those committees which will include the Public Bodies Review Committee.

There have been ongoing discussions involving representatives of each of the parties in an attempt to reach complete accord on this matter. I regret that at this stage that has not been successful. I hope it will be resolved by the time the matter has progressed through the Legislative Assembly.

The honourable member for Lowan raised with the Minister of Health the matter regarding the Adult Deaf Society of Victoria and the provision of hearing aids and recounted how previous assistance had been withdrawn from the Health Commission. I will certainly bring that matter to the attention of the Minister of Health to see what, if anything, can be done to assist that very worthy society in its activities.

The honourable member for Midlands raised with me, on behalf of the well known community organization, the Inglewood and District Light Harness Club, the desire of that club for some seven hectares of land in a somewhat larger parcel of land currently under determination involving the Land Conservation Council to be made available to it.

I will ensure that matter is brought to the attention of the Minister of Lands to see if this important community group can be assisted in the way suggested by the honourable member for Midlands or some alternative means found of assisting the Inglewood and District Light Harness Club.

The honourable member for Gisborne raised a matter for consideration by the Minister of Transport regarding the upgrading of the Calder Highway and in particular queried the determination of priorities under existing arrangements for that long-awaited upgrading scheme. I will ensure that the honourable members comments are brought to the attention of the Minister of Transport, particularly his suggestion that the Gisborne bypass be given far greater priority than has been indicated so far in the past in order to minimize traffic disruption both to the people of Gisborne and, of course, in the bank-up of traffic to which he referred.

I am sure the Minister of Transport will take due regard of the matter raised this evening.

Mr CATHIE (Minister of Housing)—The honourable member for Geelong West raised the problem of pensioners in bed-sitter flats who face the cold winter with heating that is obsolete. We are only in the beginnings of winter. The Government is concerned that they are facing the winter in these conditions. I will call for a report and investigation into those matters.

The honourable member for Narracan raised the matter of the difficulties faced by Mr and Mrs Gallagher over a loan through a building society and their subsequent eviction for apparently not carrying out an undertaking given at the time of agreeing to the conditions set out for the advance. I will certainly investigate the circum-

stances described by the honourable member for Narracan and see what can be done.

The honourable member for Burwood raised the matter of the recession which is currently being faced by the building industry in Victoria. It is a matter of concern to the Government. In fact, I have had a number of discussions with the buildings industry and its representatives in the Housing Industry Association. Concern has been expressed at all levels.

It is a clear undertaking by the Government. I have no doubt that the construction of the 2000 units will be achieved as an important part of alleviating the recession in the building industry. The Government has already announced a $10 million project for house-and-land packages involving 225 houses as a first step in this direction. Funds were brought forward from next year in order to expedite that first step. The Government is now in the process of assembling further house-and-land packages in order to stimulate the building industry in this State. It is a clear commitment by the Government and an undertaking that it will honour.

Mr MATHEWS (Minister for Police and Emergency Services)—The honourable member for Syndal expressed justifiable concern for the safety of the increasing number of representatives of charitable institutions who are being forced to collect money at road intersections, as a result of the failure of the National Government to meet its obligations in health and welfare fields. That concern is well based and a thorough investigation into the measures that can be introduced should be undertaken to ensure that their welfare is protected. I will take the matter in hand and come back to the honourable member about it in person.

Mr SPYKER (Minister of Immigration and Ethnic Affairs)—The honourable member for Doncaster raised a matter concerning the role of my department. I can assure him that the department and I do everything possible to ensure that the relationship between different ethnic communities in Australia improves continually. The sorts of comments he made in the House this morning do not exactly help that task. I have not seen the article to which the honourable member referred, but I will ask my department to obtain a copy and advise me accordingly.

The motion was agreed to.

The House adjourned at 1.22 *a.m.* (*Wednesday*).

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

GRANTS FOR REGIONAL EMPLOYMENT AND TRAINING SCHEME

(Question No. 13)

Mr GAVIN (Coburg) asked the Minister for Employment and Training:

What projects have been funded from the Grants for Regional Employment and Training Scheme and what is the cost of each project?

Mr SIMMONDS (Minister for Employment and Training)—The answer is:

Grants totalling $224 710 have been approved for projects in seven regions.

Central Highlands—$27 960 to support the regional employment committee and develop employment projects.

Wimmera—$70 000 to help establish the regional employment committee, conduct labour market surveys and develop employment projects.

Loddon-Campaspe—$44 850 to help establish the regional employment committee and conduct a labour market survey.

Goulburn—$16 000 to assist the regional employment committee with the implementation of the recommendations of the Shepparton-Mooroopna Industry Survey.

Western Suburbs—$35 900 to enable the Western Region Employment Committee to develop an information system.

Westernport—$16 000 to help establish an employment committee for the region and undertake work on a labour market survey.

South-West—$15 000 to assist with the establishment of a regional employment committee and the development of a labour market data base.

(Question No. 14)

Mr GAVIN (Coburg) asked the Minister for Employment and Training:

What projects have been funded from the Grants for Innovation and New Technology Scheme and what is the cost of each project?

Mr SIMMONDS (Minister for Employment and Training)—The answer is:

Eight grants have been made so far during the financial year 1981-82 and another three applications are being considered. The programme is currently under review and a strategy document concerning its future development and resourcing is in preparation. The commitment to the end of the 1981-82 financial year is $206 316.

1. Australian Institute of Training and Development (AITD). To conduct a survey to determine the feasibility of training industry trainers—$2500.

2. Victorian Dairy Processing ITC. To develop and implement a quality control training programme for the Victorian Dairy Industry. $68 204—to be paid in three stages.

3. Victorian Fishing Industry Training Committee. To establish a mobile training unit. $74 800—to be paid in three stages.

4. Clay and Ceramics ITC. To undertake a human resources study—$6000.

5. Australian Computer Society Inc. For a labour market study software package—$1500.

6. Victorian Timber Industry Training Committee. To study the training needs of the industry—$1750.

7. Victorian Tourism and Hospitality Industry Training Committee. Survey into manpower needs of the Industry and new technology. $53 000—four payments, two of which have been made.

8. Victorian Wool Producing ITC. To assist in the development of a wool-classing course—$6000.

CO-OPERATIVE DEVELOPMENT PROGRAMME

(Question No. 17)

Mr GAVIN (Coburg) asked the Minister for Employment and Training:

What projects are being assisted under the Co-operative Development Programme?

Mr SIMMONDS (Minister for Employment and Training)—The answer is:

Nineteen projects have been funded by the Ministry of Employment and Training of which six were feasibility studies.

Ballarat Employment Co-operative—
Business activities: Tree planting, landscaping, agricultural services. Feasibility study only.

Hodja Educational Resources Co-operative—
Business activities: Multicultural and multilingual publishing.

Loch Ard Trading Co-operative—
Business activities: Craft shop and product distribution. Recycling centre.

Mandurah Health Food Shop—
Business activities: Health food shop.

Bootstrap Trading Co-operative—
Business activities: Chamois and split-suede clothing and accessories. Contracted sheepskin products.

Open Channel—
Business activities: Public television operator.

Public Images—
Business activities: The painting of murals.

Italo-Australian Employment Co-operative—
Business activities: Osteria, eating house.

Brunswick Work Co-operative—
Business activities: Silk screen and offset printing.

Correct Line Graphics—
Business activities: Typesetting and graphics service.

Goldfields Community Radio Co-operative—
Business activities: Public radio station.

Frankston Motor Cycle Park Co-operative—
Business activities: Motor cycle park, cycle repairs and kiosk.

Sybylla Co-operative Press Ltd—
Business activities: Printing and publishing.

Wanderfood Co-operative—
Business activities: Handypersons and theatre troupe. Feasibility study only.

Shepparton Disabled Workers' Group—
Feasibility study only.

Essendon Job Generation Group—
Business activities: Metal press related activities. Feasibility study only.

Multi-purpose Community Employment Co-operative—
Business activities: Building, engineering and domestic services. Feasibility study only.

Turkish Women's Association Co-operative—
Business activities: Handicrafts and Turkish carpets. Feasibility study only.

APPRENTICES

(Question No. 30)

Mr GAVIN (Coburg) asked the Minister for Employment and Training:

How many indentured apprentices are unemployed, indicating in what trades and how many are female?

Mr SIMMONDS (Minister for Employment and Training)—The answer is—

In view of the considerable cost of extracting the detailed information required I have arranged for the President of the Industrial Training Commission to contact the honourable member to see what help can be given.

(Question No. 34)

Mr GAVIN (Coburg) asked the Minister for Employment and Training:

How many applicants for apprenticeship in each trade were unable to undertake training in 1981?

Mr SIMMONDS (Minister for Employment and Training)—The answer is—

In view of the considerable cost of extracting the detailed information required, I have arranged for the President of the Industrial Training Commission to contact the honourable member to see what help can be given.

(Question No. 35)

Mr GAVIN (Coburg) asked the Minister for Employment and Training:

1. How many indentured apprentices are females, indicating the trades in which they are employed?

2. How many indentured apprentices are males?

Mr SIMMONDS (Minister for Employment and Training)—The answer is—

In view of the considerable cost of extracting the detailed information required, I have arranged for the President of the Industrial Training Commission to contact the honourable member to see what help can be given.

Legislative Council

Wednesday, 16 June 1982

The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 11.3 a.m. and read the prayer.

HISTORIC BUILDINGS (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. E. H. WALKER (Minister for Planing), was read a first time.

QUESTIONS WITHOUT NOTICE

CONSTITUTIONAL CONVENTION

The Hon. A. J. HUNT (South Eastern Province)—Has the Leader of the Government received general approval from his Cabinet to proceed with the motion of a Constitutional Convention and, if so, is he now prepared to consult with the Leader of the National Party and me on the drafting of the appropriate motion?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—The answer is in part, "Yes". Cabinet has approved, as has the Parliamentary party, the proposition of a convention. I believe the responsibility for the drafting of the terms of the convention should be broadened beyond the Leaders of this House. However, as the initiative came from this House, it may be appropriate that the draftsmen be the appropriate Leaders. I am happy to proceed along those lines and put a proposition to the Premier on that basis.

LIBRARY COMMITTEE

The Hon. B. P. DUNN (North Western Province)—Is the Leader of the House aware that Joint Standing Order No. 9 states, *inter alia*:

> At the commencement of each Session there shall be appointed by each House a Committee of five Members respectively to constitute a Joint Committee to manage the Library;

In view of that Standing Order, which seems to be quite explicit that a committee to manage the Library must be appointed at the commencement of the session, when will the honourable gentleman proceed with the election of this important committee to manage that vital aspect of Parliament's responsibility?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I may be under a misapprehension, but I understood that, as Leader of the Government, I had introduced a motion to this House with respect to the House Committee and the House itself is holding up consideration——

The Hon. B. P. Dunn—What about the Library Committee?

The Hon. W. A. LANDERYOU—I put it to the House at the time that I took the view, as Leader of the Government, that, until such time as the House declared its attitude in respect to the Government's proposals so far as the House Committee was concerned, I was not interested in proposing any committee to this House. If people want to play politics on the basis of numbers and be rejected by the people, as the former Government was at the recent election, let them do that. I do not propose to submit any proposition from the Government until agreement has been reached with the National Party and the Liberal Party. So far as I am concerned, the ball is in their court.

LOWER YARRA PLAN CONCEPT

The Hon. R. J. EDDY (Thomastown Province)—Will the Minister for Conservation inform the House whether he has reviewed the former Government's Lower Yarra concept plan? If so, is the Government prepared to continue with the implementation of that plan for the beautification of the Lower Yarra region?

The Hon. E. H. WALKER (Minister for Conservation)—The Government has reviewed the former Government's Lower Yarra concept plan, which was under the direction of a Ministerial subcommittee. Two meetings of my Government's Ministers—the same Ministers who met previously—met twice

prior to making a submission to Cabinet. Cabinet has discussed the whole matter of the Lower Yarra and has concluded that the work that is currently in hand ought to be persevered with and has also determined to reconstitute the sub-committee with a view to upgrading the work that the former Government began. I am pleased to answer the honourable member in this fashion: The Government intends not only to keep that work going but also to review and upgrade it.

STANDARDS FOR MOTOR VEHICLES

The Hon. B. A. CHAMBERLAIN (Western Province)—Does the Minister for Conservation intend extending the charter of the Environment Protection Authority to include the compulsory testing of new vehicles for emission standards under Australian design rule No. 27A to ensure compliance of those vehicles with the standard, and will he make appropriate funding available to the authority for that purpose?

The Hon. E. H. WALKER (Minister for Conservation)—It is fortuitous that the question the honourable member asks is to be answered in terms of a question he has already put on notice. I shall read the answer to the present question and the answer to the question on notice in a few moments.

BRANDON PARK TECHNICAL SCHOOL

The Hon. C. J. KENNEDY (Waverley Province)—I ask the Minister for Conservation, representing the Minister of Education, whether he is aware that the Brandon Park Technical School in Mulgrave, which has almost 800 students, has no shower facilities for those students who engage in sport, technical or other scholastic activities. The school was established four years ago by the former Government and it consists of little more than a collection of portable class-rooms that are strung together like a string of sausages. What action will the Government take to alleviate some of the problems that exist at the Brandon Park Technical School?

The Hon. E. H. WALKER (Minister for Conservation)—I was not aware of the situation Mr Kennedy has brought to my attention. However, I shall be happy to raise that matter with my colleague, the Minister of Education, in another place.

DANDENONG CO-OPERATIVE HOUSING SOCIETY

The Hon. N. B. REID (Bendigo Province)—I ask the Minister for Conservation, representing the Minister of Housing, why the Dandenong Co-operative Housing Society was allocated $370 000 and why $170 000 of that money was withdrawn and frozen at the direction of the Minister? Will the Government allocate that money to country housing societies?

The Hon. E. H. WALKER (Minister for Conservation)—I shall raise that question with my colleague, the Minister of Housing, in another place.

MORWELL RIVER DIVERSION PROJECT

The Hon. W. R. BAXTER (North Eastern Province)—Bearing in mind the advice the Minister for Minerals and Energy gave to the House last week that the Driffield power station inquiry has now receded in urgency, will the Minister take steps to initiate a separate inquiry on the Morwell River diversion project, bearing in mind that, regardless of what power stations might be built in the western coalfields in the future, the Morwell River will have to be diverted? A decision will be necessary to ensure that the residents of the area are not left in limbo awaiting a decision by the Government.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—When the proposed Parliamentary Committees Bill is passed by both Houses, one of the Parliamentary committees, a successor to the former Public Works Committee, will inherit the responsibility of proceeding with the consideration of the next power station in Victoria after completion of the Loy Yang "B" power station. Although the need for the Driffield proposal is not as urgent as it

once was, that project and the Morwell River diversion will be given urgent consideration by the new committee.

INDUSTRIAL RELATIONS POLICY

The Hon. G. A. S. BUTLER (Thomastown Province)—Has the Minister for Economic Development considered making a statement to the House on the industrial relations policy of the Government?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—A Ministerial statement on the industrial relations policy of the Government is being prepared. I shall deliver that statement to the House one day next week.

SAFETY NET RESTRAINTS FOR CHILDREN

The Hon. H. G. BAYLOR (Boronia Province)—I refer the Minister for Economic Development to a pilot scheme that was introduced by the former Government in the City of Knox prior to the last State election. The pilot scheme was a commitment by the former Government to provide safety net restraints for young babies. Will the Government honour that commitment and ensure that the money will be forthcoming to implement the pilot scheme?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I congratulate Mrs Baylor on her interest and knowledge of the subject. Mrs Baylor has been more active in this matter, in terms of finding a solution to the problem, than have most other honourable members. With rare exceptions, the Premier has directed that commitments of the former Government should be honoured, and I should imagine that this commitment will be one of those. However, that is not a matter for me to decide in isolation. I appreciate that the Treasurer, Mr Jolly, has inherited a mess, but I will take the matter up with him now that it has been raised formally in the House. I have raised it informally with him, but I will now have the pleasure of raising it formally with the Treasurer.

PAY-ROLL TAX

The Hon. K. I. M. WRIGHT (North Western Province)—I direct to the Minister for Economic Development a question concerning rebate of pay-roll tax, which has been a most valuable incentive to country industry. The National Party believes this has been one of the main factors in increasing industry and population in country areas. Regretably, I have heard a report—and this was reinforced by a comment by the Leader of the Government last night—that the Government may be considering dropping or reducing this incentive. I ask the honourable gentleman whether this is correct.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! Before the Minister answers the question, I point out that it is not in order to ask whether a rumour is correct. Mr Wright may perhaps ask the Leader of the Government to comment on the matter.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I shall endeavour to comment on Mr Wright's question, Mr President.

Regrettably, in my absence last night the House did a foolish thing in the sense of interfering with the fiscal payments of the State.

Honourable members interjecting.

The Hon. W. A. LANDERYOU—I know Opposition supporters are embarrassed, because they got caught out. They should read what Mr Hunt said on 5 April.

The Hon. Glyn Jenkins—You want to read what Gareth Evans said in Canberra about sales tax.

The Hon. W. A. LANDERYOU—Fortunately, he makes far more sense than does Mr Jenkins.

Last night the House denied the Government an opportunity of beinning long-term planning of fiscal matters. The question of State taxes is under review at the moment, and that is well known; that is public knowledge.

The specific question of incentives to industry—including rural industries and other industries Statewide—is under review by the Ministery for Economic Development. I inherited part of that review on taking over as Minister

That review continues, and the Government will, I hope, in the near future be making some announcement about real incentives that will be offered to industry to assist the development of this State.

OFF-SHORE TERRITORY

The Hon. G. A. SGRO (Melbourne North Province)—I direct a question to the Minister for Minerals and Energy. What action is the Government taking to return control of the territory off shore from the low-water mark to the 3-mile limit?

The Hon. D. R. WHITE (Minister for Minerals and Energy)—As the House will appreciate, the constitutional power over the territory off shore of the Victorian coast was the responsibility of the Victorian Government for a long time until about 1967, when after significant debate on this issue, part of the control of the territory to the low-water mark subsequently passed to the Commonwealth Government.

That resulted in a number of significant problems in the administration of the territory immediately adjacent to the off-shore water mark, and as a result of that at a number of Premier's Conferences it was agreed that legislation should be introduced in all the State Parliaments and the Federal Parliament to revert control of that territory from the low-water mark to the 3-mile limit back to the State of Victoria.

The Victorian Government proposes to assist in that process by, in addition to the other measures that have already been taken on this matter, reintroducing the Petroleum (Submerged Lands) Bill in another place during this session with a view to having that measure passed. This will ensure that Victoria catches up with the rest of Australia, with the exception of Tasmania, which has passed similar legislation.

AUSTRALIAN LABOR PARTY POLICY

The Hon. D. G. CROZIER (Western Province)—I ask the Leader of the Government in this House whether it is a fact that the Australian Labor Party Administrative Committee determines policy between State conferences and whether on 20 February this year that committee passed a resolution calling on the entire Labor Party throughout Australia to "rally in defence of Mr Norm Gallagher and the Builders' Labourers Federation"?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I am not aware of the precise resolutions carried by the administrative committee on that night or whether the committee met on that night. If Mr Crozier is referring to the attitude of my party to the deregistration proceedings, that is a matter of public record. It was an absurd proposal which cost the State a fortune and achieved nothing.

REGIONAL GROWTH CENTRES

The Hon. D. M. EVANS (North Eastern Province)—I ask a question of the Leader of the Government in his capacity as Minister for Economic Development. I refer to the Labor Party policy on economic development and particularly the proposal to set up a number of regional growth centres in Ballarat, Bendigo, Geelong, the Latrobe Valley, Portland, Shepparton and the national growth centre of Wodonga. Can the Minister advise whether specific criteria were used to specify which areas would be designated as regional growth centres, will the Minister make these criteria available to honourable members and will assistance to decentralized industry be confined to such regional growth centres?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—In answer to the first part of the question about whether criteria were used to determine the regions, the answer is, "Yes". The second part of the question related to a detailed analysis of each of the areas. It will be a matter for the Cabinet to determine whether the details will be released. I know of no

reason why the maters, once they become a matter of Government policy, cannot be released. The answer to the third part of the question is, "No".

YEAR OF THE TREE

The Hon. J. M. WALTON (Melbourne North Province)—The Minister of Forests is aware that the United Nations Association of Australia has declared 1982 as the Australian Year of the Tree. Can the Minister advise what involvement the Forests Commission will have in activities associated with this year?

The Hon. R. A. MACKENZIE (Minister of Forests)—I am aware of the United Nations Association of Australia programme of the Year of the Tree which begins on 5 June this year and continues to 5 June 1983. I have asked the commission to participate and I have asked the Community Education and Information Branch to co-operate, to promote the Year of the Tree and all the activities that the commission will be undertaking, for instance, the display at the Royal Agricultural Show. The commission will be undertaking much activity to promote the year.

It is important that the Forests Commission be involved in this activity. However, every year is the year of the tree so far as the commission is concerned. There is need for the public to appreciate the broad line of the commission. Unfortunately, because the previous Government foisted many irresponsible decisions on the commission, there has been community anti-reaction against the commission, and I intend to ensure that the negative attitude that has been developed towards the commission is changed into a positive action. I believe the Year of the Tree will be a popular vehicle to promote the role of the commission. The Institute of Foresters has indicated that this will be a way of promoting the positive aspects of forestry. The Government will be contacting the organizers and the commission in the near future.

CONFLICT OF INTEREST

The Hon. GLYN JENKINS (Geelong Province)—I direct a question to the Leader of the House in his role as Minister in charge of the Industrial Relations Task Force. Is the honourable gentleman still Federal President of the Federated Storemen and Packers Union of Australia and, if so, would he give urgent consideration to resigning from that position in case some conflict of interest should arise in negotiations with the union movement?

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I resigned as President of the Federated Storemen and Packers Union of Australia the day I was sworn into Cabinet.

APPOINTMENT OF PARLIAMENTARY COMMITTEES

The Hon. A. J. HUNT (South Eastern Province) (*By leave*)—I desire to make a statement on behalf of the Opposition with respect to the matter of Parliamentary Committees which was raised during question time.

The position of the Opposition is that all Parliamentary committees ought to be appointed immediately and that the Opposition and National Party ought to be entitled, under the new Government, to the same numbers on those committees to which the Opposition and National Party were respectively entitled in the previous Parliament. In accordance with the tradition of Parliamentary committees, the Opposition believes there is no call for a Government to restack committees in a way that has not previously occurred to ensure that it will have an effective majority on all committees.

The Government has sought, with respect to the House Committee, to take one member from the National Party and to take from the present Opposition one more than existed in the previous Parliament and that it enjoyed as the former Opposition. With respect to all other committees, the position is that the Government has sought to have half the members of the committee, plus the chairmanship and deputy chairmanship and a casting vote. That means that the committees would cease to perform the role of independent, all-party,

non-partisan committees that has occurred in the past and the Government would be in effective control of all committees.

The Government has also sought to ensure that references to future committees may be made only by the Governor in Council or by both Houses, which again means that the Government will be in a position to veto any reference. On the other hand, in the past the position has been that either House of Parliament may refer a matter to a committee so it certainly acts as a Parliamentary committee rather than a Government committee.

The result of this has been that no committees have been appointed and that the work envisaged by legislation has not been carried out. The result is also that the Parliamentary Committees Act requiring the appointment of a number of committees is being breached. That Act requires the appointment of these committees as soon as practicable after Parliament resumes and the Government has ignored enjoinders under that Act and this Parliament and the public of Victoria are being deprived of the scrutiny of Parliament over subordinate legislation.

I might add that it is proposed by the Government to abolish the Subordinate Legislation Committee as a separate entity, but until that happens the Government ought not to take for granted that Parliament will lightly pass legislation to that effect.

Therefore, the Opposition asks that the traditions of this Parliament be observed, that the law be observed and that the same courtesy be extended to the Opposition and to the National Party as was extended by the former Government to the then Opposition. A mere change of Government does not justify a change in the practices of the Parliament.

The Hon. W. A. LANDERYOU (Minister for Economic Development) (*By leave*)—I guess the Leader of the Opposition and I are close to breaching the rule with respect to anticipation, because of the measures that have been outlined to the House. I should imagine that the Leader of the Opposition and I could participate in this debate, if the matter is to be debated, when the particular measure is being discussed.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I do not believe this matter should now be the subject of debate.

The Hon. A. J. HUNT (South Eastern Province) (*By leave*)—If the Leader of the Government desires to move that my statement be taken into account forthwith, by leave, I should have no objection.

The Hon. W. A. LANDERYOU (Minister for Economic Development) (*By leave*)—I have no objection to speaking by leave. I did not object to the Leader of the Opposition speaking by leave and I shall speak by leave.

The PRESIDENT—The Leader of the Government can speak by leave, but should not debate the matter. If the honourable gentleman wishes to debate the matter there are appropriate means.

The Hon. W. A. LANDERYOU—I shall refer to a couple of facts which have not been brought to the attention of the House. On the first day of meeting in this Chamber I sought leave, and obtained it, and moved:

> That the Honourables H. G. Baylor, B. P. Dunn, A. J. Hunt, W. A. Landeryou and I. B. Trayling be members of the House Committee.

I know it is fairly complicated for some honourable members to understand, but the committee was to consist of two members of the Labor Party—the Government—two members of the Opposition, and one member of the National Party; in other words, three non-Government members. I appreciate there are difficulties with the negotiations that have gone on in respect of the Government's intention to re-vamp——

The Hon. P. D. Block—And control.

The Hon. W. A. LANDERYOU—It is not to control, because the Opposition's own party in Canberra has the same position. The chairman comes from the Government party. That is not a major departure for a Government that is using taxpayers' money, to the extent that the Labor Party Government is

proposing to use it to finance the research facilities behind real committees; not committees that pretend they are meeting behind the bowling green, not committees meeting while Bruce Skeggs looks at his watch to see whether the committee has met for 45 minutes so he can get his attendance money; none of that, but in fact real committees. That is when it was decided in England to look at the Constitution; it was a waste of time.

An Honourable Member—Condemn us.

The Hon. W. A. LANDERYOU—I am not condemning anything other than a system which developed, and which the previous Government allowed to develop, to enable people to get an extra small amount of money for pretending they were doing work which they were not.

I indicated earlier in the day in response to a question that the ball is really in the court of members of the Opposition. There is a proposition before the House and the Opposition should agree to it. It seems to me that once that course of action by those who represent the most grotesque majority in this House is agreed to, once the Opposition agrees to the view of the Government elected by the people of this State, the Government can then proceed to make appointments. It is sheer humbug and hypocrisy to accuse the Government of not carrying out the law when it has a proposal before the Chamber.

The Hon. B. P. DUNN (North Western Province) (*By leave*)—I would like, if possible, to comment on this situation. I am concerned that the establishment of, for instance, the Library Committee, on which I believe there is agreement—and I have no indication that there is disagreement about the constitution of that committee—is being held up pending the resolution of conflicting options on the constitution of the House Committee. That is in direct contravention of the Joint Standing Orders of this Parliament, and is an extremely serious situation.

The National Party has great reservations about the Government's proposal in regard to the general committees that it intends to establish for the Parliament as a whole, but my question, and my concern, and the concern of the National Party, is that the House should be proceeding at least to comply with the Standing Orders of this Parliament and should be proceeding to appoint a Library Committee, about which there is substantial agreement. Then, hopefully, the House will resolve the constitution of the House Committee following that. I disagree with the attitude of the Leader of the Government in holding back all of these decisions until a resolution is made on one particular committee.

The PRESIDENT (the Hon. F. S. Grimwade)—I have heard a statement by the Leader of each party. If the House wishes to debate this matter, then I am prepared to hear a substantial motion on the matter, but I direct to the attention of the House that under Orders of the Day, Government Business, No. 10, there is listed "House Committee —Motion for Appointment of Members". It would seem appropriate to bring that matter forward if the House Committee is going to be discussed, but not if the House wishes to talk about the Library Committee or other committees.

The Hon. D. K. HAYWARD (Monash Province)—I should like to move, by leave, that the statements of the three Leaders be taken into consideration forthwith.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! Statements have not been made, comments have been made, by leave. A more substantial motion than that is required.

The Hon. D. K. HAYWARD (Monash Province)—In that case, Sir, by leave, I move:

> That the House takes into consideration forthwith the question of appointments to the various statutory and Parliamentary committees required under the legislation of this Parliament.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—Leave is not granted. There is a motion on the Notice Paper dealing with

the appointment of the House Committee. The Opposition moved for the adjournment of the debate. It can be debated at the appropriate time. Honourable members are also aware that proposed legislation setting up the other committees is at present before another place. That will also be debated at the appropriate time.

The Hon. D. K. HAYWARD (Monash Province)—Speaking to the motion——

The PRESIDENT (the Hon. F. S. Grimwade)—Order! The honourable member may not speak to the motion. Leave has been refused. The honourable member may, if he wishes, give notice of his intention to move a motion.

The Hon. D. K. HAYWARD—I give notice that on the next day of meeting I will move:

That the House takes into consideration the question of the appointment of the various Parliamentary committees, not only the House Committee and the Library Committee but also, for example, the Subordinate Legislation Committee, to ensure that the laws of this Parliament are followed.

The PRESIDENT—Order! I suggest Mr Hayward should write out his proposed motion so that notice can be given in the usual form.

The Hon. A. J. HUNT (South Eastern Province) *(By leave)*—Perhaps the following form of words would satisfy the general intent of the notice given by Mr Hayward:

That the House request the Government forthwith to submit appropriate resolutions for the appointment of Parliamentary and statutory committees in accordance with the law and the practice of this Parliament.

PAPER

The following paper, pursuant to the direction of an Act of Parliament, was laid on the table by the Clerk:

Trade Unions—Report of the Registrar of Friendly Societies for the year 1980–81.

NUCLEAR-FREE STATE

The Hon. K. I. M. WRIGHT (North Western Province)—I move:

That this House deplores the professed intention of the Government to declare a "nuclear-free State" on the following grounds:

(*a*) Its potential for embarrassing Australia internationally and its detrimental effect on defence arrangements;

(*b*) the unnecessary and premature closing off of options for the peaceful application of nuclear energy in Victoria for the enhancement of living standards; and

(*c*) constitutionally, the issue of naval vessels visiting Australia should rest with the Federal Government under its defence powers.

This is the first major blunder of the new Labor Government. It has designated Victoria as a nuclear-free State. That has exposed the Labor Government to widespread ridicule. It is obviously a pay-off to the Socialist left faction of the Labor Party. The Government's action has been diplomatically disastrous and it is certainly economically unsound to close off our options on the future use of nuclear energy.

The Federal Leader of the Opposition was just as culpable in putting forward his policy, which is that nuclear-armed vessels should not be permitted to visit Australian ports. Obviously, the issue has split the Australian Labor Party wide open. Different points of view are being expressed by different States and four different policies have been put forward by members of the Australian Labor Party. The move is politically naive. How could anyone consider for one moment that any crisis would bypass Australia simply because we have a non-nuclear policy? It is quite obvious from history that just the opposite is the case. An old Chinese saying is, "If you want peace, prepare for war". There has been a scandalous lack of preparedness for previous wars. International history would be completely different if Hitler had been stopped in 1938, when there was an opportunity to do so, had the Allies been sufficiently prepared. Millions of the best lives would have been saved if that had been done.

The *Sun* of 14 June 1982 reports the Deputy Prime Minister, Mr Anthony, as saying that it would be quite tragic if the Cain Government's point of view had a detrimental effect on the US–Australian relations. All honourable members are aware of Mr Anthony's great ability. Had he belonged to a different party, there is no doubt he would have been Prime Minister long before this. The Australian Labor Party has adopted a hypocritical attitude by try-

ing to suggest that Australia can have a two-way involvement with the United States of America without playing our part. Members of the Australian Labor Party must be realistic and realize that if this country is ever attacked there is absolutely no way in the world, with our limited capabilities, that we could defend the nation. We must have a two-way involvement with the USA. How can we call in the USA for help if we are not prepared to harbor, repair and provision its ships in times of peace? It is hypocritical and completely unrealistic for the Labor Party to take its present attitude in these times.

Mr Fraser has said that this move could well end Australian participation in the ANZUS treaty, and that it would harm Australia's defence and national security. Members of the National Party completely agree with that statement. The American point of view is that access to Australian ports and airfields is critical to the strategic deterrent. Quite rightly, in my view, the USA refuses to identify which ships are nuclear armed.

The Uranium Information Centre, which is unwilling to take sides in matters such as this, has provided some valuable information. It has informed me that Australia has the second largest reserves of low-cost uranium in the world, most of which is exported. Only six countries in the world make nuclear weapons. They are the United States of America, the Union of Soviet Socialist Republics, Britain, France, China and India.

Twenty other countries in the world are technically capable of producing nuclear energy, including Australia. I emphasize that the Commonwealth Government has jurisdiction in the matter and that Australia has joined in a nuclear non-proliferation treaty. It has obligations not to export uranium to any nation that is likely to make improper use of the product. A press release of 7 June 1982 issued by the Department of the Premier stated:

> The Premier, Mr John Cain, today announced steps which the Government will take to make Victoria a nuclear-free State.
>
> The Government would prepare a Bill to ban all major nuclear activities in Victoria. This would embrace nuclear power station, uranium mining, uranium enrichment plants and nuclear waste storage dumps.
>
> Mr Cain had also written to the Prime Minister informing him that Victoria will not permit nuclear-powered or nuclear-armed ships to visit Victorian ports.

The Hon. Glyn Jenkins—What is he going to stop them with?

The Hon. K. I. M. WRIGHT—That is the question. It appears that the Labor Party is beginning to back away from the matter of nuclear-powered vessels entering Australian ports. The press release continues:

> The Government would also not permit the transport of nuclear materials through Victoria.
>
> Procedures regulating the industrial and medical use of nuclear materials would be developed.

At the same time, the Premier wrote to the Prime Minister on 27 May 1982. The heading of the letter was: "Visits to Victoria by nuclear-powered and nuclear-armed war ships". In the second paragraph, the Premier states:

> I am writing to give you early notice of my Government's policy that it will not permit visits of nuclear-powered or nuclear-armed vessels to Victorian ports.

It is clear there are no exceptions but, as I said, already the Labor Party is backing away from the situation. The Premier continues:

> This policy, which was part of the platform on which my Government was elected, will apply without qualification.

On 3 June 1982, the Prime Minister replied to Mr Cain and stated:

> In 1976, after a review of environmental factors, involving close consultation with all States, and having regard to international experience with nuclear-powered warships, the Commonwealth Government announced the resumption of visits by nuclear-powered warships to Australian ports. Since then there have been forty-four such visits.
>
> * * * * *
>
> I note that two visits were made to Hobart while Labor was in Government in Tasmania, namely, the USS *Enterprise* in late 1976 and the USS *Truxton*, a nuclear-powered guided-missile destroyer, as recently as 8 to 13 May this year.

I believe the *USS Truxton* was the American ship that honourable members were priviledged to inspect several years ago. The Prime Minister continues:

> Denial of access to Australian ports by these vessels would not accord with the ANZUS relationship.

At page 3 of the letter, the Prime Minister stated:

> The Commonwealth has the ultimate power and responsibility in relation to the entry of warships to Australian ports. However, I recognize the importance of co-operation and harmony with the State Government concerned.

It is obvious that it will be very difficult to get co-operation and harmony from the State Government while the Socialist left is in such a powerful position. In a telex to the Prime Minister on 3 June 1982, the Premier stated:

> I note the Commonwealth's policy of not seeking assurance from the U.S. Government that its naval vessels are not carrying nuclear armaments.
>
> In this particular case, I do not intend to raise objections about the visit of the U.S.S. *Hector* which from published sources is manifestly an elderly, non-combatant, auxiliary ship which would not carry nuclear weapons.

It is clear there is a backdown and the Government is making excuses. In his reply of 4 June the Prime Minister stated:

> There can be no grounds for assuming that U.S.S. *Hector* is not carrying nuclear armaments. Part of her role could be the carriage of nuclear weapons of various kinds for resupply to other vessels of the U.S. Navy.
>
> I note that second paragraph of your teleprinter message reflects a misunderstanding. It is the policy of the United States Government and Navy to neither confirm nor deny that their warships are carrying nuclear weapons.

That is a proper policy and one with which I agree. It would be irrational and completely stupid to declare the situation to any unfriendly power. I have mentioned the total confusion in the Australian Labor Party throughout the States and the Commonwealth on the statement made by the Premier. He certainly put the cat among the pigeons. The Chairman of the Australian Labor Party Federal Defence Committee, Mr Ralph Jacoby at the Labor Party State convention in South Australia condemned the Victorian branch for not consulting with the Federal body. In other statements, the Premier has said:

> No nuclear vessels.

Mr Bowen said:

> It's okay for nuclear ships to visit Australian ports provided they only stay a day or so.

Mr Hayden said:

> It's acceptable for ships powered by nuclear means to call at our ports, but nuclear-armed ships should be banned.

Mr Wran has been stopping nuclear ships from calling at New South Wales ports for the past seven years, without telling anyone.

On the peaceful use of uranium, can Australia afford to close off the option of nuclear energy and is Australia in step with international thinking? The Government should not close off that option; it should monitor research and examine what is happening in other countries.

Internationally, 31 countries, including the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, Japan and France are either operating or building a total of 527 reactors of which 243 are operating already. In France, by 1988, 71 per cent of its electricity will be generated by nuclear energy. In the United Kingdom, three nuclear-powered plants will save £100 million a year. Japan has 23 nuclear-powered plants and some of the less affluent countries like Yugoslavia, India and Argentina are developing nuclear energy, and 90 per cent of these reactors are using enriched uranium.

While costs are not the overriding factor, it should be noted that nuclear energy is a lower cost energy resource. For example, in Japan, oil costs 18·75 yen per kilowatt hour, coal 12 yen per kilowatt hour, and nuclear energy, at half the cost of oil, is 9 yen per kilowatt hour. In Taiwan, the energy costs are: Oil, 3·88 cents per kilowatt hour; coal, 2·46 cents per kilowatt hour; nuclear, 1·55 cents per kilowatt hour; and hydro, 0·86 cents per kilowatt hour. In America, the costs are: Coal, 22·35 millicents per kilowatt hour and nuclear, 20·67 millicents per kilowatt hour. The same situation applies in the United Kingdom: Oil, 1·93 pence per kilowatt hour; coal, 1·52 pence per kilowatt hour; and nuclear, 1·35 pence per kilowatt hour.

The report, "Briefing notes for the Premier, committee of inquiry into the

State Electricity Commission of Victoria", states at page 8:

> The differences in capital cost, as provided by the SECV, are already large at $1200 per kw for brown coal, $760 per kw for black coal, and $417 for natural gas. The heating value of brown coal is only one-third that of the low-cost black coal mined and used directly in power stations in N.S.W.

In the Labor Party policy document on nuclear energy, the Government states its opposition to the construction of a nuclear-power station in Victoria at any time in the future and says there is no safe method for the disposal of nuclear wastes. That is certainly contradictory to information from overseas advising on pollution, disposal, and so on of nuclear waste. The Labor Party policy document states also:

> There is a widespread fear in the community that the breakdown of a nuclear-power station could lead to emission of dangerous levels of radiation.

It states further:

> The spread of nuclear technology increases the probability of a nuclear war.

I have already demolished that particular argument. I have a table, provided by the Uranium Information Centre Ltd, which compares the various ways of producing electrical energy. It is an informative and valuable document and I seek leave to have the document incorporated in *Hansard*.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Order! I believe the honourable member approached the President on the matter and he has agreed that the document is suitable to be incorporated. Are copies available for honourable members?

The Hon. K. I. M. WRIGHT—Thank you Mr Deputy President. Mr Baxter spoke about the matter to the President who indicated that it would be in order.

Leave was granted and the document was as follows:

The following table of statistics is for a 1000 Megawatt (MWe) Station at 75 per cent capacity generating 6·6 billion electrical kilowatt hours (kWHe): All 'tons' are short tons (2000 lbs).

COMPARISON OF VARIOUS WAYS TO PRODUCE ELECTRICAL ENERGY

Impact	*Coal*	*Residual fuel oil*	*Natural gas*	*Nuclear (LWR)*
Annual fuel consumption—	2·3 million tons	10 million barrels[2]	64 billion c.ft.	30 tons[3]
Acres/year consumed by mining and waste disposal	740	Small	Small	12
Required fuel storage space	45-acre pile for two-month reserve	20-acres for 18 million c.ft. tanks	Small	Small
Fuel transportation requirements	27 000 railroad cars/year	100 typical U.S. tankers/year	Nil	5 truckloads/year
Carbon dioxide releases (tons/year)	7 million	1 million	60 billion c.ft.	Nil
Sulphur dioxide releases (tons/year)—				
With abatement	24 000	21 000	720	Nil
Particulate releases (tons/year)—				
With abatement	2000	150	4	60
Annual wastes disposed (partial)	100 000 tons of fly ash, 60 000 tons of sulphur (based on 3·5 per cent sulphur coal with 80 per cent stack efficiency)	N.A.[4]	N.A.	90 c.ft. of solidified high-level radioactive waste concentrates, 175 c.ft. of low level
Power plant thermal efficiencies (per cent)	38	39	38	32
On-job injuries to workers[5]—				
Deaths/year	1·10	0·17	0·08	0·10
Non-fatal injuries/year	46·80	13·10	5·30	6·50
Man days lost/year	9250	1725	780	950
Effects on health of workers[6]—				
Man days lost/year	600	N.A.	N.A.	480

The Hon. K. I. M. WRIGHT—The statistics are based on a 1000 megawatt station at 75 per cent capacity generating 6·6 billion electrical kilowatt hours. All ton amounts are stated in short tons. The table compares the annual fuel consumption in the production of electrical energy. The annual fuel consumption for coal is 2·3 million tons, for residual fuel oil, 10 million barrels, natural gas 64 billion cubic feet and nuclear sources 30 cubic tons. In bulk that represents a minute proportion for coal.

The figures for acres a year consumed by mining and waste disposal, as mentioned by interjection earlier, are 740 acres for coal and only 12 acres for nuclear. The fuel transportation requirements for coal are 27 000 railway cars a year, while for nuclear transportation the figure is 5 truckloads a year. The carbon dioxide releases for coal are 7 million tons a year whereas the figure for nuclear power is nil.

Sulphur dioxide releases, with abatement, result in coal using 24 000 tons a year and nuclear sources nil. With respect to injuries to workers the deaths a year in the production of coal result in a figure of 1·10 workers whereas in nuclear terms the figure is 0·10. This represents one eleventh of the on-job injuries caused to workers using coal in the production of electrical energy. The man days lost a year using coal to produce electrical energy are 600 and, using nuclear fuel, the number is 480, which represents one-tenth of the amount of days lost compared with the use of coal.

I have a document which sets out the number of industrial accidents occurring with the use of nuclear energy. A document from the Uranium Information Centre Ltd entitled *Australia and the Spread of Nuclear Weapons* states:

> The Three Mile Island accident was by far the most serious that has taken place during 25 years of operation of nuclear power plants. In plain English, however, nobody suffered physical injury as a result of the accident and no one is likely to.

The point was also made that in the same period within a 50-mile radius of the Three Mile Island plant, 325 000 people will die of cancer from all causes.

Honourable members interjecting.

The Hon. K. I. M. WRIGHT—I seem to have flushed out the Socialist left which is behind the anti-nuclear activities.

The Hon. Joan Coxsedge—You don't have to flush us out; we are here!

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Order! If Mrs Coxsedge wishes to make any remarks I invite her to participate when Mr Wright has resumed his seat, and not beforehand.

The Hon. K. I. M. WRIGHT—Of course, the truth is that both Mrs Coxsedge and Mr Sgro are completely out of step with their Marxist colleagues. I refer to a further article from the Uranium Information Centre which quotes a statement made by the Soviet Chairman Mr Leonid Brezhnev in February 1981:

> It is necessary to reduce the share of oil as fuel, to replace it with gas and coal, and to expand the nuclear power industry, including fast-neutron reactors.

I also have a quote from a Russian publication entitled *Socialism—Theory and Practice, June* 1981.

Honourable members interjecting.

The DEPUTY PRESIDENT—Order! I will not warn Mrs Coxsedge again!

The Hon. K. I. M. WRIGHT—The document states:

> Today there are no serious or well-reasoned objections to widely using atomic energy... In the current decade, the USSR will assist in putting nuclear power stations with an aggregate capacity of 37 million kW into operation in the European CMEA countries—Bulgaria, Hungary, the GDR, Poland, Romania, the USSR, Czechoslovakia, and Yugoslavia, and Cuba. This will enable savings of 70 million tons of conventional fuel a year.

I can also quote from statements made by various people in the United States of America, Great Britain, China and representatives of the European Economic Community illustrating the value they place on nuclear energy. I am not advocating that today; I am advocating that the Government should not close its options. The Government should

concentrate on research and keep fully in touch with what is happening overseas.

I shall now comment on Australian Labor Party statements made over the past week. It is quite obvious that the Government is confusing the question of nuclear energy being used as a means of propulsion as in nuclear-powered ships with the issue of nuclear destruction. Nuclear-powered ships may well carry nuclear bombs but that is a separate issue altogether. The Australian Labor Party is relating nuclear capacity with nuclear bombs. These two areas should be divorced. The debate should be confined to protecting the citizens of Victoria from the dangers of nuclear war. That point was made abundantly clear earlier.

Mishaps arising from nuclear-powered ships or power stations have far less implications than the wilful dropping of a nuclear bomb in a war-time situation. Further, modern science should be developed to improve techniques in developing nuclear power. Sir Barton Pope recently stated:

> Today's opponents of nuclear energy for civilian use must work with equal zeal to ensure the maintenance of proper safety standards for nuclear management for peaceful purposes. They must encourage the scientist who must work feverishly to discover new technology to provide for the world as it will exist after the next 100 years.

Sir Mark Oliphant has stated:

> Almost all knowledge can be used both for war and for the benefit of all. The way ahead involves an increasing number of choices, whether to use knowledge for human benefit, or for destruction.

The Victorian ALP does not want to use human knowledge at all for any reason. The Australian Labor Party is attempting to pacify the anti-uranium movement. To merely ban the nuclear-powered ships is not a creditable protest. More than 50 000 nuclear weapons already exist. Australia's room for influence is small.

In summing up, it is obvious that the Australian Labor Party has made a colossal blunder. The Australian Labor Party has misread the mood of the people and the situation regarding Commonwealth jurisdiction. The Australian Labor Party has brought ridicule to Victoria and shown its hypocrisy. It should admit its mistake and get behind the Federal Government to provide active support to our traditional allies.

On behalf of the National Party, I urge the Government not to close off its options with the peaceful use of nuclear energy and that it ought to contribute to research and monitor overseas developments. I strongly urge this House to support my motion.

The Hon. W. R. BAXTER (North Eastern Province)—I support my colleague, Mr Wright, because I consider that the subject raised in the motion is a crucial issue facing this nation. It was one of the first acts of the new State Government of Victoria to decide unilaterally to declare Victoria a nuclear-free State and to usurp the powers of the Comonwealth in dictating to other nations which naval vessels can and which cannot visit the State. That action is totally out of order and completely beyond the legitimate powers of the State.

I ask the House to examine the three parts of the motion before the House. The first part of the motion, paragraph (*a*), refers to the intention of the Government to declare Victoria a nuclear-free State as potentially embarrassing for Australia internationally and refers to its detrimental effect on defence arrangements. Australia is a large continent with a small population and is not in a position to defend itself alone in the event of a concerted attack by an aggressor. It would need help from other western powers, in exactly the same way that Australia required assistance from the United States of America to turn back the Japanese thrust in the second world war. Honourable members know which countries are Australia's likely allies in the event of tribulations striking Australia, and although one hopes it will not happen, one must be prepared. Our allies would obviously be the United States of America and the United Kingdom, both powers that utilize nuclear propulsion for naval vessels and, in some cases, nuclear armaments.

Australia is part of the ANZUS pact along with the United States of America which is a nuclear power. A meeting of ANZUS is coming up in the next fortnight. It will be difficult for the Australian Minister for Foreign Affairs to attend that meeting, knowing that his colleagues around the table know that one part of the nation he represents has set out to undermine his authority as Minister for Foreign Affairs by dictating to our friends and allies whether they can enter this country. That will be an extremely embarrassing situation for this nation in the international forum and it will have a detrimental effect on the maintenance of Australia's defence obligations.

No longer will the Federal Government be trusted in entering into defence arrangements with other nations because those agreements can virtually be abrogated by the action of a State of Australia. That is an unworkable and absurd situation. Victoria should back off from the announcement by Mr Cain in order to restore some confidence in overseas nations in our ability to make agreements through the Federal Government and to stick to them. Paragraph (*b*) of the motion refers to the unnecessary and premature closing off of options for the peaceful application of nuclear energy in Victoria for the enhancement of living standards. No one is suggesting that Victoria requires a nuclear power station; that is not part of the motion.

Victoria has vast reserves of brown coal, which will keep the State supplied with electricity for many years. It also has other means of generating electricity through hydropower and gas. Nevertheless, it seems unreasonable for Victoria to refuse to be part of ongoing research into the nuclear industry. One does not know what new discoveries will be made tomorrow that could materially enhance the living standards of all Victorians, without posing any danger to them. The Government wants to turn its back on that possibility for enhancing living standards through the use of nuclear energy in whatever form it may take in the future. That means that our scientists cannot participate in that research. It means that Victoria, which in the past has been in the forefront of new technology and new developments, notwithstanding limited resources for research, is now to wash its hands of those developments and have nothing to do with further research. For example, if a new development is made in cancer research, Victorians may not be able to avail themselves of it.

The Premier has claimed that he will allow health measures involving nuclear developments to be used in Victoria. I wonder how far the Socialist left will allow that to go. Will it consider it as a chink in the armour or foot in the door towards nuclear activity in Victoria and even refuse small developments of that kind to be introduced to Victoria? It is unwise for Victoria to close off all its options now because one cannot foretell what amazing new development may be just around the corner for the peaceful application of nuclear energy that will enhance living standards.

I read an article in a newspaper this week which indicated that on a worldwide scale of living standards, Australia is slipping rapidly behind. It is alarming that the Government proposes to take yet another action that will potentially push Victoria's living standards further down the world scale. I cannot find any justification for completely refusing to have anything to do with nuclear energy. Honourable members are well aware of the dangers and difficulties of disposing of nuclear waste. It is not proposed to establish a power station that will generate waste in Victoria in the foreseeable future. By the time Victoria may require a nuclear power station I am confident that a viable and efficient method of waste disposal will be available. I am not entirely convinced that it is not already available. However, bearing in mind that we do not need to move into this arena, I have every reason to believe that when this State does, a method of disposal will be available that will be satisfactory to everyone, including members of the Socialist left who are so worried about this matter.

Paragraph (c) of the motion states that, constitutionally, the issue of naval vessels visiting Australia should rest with the Federal Government under its defence powers. One often hears criticism in this House about the Federal Government usurping powers of the State. This issue is a classic example of the State endeavouring to usurp a power that is clearly a Federal power under the Constitution. It is clear that defence powers rest with the Federal Government and control of naval vessels comes under that power. I remind honourable members of the points I raised in my contribution to the Address-in-Reply debate when I alluded to this subject. One should consider the civil rights aspect of the refusal to allow ships to berth in Victoria. It is refusing shore leave to sailors who may have been at sea for a considerable time. It is telling them that they are not welcome in Melbourne or Victoria.

It is an inhospitable attitude to the Americans, the British and whoever else may wish to use our ports. It would be tantamount to a refusal to allow those people, in an emergency, to carry out repairs to their vessels. I am speaking not only of vessels which may be carrying nuclear armaments, but of vessels that just happen to be powered by nuclear energy. It would be tantamount to a refusal to allow repairs to be made and to take on stores in any Victorian port. Not only is it a denial of sustenance to those crews, but also it is a denial to Victorians of the opportunity of doing extra business and increasing their commercial viability. Again, the economy of Victoria will slip even deeper into the mire.

It is a stupid decision by the Government to take what I see as an inhumane action by refusing to allow ships to carry out repairs and to enter the port for purposes of shore leave and the taking on of supplies.

As Mr Wright has already stated, a refusal to allow nuclear ships to enter our ports would effectively debar every vessel of every navy that has in its fleet some nuclear-powered vessels because to enter port or to decline to do so would be tantamount to admitting to foreign powers which ships were nuclear powered and which were not. To do that would be to give away a considerable tactical advantage. The ultimate effect would be to debar those navies from bringing any ships into our ports. It would no longer be practical, from a tactical point of view, that they should do so. I wonder whether the real intent of the Government is to debar the American navy and the Royal Navy from utilizing our ports. That is the implication of the decision and that will be the ultimate result. I am sure that is not the result the people of Victoria would want or intend.

I remarked to Mrs Coxsedge, in answer to an interjection last week, that if she wants to fight an election on this issue it is a good issue on which to go to the people. Mrs Coxsedge, representing the Melbourne West Province, does not represent the views of the people in that province.

The Hon. Joan Coxsedge—Don't you believe it!

The Hon. W. R. BAXTER—I am positive that, if a vote were conducted in the Melbourne West Province on whether people wished to allow nuclear vessels into the port, it would be overwhelmingly endorsed by those people Mrs Coxsedge claims to represent, and it would be overwhelmingly endorsed at an election by the people of Victoria.

What about the defence of the north-western area of Australia? There is no possible way in which Australia's defence forces could defend that area, in a dire emergency, without support from our allies. How willing will our allies be to come to our aid if we, as one small part of this nation, refuse them the normal courtesies which ought to be extended to all friendly powers? In future, they will think twice about committing their men, resources and money to helping a nation upon which they cannot rely, even in peacetime. The action of the Government, in attempting to implement a nuclear ban, can only be a pay-off to certain elements in the governing party. It is a most regrettable action which will, if the Government refuses to back down, lead to confrontation

with the Federal Government and to a most regrettable damaging of Australia's reputation abroad. I hope the Government will rethink the issue and decide not to proceed in the manner that has been indicated by the Premier.

The Hon. D. G. CROZIER (Western Province)—I should have hoped that by now honourable members would at least have had a response from the responsible Minister or one of his colleagues. Having said that, I say at the outset that the Opposition welcomes this motion and strongly commends it to Parliament. I congratulate Mr Wright on having moved the motion and Mr Baxter on his support of it.

I foreshadow that my Leader will move an amendment to clause (*b*) on the motion. With that qualification, the Opposition believes Parliament should place on record its condemnation of this fantasy, this excursion into folly, by the Premier and his Government.

The Opposition realizes that the policy which is written into the Australian Labor Party policy document, *What the ALP will do*, purports to spell out its energy policy by which it intends to proscribe the visit of nuclear-powered ships. I will quote from page 22 of that document, which states:

> . . . a Labor Government—
>
> . . . . . .
>
> will not permit nuclear powered or armed vessels to visit Victorian ports;
> will amend the SEC act to rule out the possibility of electrical production from nuclear power in Victoria.

What has occurred is in conformity with that policy and with the answer that the Minister for Conservation gave to a question without notice I asked in the House recently.

To its acute embarrassment the Labor Party is saddled with this policy which has been dictated by that well-known faction of the party. I would be disappointed—and I am sure all members of this House would be equally disappointed—if we did not have some contribution to this debate from members of that faction in this House.

The Hon. Joan Coxsedge—Which faction is that?

The Hon. D. G. CROZIER—There is a sense of paranoia.

The Hon. Joan Coxsedge—I can't hear you.

The Hon. D. G. CROZIER—Did Mrs Coxsedge say she cannot hear?

The Hon. Joan Coxsedge—Did you say you are paranoid?

The Hon. D. G. CROZIER—A paranoia has been fostered, particularly by the Socialist left faction with its intellectual peers, Friends of the Earth and so on, about all things nuclear. Much of this is a totally spurious proposal to disguise, under the umbrella of what may, to some sections of the population, seem to be an attractive social policy, that faction's implacable opposition to the American alliance. This episode—which ought to be and would be in the comic opera category were it not for the coincidence of the ANZUS Conference and the other serious implications which have already been alluded to by Mr Baxter and Mr Wright—must also be considered. The real motivation behind the move is the implacable hatred of the American alliance by the Socialist left of the Labor Party.

It is common knowledge that the Premier has written many IOUs and that he owes his rise to some of those IOUs. I quote from a succinct statement, made as recently as September 1981, that certain elements in the Labor Party—

> . . . have been prepared to attempt to win the leadership battles through secret deals with Left-wing groups outside the Parliament
>
> . . . The Labor Party will not survive if the leader is to be elected or deposed by factions outside the Parliamentary Party.

The Hon. Joan Coxsedge—Who wrote that?

The Hon. D. G. CROZIER—It was not written by a member of the Liberal Party or by some right wing journalist. It was written by the Honourable Frank Wilkes, and that is on the record. That explains the background scenario to this totally reprehensible episode, which has already had a serious impact on the cornerstone of Australia's foreign policy

edifice. I quote from an article in today's *Australian Financial Review* headed "Labour and the ANZUS pact: new US worries". That article states, *inter alia*:

> . . . the State Department finally responded last Thursday with a flat reminder of how the US viewed the defence treaty.
>
> "Quite apart from the present dispute, it should be clear that access to allied ports and airfields for US ships and aircraft is critical to our efforts to maintain a strategic deterrence," it said.
>
> "It would be difficult, if not impossible, for the US to carry out its responsibilities to assist effectively in the defence of its allies if it is denied the use of their ports."

That statement is anathema for the Socialist left. The real motivation behind the disastrous expression of Government policy is a direct, sustained and vehement attack on the American alliance and on the ANZUS pact, which has been and remains the cornerstone of the defence policies of Australia.

The decision of the Government has not only embarrassed the Federal Government, but has embarrassed the Federal Labor Party a great deal more. As Mr Wright reminded the House a short while ago, there are four nuclear policies of the Labor Party: The Cain policy, which, in conformity with the document I have quoted is a pay off to his mentors and backers of the Socialist left; the Hayden policy, which is a little nervous and which does not go quite as far as the Cain policy; the Keating policy; the Bowen policy and a few variations from Mr Scholes and others. Understandably the Labor Party is acutely embarrassed by what has happened.

The Hon. D. R. White—Show us where your supporters are? As soon as you get to your feet they leave the Chamber.

The Hon. D. G. CROZIER—I do not mind if I have that effect on Mr White every time that I speak. Indeed, I invite Mr White to be my guest because I am going to attribute more damaging information to the Labor Party.

One would have thought it is beyond doubt, as Mr Wright points out in his motion, that, constitutionally, the issue of Naval vessels visiting Australia should rest with the Federal Government under its defence powers. That is not even arguable. In a Federation, the Federal Government must be responsible for defence. That is spelt out clearly in the Constitution. Any significant interference with that constitutional responsibility ought to be repugnant and obnoxious to all responsible citizens. The nuclear policy of the Cain Government is clearly a worry to the Federal Labor Party, and it ought to be of real concern to most Australians.

It is significant to note the spate of newspaper comments that have erupted since this episode came to light last week in response to the letter that the Premier wrote to the Prime Minister on 27 May. The newspaper response has been universally critical; indeed, it has ranged from merely critical to vehement condemnation. Under the heading, "Serious implication in Cain's nuclear ban", the editorial writers in last Wednesday's edition of the *Australian* point out that there are extraordinary implications for Australia if the Premier is successful in what he proposes, or should I say, in what he originally proposed. The Premier will hold a press conference on the matter soon. At that press conference the Premier will try to do a Neville Wran and side-step a totally untenable position that was dictated by the authors of the Labor Party policy.

That press conference should be an interesting performance. In spite of his reputation for fairly smart foot work, I do not believe the Premier is in the same soft-shoe league as his counterpart in New South Wales, who is sometimes referred to as "Nifty Nev", and not without reason. The Minister for Minerals and Energy is interjecting, but he should note that I have a high respect for the Premier of New South Wales. That honourable gentleman will need all his capacity for smart foot work in the months ahead because the economy of New South Wales is governed by the similar economic formulae that has been translated to Victoria, but which has brought the State of New South Wales to the edge of bankruptcy.

The proclaimed policy of the Cain Government has a potential to embarrass Australia and its defence arrangements. However, there is a real embarrassment that must be redressed. There is no question about where the Liberal Party, the National Party and the Federal Government stand on the issue. The American and New Zealand Governments know that there are no defence worries while sensible policies prevail in Australia. However, suppose that by some aberration of the political system, a Labor Government was installed in office in Canberra and, coupled with that, there were the declared policies of the Victorian and New South Wales Governments. There would be real concern about whether the realists of the Federal Labor Party could have their views prevail on a matter that is fundamental to the security of Australia. That security would include protection for those often misguided protagonists of the nuclear ban brigade, many of whom do not know what they are protesting or marching about.

In short, the Labor Party has closed off its options and, in so doing, it has proclaimed a policy that is more than a political blunder. I quote from an article by Claude Forell in today's *Age*, where he states that the policy of the Cain Government is, "a retreat from reality and an abrogation of responsibility".

The Hon. D. R. White—That is the first nice thing you have ever said about him.

The Hon. D. G. CROZIER—I have said some nice things about Mr Forell and I have no doubt that I shall have the opportunity to do so again. I want to touch briefly on the other aspect that was alluded to by Mr Wright and Mr Baxter, and that is the less topically important but, nevertheless, from the point of view of Victoria, significant aspect of a policy that compels either the Labor Party or its Victorian branch to turn its back on the nuclear alternative. Anyone would think a nuclear reactor had been proposed for some part of the Doutta Galla Province.

The Hon. D. R. White—You can't wait for one at Casterton.

The Hon. D. G. CROZIER—I would suggest to the Minister that the figures, some of which have been quoted by Mr Wright, giving the position world wide, are significant. I do not wish to take the House again through a total comparison, but I do want to refer to one or two overseas countries whose experience in this field is relevant. Firstly, I refer to the United States of America, where there are 73 operational nuclear power plants. There are 83 nuclear power plants under construction and, despite the current anti-nuclear protests in certain parts of that country, the power that is generated by the nuclear power plants has effected enormous savings.

Mr Wright referred to the fusion energy foundation in the United States of America which has 18 000 members comprised of technicians and executives of electrical utilities and other authorities who are interested in the cost of power generation. That foundation is a recognized authority and it has estimated that approximately $50 000 million will be saved if 50 of the 82 nuclear power plants that are currently non-operational because of various anti-nuclear protests in America were put on line between now and the end of 1984.

There is further evidence from other United States power utilities of large—I would say huge—savings that can be made with nuclear generation. The Northeast Utilities, for instance, reports that in Connecticut and parts of Massachusetts nuclear power supplies some 53·8 per cent of its customers' electricity, and, in addition to saving many millions of dollars, saves 21·3 million barrels of oil. I thought that might be of interest to the Socialist left and certainly to the Friends of the Earth.

I make one or two other comparisons; one refers to France, where there are 26 nuclear generating plants in operation and a further 26 under construction. A little over a year ago I seem to recall that after President Mitterand had won office in that country, he was going to conform to the Socialist policy of knocking on the head any future nuclear power construction. Sensibly, the President—no doubt on the advice of his technical officers—decided that that was

not a practical operation. Approximately 40 per cent of the generating capacity of France now comes from nuclear sources. Mr Wright quoted a figure which clearly indicates that in a few years' time that proportion will be much higher.

I shall go through a number of other countries that use nuclear power. In Sweden 9 nuclear plants are in operation and 3 are under construction. Even in Switzerland there are 4 plants in operation and 1 under construction. In the United Kingdom 31 nuclear plants are in operation and 10 are under construction and, in the USSR, there are no fewer than 35 nuclear plants in operation and 15 under construction.

It is relevant in this context to point out that the Chairman of the USSR State Committee for the Utilization of Atomic Energy, Mr Andranik Petrosyants, gave the Japan Atomic Industrial Forum Conference in Tokyo some figures to illustrate why the USSR is enthusiastic about the construction of further nuclear power stations. The use of nuclear power, which currently provides 6 per cent of that country's total electricity, saves the equivalent of 50 million tonnes of coal annually.

All around the world in technically advanced countries, the nuclear option for power generation is not only being contemplated seriously but is also actually in operation, as some of those countries do not have alternative energy sources, and others are contemplating what alternative energy sources they have with nuclear sources.

The State Electricity Commission is charged under section 20 of the State Electricity Commission Act with providing a safe, economical and efficient supply of electricity to this State. It is also charged under that section with the responsibility of investigating means of providing a safe, economical and efficient provision of power for the State. Clearly, under its Act, as it does and has done, the State Electricity Commission monitors nuclear development around the world. This aspect sets off a furore every time it is mentioned.

It was pointed out while the Liberal Party was in Government that there would be no need in the forseeable future for Victoria to consider the nuclear option because of the power plants that it has, the coal resources it has and because of construction plans which will take us into the 1990s. But the gap in terms of cost is closing, as illustrated by Mr Wright, and to turn our backs on that option for ever—which the Labor Party policy, apparently, would condemn us to doing if it were acceptable to Parliament—is, to say the least, enormously short-sighted.

However, that is topically the lesser part of this situation and the less significant aspect of the motion, in our opinion. What is significant is what I described last week as a bizarre intrusion by a State Government into the provinces of foreign policy and defence which are clearly, rationally and axiomatically the provinces of a Federal Government. The Labor Party has succeeded in damaging Australia's standing with its principal ally. I do not know how long it will take for that damage to be undone. Although it is too much to expect the Victorian Government—beholden as it is to the Socialist left faction with its hard-nosed ideologues making sure its members toe the line—to accept the proposals in the motion, it is to be hoped that this insane policy which has brought the Victorian Government into ridicule and damaged Australian foreign policy standing on defence and its relationship with our principal ally will be repudiated by the Government's Federal colleagues.

I commend the motion to the House, with the qualification that I previously referred to of an amendment which will be moved by my Leader.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I have heard the contributions of Mr Wright, Mr Baxter, and now Mr Crozier, and wish to make the following comments.

The Premier has sought an opinion from the Solicitor-General on some aspects of this debate, particularly concerning State powers with respect to nuclear shipping and the right of State

Governments to permit or preclude the entry of nuclear powered or armed vessels into Victoria, and I understand that advice is being prepared for the Premier on this matter. Receipt of the advice to be provided by the Solicitor-General is imminent, and clearly will be pertinent to the issue under discussion, and I look forward to the Premier making a statement within the next hour. Therefore, I move:

That the debate be now adjourned.

I suggest that the debate be adjourned until later this day.

The Hon. B. P. DUNN (North Western Province)—On the issue of the adjournment of the debate, this is a crucial matter on which other speakers wish to make a contribution. I do not believe the debate should be adjourned because no assurance has been given that it will be resumed later this day.

If a press conference is to take place on the matter within the next hour, perhaps the Council could adjourn for lunch and the debate could be resumed at 2 p.m. If the Government is happy with that proposal, it may facilitate the course the Minister wishes to pursue, but I am not prepared to agree to an adjournment of this debate because I believe the matter should be debated now in its entirety.

The Hon. D. R. WHITE (Minister for Minerals and Energy) (*By leave*)—In response to the question raised by the Leader of the National Party, I shall withdraw the motion for the adjournment of the debate on the understanding that the sitting will be suspended and will resume at 2 p.m.

By leave, the motion was withdrawn.

The sitting was suspended at 12.47 *p.m. until* 2.4 *p.m.*

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I thank the Leader of the National Party for agreeing to the earlier suspension to the sitting, in view of the Premier's taking advantage of the opportunity to make a statement to the press during the suspension of the sitting for lunch.

In response to the statement made by Mr Wright on this question in relation to the motion before the House, it should be said at the outset that at all times the Government has been open and frank about its intentions on this issue and has taken every possible opportunity to canvass the matter before and during the election campaign and since achieving Government.

In fact, in Opposition, in September 1980 my colleague, the present Leader of the Government, moved the following motion:

That this House calls upon the Government of Victoria to take such measures as are necessary to declare Victoria a nuclear-free State by ensuring that there will be:

(*a*) no uranium mining;

(*b*) no siting, construction or operation of any nuclear power facility;

(*c*) no production, storage or transportation of radioactive material, other than for purposes (excluding nuclear power generation) as approved by Parliament from time to time; and

(*d*) immediate divesting by the State Electricity Commission of Victoria and any other Victorian Government agency, authority or body of assets acquired for nuclear power purposes.

The important point is that we canvassed that issue in September 1980 to indicate to the electorate and the community of Victoria that we would be seeking a mandate on the issue, that we believed it to be important and were prepared to be judged by the electorate on that matter. We maintained that it was of some significance.

That stance was repeated at page 22 of the Minerals and Energy policy document which was circulated well before the election events of 3 April. In the section dealing with nuclear energy we said:

The Labor Party is opposed to the construction of a nuclear power station in Victoria at any time in the future. We are opposed to the proliferation of nuclear materials for three reasons:

There is at present no safe method for the disposal of nuclear wastes;

I have noted the comments made by Mr Wright in regard to this matter and it is clear to me and to the Government that, in his contribution this morning, he failed to satisfy or resolve the question

that there is any safe method for the disposal of nuclear waste. The other two reasons indicated were:

> There is a widespread fear in the community that breakdown of a nuclear power station could lead to emission of dangerous levels of radiation; the spread of nuclear technology increases the probability of a nuclear war.

The section continues:

> It is for these reasons that a Labor Government:
>
> will oppose the siting of nuclear reactors, nuclear processing and enrichment plants and nuclear waste storage dumps within the State of Victoria;
>
> will not grant any licences or provide financial assistance or incentives for uranium exploration or mining within the State;
>
> apart from materials for medical, scientific or approved industrial applications, will not permit the transport of nuclear material through or within the State of Victoria;
>
> will not permit nuclear powered or armed vessels to visit Victorian ports;
>
> will amend the SEC Act to rule out the possibility of electrical production from nuclear power in Victoria.

At all times—in September 1980 and reiterated during the course of the election campaign in our manifesto on minerals and energy—we repeated our stance which was first announced in this House in September 1980. I again indicate that we were prepared to be judged by the electorate in respect of that matter.

In addition, it is clear that as soon as we achieved Government the Labor Party indicated its opposition to the construction of a nuclear power station in Victoria at any time in the future. We had indicated our opposition to the proliferation of nuclear materials. It is also clear that the Honourable John Cain, the present Premier of Victoria, in his policy speech on television on 17 March 1982, said in respect of the nuclear matter:

> We will never put you, your children, and future generations of Victorians at risk with nuclear power and its lethal waste.

At all times, the Labor Party has been frank and open with the community about the policies it has enunciated. We have never resiled from those. We have never qualified them. We have looked for the support of the electorate on that matter, and we obtained a mandate on the issue on 3 April.

It should also be pointed out that, in consultation with the State Electricity Commission, clearly only the land that the commission had available and was contemplated for the use of a nuclear power station in future, namely the site on French Island, is currently being disposed of.

The Hon. A. J. Hunt—To whom?

The Hon. D. R. WHITE—I said it is in the process of being disposed of. I am not referring to the friends of Mr Hunt, Peter Leake and Colin Cooke. The Government is not involved in the professional land development industry. The manner in which the Government will dispose of the site will be above board and beyond reproach.

The Hon. A. J. Hunt—Whom have you in mind?

The Hon. D. R. WHITE—I am not referring to Peter Leake, Colin Cooke, John Minuzzo, or any of the others on the list. Mr Hunt knows them all.

It is clear that on all occasions the Government has sought a mandate on this issue. It also indicated to the State Electricity Commission that in the process of determining the most suitable site for the future power construction of Loy Yang "B", many options have been considered. A number of options are always considered for the purpose of costing proposals that should not and will not include consideration of the nuclear power alternative. The Labor Party has always sought the maximum possible consultation with the community on this issue. By way of contrast, it is clear that the Liberal Party does not do the same. In a statement on 20 November 1981 the Leader of the Liberal Party, Mr Thompson, who was then Premier, said that there was no possibility of a nuclear power station being built in Victoria in the foreseeable future. He said:

> It is the policy of the Victorian Government to use brown coal for generating our electricity on an indefinite basis. Victoria has the largest known brown coal reserves in the world and this is a far cheaper method of producing electricity.

It seems to me that Mr Thompson was selling off the major utility responsible for power station construction in Victoria, acting on Liberal Government

policy and nothing else. The then Liberal Government was considering a nuclear power station as one of its alternatives.

Fortunately, as a result of the co-operation that the Labor Party has received from the State Electricity Commission since 3 April, the commission has seen fit to put into effect the policy of the Government on this matter. It has now decided to dispose of that land, which was a proposed site. The policies for prohibition of major nuclear activities were an important part of the Australian Labor Party election platform and policy and were raised by the Premier, John Cain, when he said:

> We will never put you, your children, and future generations of Victorians at risk with nuclear power and its lethal waste.

On taking office, the Government was alarmed to find that nuclear activities were proceeding to a greater extent than expected. For example, in the Department of Minerals and Energy 99 exploration leases had been permitted for the exploration of uranium. Those companies were clearly told by the former Government that it supported and encouraged uranium development at that stage.

The SEC still owns sites for construction of nuclear power stations and, as recently as 24 February 1982, it prepared a paper proposing a system for licensing and regulating nuclear power stations in Australia and the linkages to Victorian procedures for clearing and approving major power projects. This is despite the fact that during the election campaign the Liberal Party, in its typical fashion, tried to indicate that it was not interested in nuclear power. However, evidence suggests that it was prepared to allow, condone and support the development of projects that would inevitably lead to the establishment of nuclear power stations.

It is a matter of record that the former Government completely ignored its responsibilities to protect the health of Victorians by adequately regulating nuclear materials. The irradiating substances and radioactive materials regulations of 1958 are years out of date and completely inadequate to cope with the numerous uses being made of radioactive materials and the related area of radiation by medicine, science and industry. Not only was the Government prepared to condone the emergence of nuclear power stations in Victoria, but it also had not seen fit to take normal expected health and safety requirements to protect the community from existing forms of uranium-produced products that were disseminating radiation.

As recently as today, in an article appearing in the *Age*, Mark Metherell stated:

> The Victorian chairman of the Royal Australasian College of Radiologists, Dr George Klempfner, said yesterday that it was possible for virtually anybody to buy an X-ray machine in Victoria, then operate it without adequate training. He said the laws needed changing.
>
> The National secretary of the College of Radiologists, Dr Peter Duffy, said: "In most other States there are licences for anybody who uses X-rays, including veterinarians, dentists and chiropractors." But this did not seem to be the case in Victoria.

In other words, the former Government not only went on record during the election campaign on this matter, although is was slower than the Labor Party and the Australian Democrats in indicating that it was opposed to nuclear power stations, but at the same time it was also secretly taking steps to produce an irreversible trend towards the construction of nuclear power stations. More importantly, it was not prepared to provide safeguards to protect the health of Victorians by adequately regulating nuclear materials.

As recently as today it is clear from further evidence that the Government's predecessors neglected this area. On the issue of nuclear shipping and its effect on the defences of this country, it should be understood that Japan is not a federation but is divided into precincts—the precincts have forms of Government not unlike State Governments which have control over facilities such as wharves and access to ports. According to information provided to me by the Japanese Consul-General, it is clear that even with existing defence arrangements with the United States of America, nuclear-powered and nuclear-armed vessels are prohibited from entering many ports in Japan.

It should also be pointed out that in the course of the Premier's statement today he indicated that on 27 May he advised the Prime Minister that it was Victoria's wish not to permit nuclear-powered or nuclear-armed ships into Victorian ports. The Premier raised the matter with the Prime Minister as it was appreciated that the question touched on the matter of Federal jurisdiction. He believed it was courtesy to give the Prime Minister early advice of the policy and to provide him with the opportunity to raise issues over which it was the intention of the Government to begin a process of private consultation. It was also sensible to raise this matter in order that no visits by nuclear-powered or nuclear-armed ships would be scheduled before implementation of the policy had been fully considered. The Premier acted in a similar way to the way in which the New South Wales Government acted in 1976 and the South Australian Government acted in 1977. Those Governments informed the Federal Government that visits by nuclear-powered ships would not be welcomed. In that context advice was sought from the Victorian Solicitor-General on the question of Federal and State constitutional responsibilities in this sphere.

At this stage, the Government is still involved in the process of consultation. Mr Fraser raised matters that the Premier has undertaken to consider. What has followed from the initial discussions is that the Prime Minister evidently had no intention of awaiting any response or seeing through the process of consultation.

On 7 June the Premier released a statement setting out full details on Victoria's nuclear-free policy. He stated that a Bill would be introduced to ban nuclear industry in Victoria. He also stated that he had separately written to the Prime Minister informing him that Victoria would not permit visits by nuclear-powered or nuclear-armed ships to Victorian ports. At no stage did he say that Victoria would legislate to cover ship visits. That has not been included in the minerals and energy policy document or in the course of the speech to this House in the debate on the notice of motion that took place in September 1980.

On the same day Mr Fraser put out a statement in which he dishonestly represented Victorian policy. He said that he regretted "deeply the unilateral statement by the Premier of Victoria that his Government proposed to enact legislation to seek to ban nuclear-powered vessels or vessels with nuclear armaments from Victorian ports". At no stage has the Premier ever said that Victoria would enact legislation to ban ship visits.

He also stated that he regretted that the Premier of Victoria saw fit to make a public announcement on this matter before completing consultation with the Commonwealth Government.

The truth is that by deliberate leaking, it was Mr Fraser's office which breached the process of private consultation. It was Mr Fraser himself who, on the basis of these requests, released the texts of the correspondence between us.

The Hon. B. P. Dunn—Read the third paragraph of the Premier's letter to the Prime Minister dated 27 May.

The Hon. D. R. WHITE—Mr Fraser now says that the Federal Government will introduce legislation to ensure the visits of these ships. He has never before sought to do so, despite similar attitudes to Victoria's by New South Wales and South Australia.

If the Federal Government chooses to enact legislation and relies upon the defence and/or foreign affairs powers in the Constitution to facilitate entry to State ports of nuclear-powered or armed vessels, then, under section 109 of the Constitution, such Federal legislation would override State legislation. If the Federal Government acts in this way, it must accept full responsibility for the safety of the people of this State.

The Premier indicated and stressed, as I have from the outset, that it has never been Victoria's intention to intrude into the Federal Government's

responsibilities for defence and foreign affairs. If the Commonwealth Government chooses to use its powers under the Constitution to legislate to allow nuclear-powered or nuclear-armed vessels to enter Victorian ports, it must accept full responsibility for guaranteeing that, in the event of an accident, there are satisfactory safeguards to protect the population and the environment.

The Commonwealth statement in 1976 on the environmental considerations of visits of nuclear-powered warships to Australia indicates some of the problems. It notes that the consequences of nuclear accidents on a nuclear-powered ship could be serious. It states that, although the chance of reactor accident is remote, it cannot be entirely discounted.

It is clear that the Commonwealth Government presently recognizes the right of States to act in this area. When announcing the results of the review of Commonwealth functions on 30 April 1981, the Commonwealth Government declared that responsibility for nuclear industry should rest with the States, subject to a Commonwealth overview. In other words, it is clear that the advice of the Solicitor-General that there is scope for State legislation to enact the Government's policy to proscribe the establishment of a nuclear industry in Victoria is sound and that there are also areas where the Commonwealth may be able to intrude, if it so chooses.

The Government has indicated that Victoria will proceed with legislation to exclude nuclear industry. This will implement a policy spelt out clearly during the last election and widely supported by the people of Victoria, despite Mr Fraser's attempts to represent it as a concealed and sectional issue.

The fact is that, at no time in September 1980 or in the minerals and energy policy document did it go to the question of legislation in respect of nuclear shipping.

Nobody has satisfactorily demonstrated that nuclear industry can be operated on a large scale without exposing people to hazards. There will be no "Three Mile Island" accidents in Victoria. Victoria's policy is designed to protect Victorians from the hazards of nuclear contamination. There are at present no guarantees that they will be protected. The Government continues to maintain that policy, as enunciated in a consistent fashion, because of the reservations it has on a number of aspects of the operation of nuclear power stations and other forms of nuclear activity.

The Government is aware—and the National Party and the Opposition failed to mention—that there has been a serious breach of environmental requirements at the Northern Territory Nabarlek mine, resulting in contamination of downstream waters in the Magela Creek system with radium and other mine wastes, and serious health problems are being caused by that.

There have been continuing health problems with the Ranger tailings dam. Radioactive tailings became uncovered in the dam for a two-week period only three months after the mine went into production. In addition, there is evidence of the reservation that a wide section of the community has on this issue.

Federal Government expenditure on environmental protection measures associated with uranium mining accounted for 80 per cent of total Budget outlays for protection of the environment.

Clearly, the health and environmental aspects of the issue have not been dealt with properly by either the Federal Government or the Victorian Government's predecessor in office. The Victorian Government will address this issue and will continue to pursue its attitude of ensuring that there will be no nuclear power stations in this State.

The Hon. B. P. Dunn—What about the ships?

The Hon. D. R. WHITE—I point out to Mr Dunn that my party made it clear that the State Government would not legislate in respect of nuclear-powered vessels or nuclear-armed vessels. Nevertheless, my Government's policy was clearly opposed to allowing nuclear-armed vessels to enter Victorian ports.

The Hon. B. P. Dunn—But will you allow them to enter our ports?

The Hon. D. R. WHITE—We made that clear, and we made it clear that we were prepared to enter into consultation with the Federal Government on that issue. If the Federal Government exercises its defence and foreign affairs powers to allow nuclear-powered or nuclear-armed vessels to enter Victorian ports in opposition to the policy of the Cain Government, it will breach the consultative process in which our two Governments are involved and the Federal Government must indicate clearly its acceptance of responsibility for safeguarding the welfare of the people of Victoria.

The Hon. B. P. Dunn—So you will allow them in, with those safe-guards?

The Hon. D. R. WHITE—I indicate to Mr Dunn that, on all occasions, the Labor Party has clearly enunciated that policy. I took the House through it in September 1980; it is in the minerals and energy document and in the statements of the Premier, both his written policy document and his television speech. The Labor Party has made it clear to the House at all times in the broadest, most open and public fashion.

Mr Baxter and other members of the House wish to differ after having received a thorough thrashing on 3 April because of the willingness of the Labor Party to canvass issues positively and constructively. It is clear that people should be mindful of the trend of public opinion on this issue.

The latest polls on Australian attitudes to uranium mining are most encouraging to the Government. The poll question was whether the Federal Government was right or wrong in encouraging the sale of uranium overseas and the poll compared the figures from July 1975 to February 1981. Those figures indicate clearly consistently increasing opposition to the sale of uranium overseas. The opposition to locating a nuclear power station in Victoria is overwhelming.

The Government is prepared to continue to canvass the issue on its merits throughout the community. Interestingly, it is conspicuously the most significant public issue on which a majority of women, as opposed to men, are clearly more opposed. It is clear that, at all times, the Government has maintained a consistent policy on this matter.

The Hon. H. G. Baylor—Give us the figures on women.

The Hon. D. R. WHITE—In respect of all the polls that have emerged, be they the Gallup or the Morgan polls, the number of women supporting opposition to nuclear power stations and the sale of uranium overseas clearly outnumbers men, and the majority of women are opposed to such measures.

The Government has indicated on all occasions in an open and honest fashion that it will support the community in this matter. It took that stand well before the election of 3 April and it does not resile from that policy. The Government looks forward to its implementation and to introducing legislation in the spring sessional period of Parliament to implement the necessary policies.

The Hon. A. J. HUNT (South Eastern Province)—The House is at least indebted to the Minister for Minerals and Energy for his inferred acknowledgement that the State Government will no longer seek to challenge the constitutional jurisdiction of the Commonwealth Government on the matter of defence powers. The Minister did not go so far as to say that, but that is what could be inferred from what the Minister did say. Naturally, the Labor Party should never have sought to challenge that right and to put the defence of Australia and international defence alliances at risk from the start.

Throughout this issue, the Premier and the Minister for Minerals and Energy, have been guilty of blatant quibbling and equivocation. In the policy document issued by the Minister for Minerals and Energy, tucked away in the pages is the statement that a Labor Government will not permit nuclear-powered or armed vessels to visit Victorian ports. That policy received no publicity and all the Minister could rely upon during the election campaign was a statement made by the Leader of the

then Opposition who said on television that a Labor Government would never put the public or its children at risk from nuclear waste—neither would any Government. The Minister seeks to infer from that vague statement that everyone ought to have known that nuclear ships would not be allowed to berth at any port in Victoria.

The Minister is saying that that statement was not meant to imply that nuclear-powered ships would not be banned from berthing at any ports in Victoria, but that those ships would not be permitted to berth at any ports in Victoria. The Minister is saying that the Labor Government would not necessarily pass legislation on the matter; it is just that the Government does not want those ships to berth at any port in Victoria and it will not permit those ships to do so. That is a blatant quibble and an equivocation designed to mislead both the community at large and the House.

It was the intention of the Labor Party, that when elected to power, it would ban nuclear-powered ships from the shores of Victoria. If any further consideration were needed on that aspect, one would only have to examine the letter of 27 May this year from the Premier to the Prime Minister. One should examine page 2 of the press statement issued by the Premier today, where he states:

> On 27 May I advised the Prime Minister that it was Victoria's wish not to permit visits to Victorian ports of nuclear-powered or nuclear-armed ships.

The Minister for Minerals and Energy has the gall to tell the House that the Government did not seek to ban nuclear-powered ships from the ports of Victoria, but only to refuse permission for those ships to berth. That, in essence, is what the Minister said. That is a quibble and an equivocation of the most blatant kind.

The Labor Party has forgotten that it is in Government and it is acting as if it were still in Opposition. The Government has used the emotive language that it did when it was in Opposition. The Government has sought to play upon the fears of a wide spectrum of good persons on anything that is in the least bit related to nuclear activity. That is not a responsible way for a Government to act, especially when it is intervening blatantly in affairs in which the Commonwealth Government has clear constitutional responsibility and a most delicate task of dealing with many other countries.

Where does the future of the ANZUS pact and other regional agreements lie if those agreements can be set at risk by the actions of a single State Government making statements for deemed political gain through playing on the fears of some members of the public? It was an irresponsible act. It was trashy politics, to put it at its best.

The Government stands condemned and I commend Mr Wright on his motion, especially on the expressions contained in paragraphs (*a*) and (*c*), which recognize correctly the respective role of the State Government on the one hand and of the Commonwealth Government on the other hand.

The Victorian Parliament would bitterly resent interference by the Commonwealth Government in affairs that are the jurisdiction of this State and the Prime Minister has the equal right to resent attempted interference by the Victorian Government, in the damaging way that has occurred in this instance. Although the Opposition agrees with the sentiments expressed in paragraph (*b*) of the motion, that action should never be unnecessarily taken to pre-empt options before all of the possibilities have been considered. However, the Opposition recognizes that there is concern in the community for many aspects of nuclear power and that the community wants an assurance that, before nuclear power is used for either industrial or any other purposes, adequate safeguards are developed and made known so that there can be public debate upon them and so that the public can be fully assured that their interests are protected in every way. In other words, to quote the Premier, the public wants to be certain that their children will not be at risk. The public is entitled to take that view. The Opposition therefore believes an alternative form of wording would be more appropriate for paragraph (*b*) of the motion and that

it should direct attention to the unnecessary discouragement of research directed towards the peaceful application of nuclear energy to the benefit of the Victorian community and the development of proper safeguards. There could be no possible objection to a nuclear industry of any kind if it were preceded by the development of proper safeguards after full scientific research that was properly explained to and accepted by the public at large.

The problem of the action taken by the Cain Labor Government is that that research has been discouraged. The Cain Labor Government has sought to rule out nuclear industry for all time regardless of the circumstances and the safeguards that may be developed in either the imminent future or in the years ahead. Future options ought to be maintained and that research for the peaceful and proper use for the benefit of the Victorian community and for the development of proper safeguards ought to be encouraged rather than discouraged in the way the Government is doing. Therefore, I move as an amendment to the motion moved by Mr Wright:

That paragraph (*b*) be omitted with the view of inserting the following paragraph:

(*b*) the unnecessary discouragement of research directed towards the peaceful application of nuclear energy for the benefit of the Victorian community and the development of proper safeguards;

The Hon. JOAN COXSEDGE (Melbourne West Province)—I am pleased to have an opportunity to speak on this vital matter. I shall speak against the motion and the amendment. I shall speak on the matter, even though I deplore the motion and the fact that, with the exception of the Minister for Minerals and Energy, the level of debate so far has been abysmal.

For example, Mr Wright, quite incredibly, stated that a nuclear capacity is divorced from the nuclear bomb. Mr Wright does not seem to understand that nuclear power plants provide as a by-product the raw material for nuclear weapons and therefore the two are inextricably linked. He quoted approvingly and without critical analysis material he had received from the Uranium Information Centre Ltd, which is not exactly a neutral source. It represents a powerful consortium of uranium interests and it has a vested interest in pursuing the nuclear option regardless of the effect it will have on people. Mr Baxter seemed more concerned about the rights of foreign sailors and local shopkeepers rather than the well-being of the Victorian people.

The motion and the speakers to it from the National Party in a way provide back-up for the view held by the late Sir Jack McEwen who became concerned indeed at the trends he was witnessing in his own party where there was a shift away from the concerns of the rural people to support of the multinationals, and that trend is clear in the attitude taken by members of the National Party in this House.

The motion is based on an attitude of authoritarianism and, indeed, confrontation. It takes no account whatsoever of the realities of the issue. Technically, if one wants to, one can nit-pick an anti-nuclear stance as being unconstitutional, as has been done today, but one must also accept the fact that the target in any future nuclear war will not be the Federal Government; it will be the ordinary people who live in ordinary houses in the States of Australia, particularly those living where nuclear targets are sited. These are the future victims of a nuclear attack.

Amongst those targets, many of which are outside Victoria, some of the main targets are North West Cape, Nurrungar and Pine Gap. Other targets are facilities harbouring nuclear ships and sites such as the Omega navigation base situated near Sale.

These bases are not there for the benefit of Australia. They are there to support the global war strategy of the United States of America over which Australia has no control. Surely to heavens, Australia should learn from the second world war when Australia supported Britain to the hilt against Germany but Britain was not only unable, but also was totally unwilling to come to our aid, and it is a moot

point whether Britain could have come to Australia's aid. This virtually duplicated the first world war situation where Australia's young men were used as cannon fodder in some of the most dangerous theatres of war.

Similarly, Australia should have no illusions about the role of the United States of America in similar situations. America will defend Australia only if it is in America's interests to do so. I remind honourable members of the present situation of the Falkland Islands or the Malvinas, depending on one's point of view. Argentina, which is largely a creature of the United States of America both economically and politically, discovered to its cost that America put the North Atlantic Treaty Organization commitment ahead of the Organization of American States commitment. Argentina has to rethink its whole policy in that part of the world because it believed America was its ally and discovered when it came to the crunch that that was not so. Australia needs to remember that.

The only defence against nuclear war is not to have one. All round the world, millions of people are taking to the streets making that very point. In fact the slogan in Europe, particularly of the young people, is: "I am afraid." They have every reason to be afraid. I am afraid, too, because when one looks at the lunatics and criminals running Governments round the world, there is every reason to be afraid.

Honourable members interjecting.

The Hon. JOAN COXSEDGE—This is a serious question and it is interesting to note the reactions to it. It is important to know that the Cain Government is part of this world movement which is a growing and serious movement.

What can one expect in a nuclear situation? Early in 1981, information leaked out about NATO military-civil defence exercises in Britain. These were very secret exercises but nevertheless, leaks occurred.

These exercises were aptly code-named, "Inside right", "Scrum-half" and "Square leg" which is typical of the people who run them. No-one will argue with that.

The Hon. D. M. Evans—What about the far left?

The Hon. JOAN COXSEDGE—It is the Conservative mob, your mob, running them. These exercises were concerned about the events leading up to and following an outbreak of a nuclear attack, and harrowing details emerged. I am talking of a country, Britain, that has so-called civil rights. These exercises allowed everyone to perceive what would be in store for them in a situation that could be regarded as a national emergency.

For example, apparently already in Britain there is a five-tier hierarchical network of protected bunkers spread throughout the country. As one would know, those bunkers are not available to ordinary people. They are available only for the top military brass, for members of the Royal Family, politicans, top businessmen, and so on. "Subversives" will be rounded up and interned or shot. This is the first public admission ever made that Britain has plans for concentration camps which will be used to control civil dissent. A supreme irony is that anyone in a peace group is automatically branded as subversive and interned. Work that out as a fine piece of logic!

The Hon. W. R. Baxter—What are you quoting from?

The Hon. JOAN COXSEDGE—I am quoting from a number of articles from the *New Statesman*, in early 1981, and I am happy to photocopy the articles for any honourable member who wishes to read them. The news caused shock waves throughout Britain and the world because people did not believe that Britain, which is supposed to be the epitome of a country concerned with civil rights as an absolute right could stoop to such a thing as planning concentration camps and stating in its documentations that it hoped a number of people in that situation would commit suicide because that would create fewer problems.

That is the tomorrow scenario one is talking of; it is total breakdown of society in such a situation. I know it is unthinkable but increasingly people are thinking about it because the problem must be faced.

An aspect of nuclear warfare that has not been given much publicity in debates is the impact on civil liberties. This is true of all the phases of a nuclear cycle. In West Germany, demonstrators have been confronted not by just a small group of police but by army-style brigades of police heavily armed with all available weaponry that they are happy to use in that situation. Great Britain, which has always had a long tradition that private police should not carry arms at any time, has made one notable exception—the special constabulary of the Atomic Energy Authority.

Let us come closer to home and examine the uranium projects legislation passed in 1978 by the Federal Government. The legislation was belted through Parliament in fewer than ten hours using the gag prodigiously, which curtailed debate quite stringently. The six uranium Bills inflicted incredibly harsh penalties for old offences and created new offences which had nothing to do with nuclear technology. These recommendations went in the opposite direction to those contained in the Fox report, which explicitly advised the Government not to pursue that course. The Government did so. One Bill contained in that legislation even reversed the normal "onus of proof" provision of the legal system which is a basic part of the British legal system.

This high level technology is heavily centralized, technologically complicated and capital intensive. It is fraught with long-term dangers and I do not think anyone would disagree with that. Its use seems to appeal to the authoritarian element in our society. That has been clearly demonstrated by the debate that has taken place today. When one examines the situation in Victoria one realizes how utterly absurd it is to talk about nuclear energy as anything like a viable economic option when its use has been rejected almost totally in the United States of America. In America a number of uranium power projects have been abandoned in mid-construction. I quote from an article written by Mr Michael Gill of the *Age* on 23 December entitled "Yellowcake Star Starts to Fade":

> A wider look at the industry and its prospects shows how little sparkle remains on what was once the bright star of the Australian mining industry. Uranium salesmen world-wide are bumping into solid political and economic obstacles which some Australian politicians seem to have overlooked in their yellow-cake dreams.
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> . . . . . .
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> The story in the developed world is told in one simple statistic. In 1980 a total of 19 reactor units was ordered world wide, providing 18 000 megawatts of power capacity. But 12 units (13 000 megawatts) were cancelled or postponed—all in the U.S.
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> . . . . . .
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> In fact, the rate of cancellation of reactors in the U.S. and the lack of a single new order since 1978 has meant that U.S. nuclear plans are back to where they were before the 1972–73 boom in orders.

The article contains a lot more information, but I have only selected three paragraphs. There are large amounts of information to back up the article. Another authoritative report was published in late 1980 by the energy laboratory of the Massachusetts Institute of Technology. The article was entitled "The International Uranium Market" and was written by Thomas L. Hiff and Henry O. Jacoby. This article caused many ripples in stock exchanges everywhere. The world market for uranium could hardly be less promising. It seems incredible to raise the option in a State like Victoria where—*per capita* anyway—we have some of the highest fuel reserves of any country in the world.

This demonstrates that those who are pushing this option are not concerned about power generation at all. These people must have other motives because it makes no sense in economic terms. Since I realize these people are totally dominated by economic considerations one has to examine other possible motives. I am wondering if this industrial authoritarianism which permeates the other side of the House is not one of the major reasons that attracts them to this type of energy.

A spate of industrial accidents have occurred in the nuclear industry. Accidents occurred at Harrisburg, Three Mile Island, Windscale and Michegan.

The users completely disregard people's safety and the disposal of waste materials. For example, in 1976–77 it was disclosed in South Australia that three areas had been used as dumping grounds for such waste. In one instance a children's playground had been built on the site of an area where nuclear waste had been dumped. For heaven's sake, the users of nuclear energy should care about the implications of the health of children if they are not concerned about their own health.

I have another instance of a nasty cover-up in Australia pointed out by Dr Hedley Marston, the former director of the Commonwealth Scientific Industrial Research Organization, division of biochemistry. An article on the incident appeared in the *National Times* on 4 May 1980. As honourable members may be aware, six atomic weapons tests were conducted in Australia during 1956 under an agreement between the Great Britain and Australian Governments. Two tests were conducted at the Monte Bello Islands off the West Australian coast and four tests were conducted in a programme called "Operation Buffalo" at Maralinga.

Research by Dr Marston in conjunction with testing for atomic weapons showed that fallout from these explosions was widespread over the country. Although Dr Marston completed his report in February 1957 his paper was not published until late 1958. Then his paper was only published in a scientific journal which is now defunct, with a limited circulation. The article contained only an abridged version of the whole report. All the so-called "security sensitive material" was deleted. He concluded from the results of the survey that:

> extensive areas of Australia have been contaminated and some of the more heavy precipitations occurred on terrain situated over 1500 miles from the site of the explosion in areas more or less thickly populated.

I shall now deal with the South Pacific area. Mr Baxter and I attended an extremely interesting conference of the Commonwealth Parliamentary Association at Raratonga. One of the most interesting debates which took place at that conference—I moved an amendment to the motion which nearly brought the house down—dealt with the question of a nuclear-free Pacific. What emerged clearly in my discussions with the people in the area was their deep concern at what has taken place in their neck of the woods since the end of the second world war. One must realize that Australia is more or less part of this region because our country borders the Pacific, and what happens in that region should be of concern to all Australians.

The arrogance of the Americans was expressed well by Henry Kissinger who was happy to dump a lot of nuclear waste and weaponry in that part of the world. Henry Kissinger said that since there are only 90 000 people in the area, who gives a damn?

The Hon. W. R. Baxter—When did he say that?

The Hon. JOAN COXSEDGE—Henry Kissinger made that statement in about 1968 or 1969 and I will obtain the original quotes for the honourable member. Since Mr Baxter attended the debates at the conference of the Commonwealth Parliamentary Association he is well aware of the sorts of issues raised. Mr Baxter would be well aware of the concern expressed by the delegates at the arrogance of the great powers towards the needs of the people in the area.

What Henry Kissinger did not bargain for is that many people in the area do give a damn. The people have established numerous forums and groups so that a voice can be heard in an area which formerly had none. If one examines what has happened there between 1946 and the present day, one discovers that 150 nuclear weapons have been exploded by the United States of America, France and Great Britain. More than 100 U.S. military installations housing 3000 nuclear weapons are situated in Hawaii.

More than 20 million litres of radioactive liquid waste have been discharged into Pearl Harbour by U.S. nuclear-powered submarines. That part of the world is being treated like the world's rubbish bin. One should remember Australia's close proximity to that area.

This policy has had catastrophic consequences for Pacific Islands people because their culture has been militarized and their land has been confiscated and remains radioactive. People have been forcibly removed from their land and some have to eat tinned food because they cannot eat the produce of the soil because of its radioactive content. In some cases the land has actually been vapourized and the marine and land life have been poisoned. It has left a horrible legacy of cancer, the full extent of which we are unaware. The statistics are terrifying.

I condemn the motion and the proposed amendment out of hand. It merely joins the shrill chorus around Australia and around the world which is directed in a negative way against people who are genuinely looking for an improvement in the world situation, both politically and economically.

When looked at more closely this debate, which is at present little more than a debate, so far as I am concerned, represents a very basic struggle between those who care for people as compared with those who really are more concerned about maintaining their power at any price.

Finally, I warmly congratulate the Victorian Labor Government for its decision to introduce legislation to make Victoria a nuclear-free State. I make the point that this was not just some aberration on the part of the Premier; it is a subject that has been vigorously debated by the Labor Party for years. It was carried unanimously by the Victorian ALP conference time after time —not just once—for years. I am not equivocating, I am clear on this subject. So far as I am concerned, this is not an expendable issue.

The Premier's statement on the issue, which was part of his campaign speech, was one of the reasons the Labor Party polled so well. Another thing honourable members may not be aware of is that the Premier is not alone in this. His view is shared by many other countries. For example, on Sunday 6 June 1982, the Greater London Council declared London a nuclear-free zone, and in so doing it joined with the Manchester City Council and 160 other local authorities in Britain which have declared themselves opposed to the nuclear threat. He is in very good company. It very clearly indicates his attitude, that the Victorian Government is not prepared to lay at risk the health of its citizens by exposing them to any aspect of the nuclear cycle.

In a deeply troubled world, I do not think anyone would disagree that we are virtually sitting on a nuclear powder keg, and any initiative at all, such as the one taken by the Victorian Government, will be welcomed by all sane human beings.

As Jonathan Schell so powerfully put it in his book, *The Fate of the Earth*, which I recommend that all honourable members should read:

> We live in a trembling world, poised on the edge of self-destruction which offers poor soil for enduring love to grow in.

Normality in a nuclear world is mass insanity, because it denies reality and truth to our consciousness and our conscience. After all, we are of the earth not just on it and we must fight at all times for our survival. Whether honourable members like it or not, the greatest grass-roots movement in the history of the world will not simply go away and they had better heed it.

The Hon. B. P. DUNN (North Western Province)—It is a little unfortunate that Mrs Coxsedge did not read the motion moved by Mr Wright and look at it in its entirety. What she has given the House today is an impassioned speech that had little real relevance to the thrust of the motion. I compliment Mr Wright on the speech he made today and the research and work he put into it.

Mrs Coxsedge should realize that members in this House—certainly those of the National Party—share her concern and the concern of the world generally about nuclear proliferation, particularly of nuclear arms. I do not think anyone can be anything but concerned at the proliferation of nuclear arms around the world. I ask Mrs Coxsedge what stategy she would adopt

to deal with nuclear threats from other nations. Today she talked about the Americans and the British but we did not hear her talk about Russia or the times Russia has exploded nuclear devices on the world scene.

How do we meet this aggression, whether by physical force or by threat of nuclear action? It is important for world security that, if there are persons who place the world at such threat, we are prepared to meet that threat. Therefore, we have found a situation of developing nuclear armaments, particularly between the major powers of the world.

Undoubtedly we would all like to achieve a situation where nuclear arms particularly can be reduced across the world. It is to be hoped that this can be achieved by the generations of the future.

We have to immediately look at the use of nuclear energy, not just for war purposes but also for peaceful uses. That is the thrust of the motion moved by Mr Wright—not so much to discuss the nuclear armament threat but to look at the need for Victoria to not close off its options on the use of nuclear energy for peaceful purposes, not to separate itself from our allies and the rest of the world by banning ships of the friendly nations from visiting this State if they are nuclear powered or carry nuclear weapons, and not to enter into what is the constitutional right of the Federal Government in relations with foreign countries.

Mrs Coxsedge said in her speech that the Americans were developing a war network, and included in that war network was the nuclear, if you like, bases that had been developed in Australia.

The Hon. Joan Coxsedge—War strategy.

The Hon. B. P. DUNN—I believe America is developing a defence strategy that can at least give the Western World some security against possible aggression. It is to be hoped that the use of nuclear arms will never eventuate. No one in his right mind will agree with that line of action. It is of vital importance to at least develop some defence capacity in today's terms and that means developing a defence capacity against nuclear weapons.

If the nations that threaten the rest of the world with their nuclear capacity are prepared to talk about withdrawing and reducing their nuclear armaments, I believe the world will head in that course. All nations should head on a course of nuclear disarmament.

So far as the persons who are demonstrating against nuclear arms are concerned, if it can be achieved in that way, well and good, but it will not serve any purpose to take away the Western World's nuclear capacity unless other nations are prepared to do likewise and maintain that particular balance. I am totally amazed at the ineptitude of the Victorian Government in introducing a policy of this kind, particularly with respect to ships visiting Victorian ports. Much play was made by the Minister for Minerals and Energy about the action of the Premier in writing to the Prime Minister to suggest consultation. Honourable members were informed that the basis of the letter by the Premier was for further consultation, but if honourable members examine paragraph 3 of the letter to the Prime Minister, they will see that there is no suggestion of consultation, just an ultimatum—a straight out ultimatum—to the Prime Minister. The letter states:

> I am writing to give you early notice of the Government's policy that it will not permit nuclear-armed or nuclear-powered vessels to visit Victorian ports. This policy, which was part of the platform on which my Government was elected, will apply without qualification.

There is no suggestion of consultation in that paragraph. That is what Mr Ward has stated—that what the Premier was expressing to the Prime Minister was what the Labor Party would do, take it or leave it.

The policy of the Victorian Labor Government is completely unrealistic and if anyone is out of touch with the Victorian community, it is Mrs Coxsedge and her colleagues in the left wing of the Australian Labor Party. I stated a matter of weeks ago that there was one thing that could destroy the Labor

Government in Victoria quicker than anything else and that was its left wing and its policies which have been developed through conferences and caucuses and from there to the Parliamentary party. I am amazed. Frankly, I did not believe the Premier would fall for a trick like this and thus fall into a hole over such an issue which he has been forced to adopt by a section of his party that is out of touch with the Victorian community.

I have travelled extensively since this matter has been an issue in Victoria and there are very few people—I do not think there are any—who have expressed the view that nuclear-armed ships or nuclear-powered ships of allied nations should not visit the ports of Victoria. The opinion generally was that they should be allowed to continue to do so.

The Hon. Joan Coxsedge—To whom does Mr Dunn speak?

The Hon. B. P. DUNN—I speak to the people in the street. I know that Mrs Coxsedge had a side-swipe at the National Party by claiming that it had shifted its support.

The Hon. Joan Coxsedge—I was speaking about old Jack McEwan.

The Hon. B. P. DUNN—Mrs Coxsedge referred to him as one of Australia's leading statesmen, but the fact is that the National Party has not shifted its support from rural people to the multinational companies as Mrs Coxsedge has suggested. The National Party is an independent political force representing people from all walks of life. This certainly applies to the people in the province represented by Mr Wright and myself. Mrs Coxsedge likes to call them ordinary people, but I do not know what an ordinary person really is!

The Hon. Joan Coxsedge—We are all ordinary people.

The Hon. B. P. DUNN—The National Party represents all the people; it does not represent ordinary people. Mrs Coxsedge should know that the people represented by the National Party in this nation want the allied pacts to continue—the ANZUS pact and others—together with our alliances with the United States of America and other nations. The people want to allow their ships to continue to visit the ports of this State.

When one examines the policies of the Labor Party on this issue, one is amazed to find that there are so many different policies around Australia.

The Hon. Joan Coxsedge—We are speaking about Victoria.

The Hon. B. P. DUNN—Honourable members know the Victorian policy now, but that only adds to the proliferation of nuclear policies that are put forward by the Australian Labor Party. The Leader of the Federal Labor Party, Mr Hayden, has stated that the United States of America should declare which ships actually carry nuclear weapons and he opposes visits by any nuclear-armed ships, but he would allow any nuclear-powered ship without nuclear weapons to visit ports in Australia. Mr Bowen, who is the Deputy Leader of the Federal Labour Party and a senior member of the Australian Labor Party, states that the policy of the party allows visits by nuclear-armed ships provided that they are not starting operations from Australia. The Premier of Victoria is against visits by nuclear-powered ships or ships carrying a nuclear capacity or nuclear-arms. In New South Wales Mr Wran discourages visits by nuclear-armed ships but allows other warships into New South Wales ports without inquiring whether they carry nuclear weapons.

That is the policy of the Australian Labor Party—which suggests it should govern Australia—on one of the most important issues to be considered by the citizens of Australia. That is the policy of a party that suggests it could lead Australia, but how can honourable members trust the party to form the Government in Canberra if it cannot develop a national policy on an issue of this importance?

I suggest that the Victorian people have seen the first major flaw. There have been other decisions with which I strongly disagree, but as Mr Wright stated, this is the first major issue on which the Labor Party has fallen, that

is, the banning of nuclear-powered ships in Victorian ports and trying to declare Victoria a nuclear-free State.

I should indicate at this stage that the National Party is prepared to accept the amendment moved by the Leader of the Opposition because what it does is to further define a definition with which the National Party is in accord. The National Party does not want to oppose the peaceful use of nuclear energy and nuclear industries as much as it wants research to continue into uses of nuclear power. There is widespread technological use in the nuclear industry and this State should not be closing its options at this time.

It is wrong for Mrs Coxsedge to argue against the development of nuclear power stations in Victoria. It will be many decades, perhaps generations, before this State will need nuclear power. That is recognized by most of those involved in the power industry.

The Hon. Joan Coxsedge—We want to close the options now.

The Hon. B. P. DUNN—Mrs Coxsedge wants to close the options for future generations. Mrs Coxsedge should remember that she is only a passing phase in the Victorian political scene, as her Government will be.

The Hon. Joan Coxsedge—The impression I have is that the Government is not a passing phase.

The Hon. B. P. DUNN—The impression that most nations have at the moment on this issue is that it is such an important industry, we have to continue research to keep our options open in the future. If we can develop the use of nuclear power for peaceful purposes, it does not mean that Australia will develop nuclear weapons. In fact, under the nuclear non-proliferation treaty, we find that there are many nations which have signed the treaty and already have the benefit of nuclear power or nuclear capacity but they are bound by that treaty. They are publicly acknowledging that they will not develop nuclear arms and that treaty has been signed by a large number of nations around the world——

The Hon. Joan Coxsedge—One cannot trust them.

The Hon. B. P. DUNN—It is a treaty that is worth maintaining and it has already been pointed out that six countries, the United States of America, Russia, Great Britain, France, China and India, already have nuclear weapons but there are 28 countries, including Australia, which have the technology and are capable of manufacturing nuclear weapons. Most of those 28 countries have taken a political decision not to join in the race of developing nuclear weapons and they are bound by the nuclear non-proliferation treaty which became law in 1970. By signing that treaty, as I stated before, those countries bind themselves to an agreement not to develop nuclear weapons, although they have the capacity and technology to do so or are using nuclear energy of some kind.

There are some safeguards for nations who use the nuclear industry in a way which will lead to the non-growth of nuclear weapons. Admittedly we have some distance to go before we can be totally sure of safety from a widespread use of nuclear power. That must continue to be researched.

The National Party rejects this move by the Victorian Labor Government on the grounds outlined by our speakers, and it takes particular exception to the fact that the Labor Government has put its own selfish localized view ahead of the national interest, and ahead of the desirability of maintaining world peace. We are part of the free world that has a responsibility to try to maintain peace throughout the world. Whether or not we like it, we are part of that network, and we have a responsibility towards it. I hope we can develop and maintain our alliances with the United States of America and other friendly nations and that we can maintain the ANZUS treaty, as it is in the interests of Australia to do so.

The National Party believes Victoria should not be declared a nuclear-free State, and it supports strongly the motion so ably moved by Mr Wright and the amendment proposed by Mr Hunt.

The Hon. V. T. HAUSER (Nunawading Province)—I congratulate Mr Wright on having the initiative to move this motion. I must confess that I cannot really understand why some intelligent people in the Labor Party seem to be so opposed to nuclear energy or nuclear alternatives. In a technical question such as nuclear energy, the State must take, as far as possible, the advice of the experts. It must take the advice of scientists who, in the ultimate, know so much more than we lay people do. The majority of responsible and respectable scientists in Australia and overseas are in agreement with the case for nuclear energy.

May I cite the case of one of our most prominent scientists, Sir Macfarlane Burnet, a biologist of world repute, a Nobel prize winner, who, on Monday, 22 August 1977, announced that he had changed his mind on the question of nuclear energy. I must confess that I take more notice of experts like Sir Macfarlane Burnet than I do of Mrs Coxsedge. I quote an article on Sir Macfarlane Burnet from the *Age* of 22 August 1977. It states:

> Sir Macfarlane Burnet—who last year urged a freeze on uranium mining—has bowed before "the inevitability of the nuclear bridge".
>
> Time and political reality have combined to change Sir Macfarlane's views on uranium, which he last year described as "the modern symbol of human violence".
>
> Sir Macfarlane, pictured discussing the change last night, said it had been a hard decision which he knew would annoy many people.
>
> "I have been chewing on it for several months because of this, but think I'm doing the right thing," he said.

Up until recently, the Labor-appointed former Governor of South Australia, Sir Mark Oliphant, tended to be on the other side of the fence to his fellow distinguished scientist, Sir Macfarlane Burnet. Sir Mark Oliphant had an article in a publication issued last month by the *Challenge to Australia Committee*. Sir Mark Oliphant used to be, as Sir Macfarlane Burnet was, an opponent to the nuclear alternative. Now he supports the case for nuclear energy. He was talking of the dangers of nuclear warfare and I quote:

> This danger is now compounded by the fact that it is impossible to put the clock back, to wipe out the nuclear knowledge which made the weapons possible, or to forgo the peaceful uses of nuclear energy in a world where fossil fuels, especially oil and gas, are being depleted rapidly. The fact that nuclear power reactors produce plutonium, from which weapons can be made, cannot restrain permanently this peaceful use of energy from uranium. Uranium has proved to be far more prevalent in the earth's crust than was thought to be the case thirty years ago. Despite the non-proliferation treaty, or conditions placed on the use of its uranium by a supplier, it is now clear that any nation with a reasonable basis of technology, which is determined to have nuclear weapons, can do so. Withholding Australian uranium would not prevent the erection of a single reactor, or the production of one nuclear weapon, in a world where 50 000–60 000 such weapons already exist.

That is the voice of logic; this is the type of evidence of which we should all take notice. I have one further short quote from Sir Mark Oliphant, if I am so permitted.

The Hon. Joan Coxsedge—Don't take notice of the experts.

The Hon. V. T. HAUSER—It is of advantage to this House that we take notice of those who know a little more than we do, not a little less.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—It would be better if Mr Hauser were not to take notice of the interjections of Mrs Coxsedge.

The Hon. V. T. HAUSER—I agree with Mrs Coxsedge in one instance, and I will mention that later. Sir Mark Oliphant went on to state:

> As one who has been involved all my life in nuclear physics and nuclear energy, who has participated in many international discussions with Soviet and other workers in these fields, and in scientific and technical aid to developing nations, who is committed to the search for peace, I am convinced that Australia would be foolish not to mine, use, and sell uranium. Nuclear power stations are now far less polluting, and are safer, than coal-burning equivalents. Pending the general acceptability of vitrification, or the Ringwood method of storage of radioactive residues, there is no need, while uranium is plentiful, to separate the dangerous radioactive "ashes" of the nuclear burning, so that spent nuclear fuel can be stored unprocessed. There is continued development in all aspects of waste handling.

It is because of logical arguments such as these that some members of the Australian Labor Party, including a former Prime Minister, Mr Whitlam, tend to support the case for nuclear energy. I understand Mr Hayden, the present Leader of the Labor Party, personally supports the nuclear alternative. I have a quote from the *Age* of 22 July 1976, under the headline:

Sell Japan uranium, says Hayden.

I agree with Mr Hayden. A possible successor to Mr Hayden, Mr Hawke, is often quoted as saying that he believes in the peaceful use of nuclear energy. Therefore, the top people in the Labor Party, at least in the Commonwealth area, tend to agree with the nuclear alternative. The Liberal Party and the National Party believe in civilized progress. We cannot go along with the latter day Luddites of the Socialist left.

I have no doubt that if Mrs Coxsedge had lived in northern England 160 or 170 years ago, she would have been one of those short-sighted people who would have rushed around with heavy hammers or mallets smashing machinery on the grounds that the existence of that machinery would have meant that workers would have been less able to get a job. It was the existence of that machinery that helped forge the industrial revolution, which gave higher standards to millions of workers in Britain, on the Continent and in the United States of America.

I suggest that in 1835 Mrs Coxsedge would have wanted to ban trains if they travelled at a speed of more than 25 miles an hour because she would have believed it would result in the fumes going up people's nostrils and suffocating them. Groups of protestors in Austria opposed the advent of the steam train at that time for this very reason.

Countries of the left, such as Russia and China, Mrs Coxsedge's friends, support the nuclear alternative. They use and agree with the use of nuclear energy for peaceful purposes. Countries of the right, such as Brazil and Argentina, also agree with the peaceful use of nuclear energy. Countries of the west, such as Britain, the United States of America, Germany, France and so on, agree with the nuclear alternative, and countries of the Third World, such as India and many others, agree with the nuclear alternative.

There are small, unwashed opposition groups in most countries that, for some unknown reason—perhaps it is the fear of the unknown—refuse to accept the inevitability of the nuclear alternative. I suppose that radiation is difficult to understand. It does not impinge on any of the five senses. We cannot see it; we cannot smell it; we cannot hear it; we cannot touch it; and we cannot taste it. It is new, it is strange and it is different, but its being new, strange and different is no reason why we should give away this great source of energy which, no doubt, the ingenuity of mankind will continue to use for rich benefit over years to come.

It almost seems to me that over the past day or so the publicity emanating from the Government has been calling for a world conference between President Reagan, Mr Brezhnev and Mr Cain. The Premier seems to have promoted himself to world leadership status with his policies on uranium in that he has declared that Victoria is to be a nuclear-free State. I do not know which other countries of the world have been declared nuclear free. Perhaps San Marino, Andorra or some other little-known country such as those, or perhaps a small State in India.

The Hon. D. G. Crozier—And the City of Fitzroy!

The Hon. V. T. HAUSER—I had forgotten the City of Fitzroy.

The Hon. Joan Coxsedge—What about the City of London?

The Hon. V. T. HAUSER—I should have to check on that to make sure that someone declared the City of London nuclear free. The people who oppose nuclear energy say the great alternative is solar energy. There is no doubt that there is an argument for the gradual development, in a scientific manner, of solar energy. It is cheap and it is constant, and it would be marvellous if we could use its benefits, particularly if we could use them as they

are used in solar cells in spacecraft. One day, although it may be decades away, solar energy will also be a tremendous source of real energy for mankind's use on this earth.

To my mind, the ironic part of that argument is that the sun is nothing more than a giant atomic bomb, which has been exploding continually for thousands of millions of years, and which will continue to do so. Its energy comes from the atomic process, but Mrs Coxsedge thinks that mankind should not harness atomic energy.

I genuinely agree with Mrs Coxsedge when she says the only defence against nuclear war is not to have one. I cannot think of any honourable member who would disagree with that remark. No honourable member would want a nuclear war, but the peaceful use of uranium and the nuclear alternative has nothing to do with a situation in which a war could occur that would destroy the lives of hundreds of millions of people. That is a reflection on the lack of logic of the "antis" who are against the peaceful use of nuclear energy.

It is indeed incredible, when there are disturbances in areas such as the Falklands and Lebanon, and when little wars are breaking out all over the world, that the Premier of Victoria should have the audacity to antagonize, or run the risk of antagonizing, our major ally, a member of the ANZUS treaty, the United States of America, a country that came to Australia's aid to help save this country from Japanese invasion during the last war. This is the height of irresponsibility. I am thankful that any damage has been minimized by the Commonwealth Government asserting its rights in the defence area.

Any method of energy conversion is dangerous. It seems to me, from my examination of the subject, that a much more dangerous method of energy conversion is the use of coal for the generation of electricity. It is extremely pollutive and many, many hundreds or thousands of people have died over the years because of accidents involving the use of coal.

That is not to say that we should not use coal but, from the point of view of pollution alone, I suggest we should add to the use of coal the use of nuclear energy for the generation of electricity.

We should experiment with new ways and new usages. We must be careful, not only with the nuclear alternative, but also with the production of the millions of tonnes of carbon dioxide that are being spat into the air from coal-burning plants. There has been an enormous increase in such pollution over the past decade, which will doubtless continue over coming decades. Nuclear fuel is non-polluting. It is clean. As Mr Wright pointed out, it takes 27 000 trucks of coal annually to supply a 1000-megawatt generating station, but it takes only five trucks of uranium. The saving in transport costs alone would be enormous. Economies of scale can sometimes be achieved through the use of nuclear energy rather than coal.

I again thank Mr Wright for his initiative in moving the motion and I congratulate Mr Hunt on moving the amendment, which it appears will be accepted. It will be my great pleasure to support the motion, as amended.

The Hon. G. A. S. BUTLER (Thomastown Province)—Once again, I am at odds with my colleagues on the Opposition side of the Chamber. I cannot see any reason why the State of Victoria should be involved in any nuclear development, no matter whether it be in the form of the creation of uranium, nuclear power stations, enrichment plants or, more importantly, the storage of nuclear wastes.

The Hon. K. I. M. Wright—What about ships?

The Hon. G. A. S. BUTLER—Quite frankly, I would prefer that nuclear vessels did not enter Victorian waters. This country is a time bomb; it is now suffering from the effects of many of the problems that have arisen in the past twenty or so years. We experimented with the bomb. It was exploded at Hiroshima to kill 100 000 people in order to demonstrate its power.

Most of the debate that has taken place on this motion, with the exception of the remarks made by Mrs Coxsedge, who attempted to present some of the facts and figures of the problems facing this world, has been farcical.

The Hon. B. A. Chamberlain—Do you include Mr White in that?

The Hon. G. A. S. BUTLER—No, I do not, but Mrs Coxsedge has presented many facts and figures, to which I hope honourable members on the Opposition side of the Chamber will give real consideration. I shall say nothing further, other than again to commend Mrs Coxsedge's contribution to the debate.

The Hon. ROBERT LAWSON (Higinbotham Province)—The debate today highlights the dilemma facing the Australian Labor Party. The Labor Party, whether in government or in Opposition, wishes the Australian community to enjoy the fruits of technology, to have a high level of employment and the benefit of modern medical techniques, but its members are not prepared to face up to the full consequences of obtaining those benefits.

I will give the House an example. I ask the Labor Party whether it is prepared to declare the Peter MacCallum Hospital a nuclear-free area? It is positively abuzz with radiation. I will relate a story representative of the kind of cures that take place at the hospital with the assistance of nuclear technology.

A lady I know had a goitre which, over the years, developed in her throat to an extent that it was nearly choking her. Eventually, her doctor recommended that she attend the Peter MacCallum Hospital, which she did. She was put in a radiation-proof room with a nurse who was wearing lead-impregnated clothing, a protective mask, and so on, to shield her from radiation. The patient was also given radiation-proof gear. She was administered a tumbler of clear radioactive liquid to drink and then taken to another piece of equipment which measured where the radioactivity in the goitre was and the dosage required to cure it. Once that was determined, another glass of liquid was given to her to drink. It also was radioactive liquid. She was sick for a week after drinking the liquid but in the event the goitre was cured and her life saved. This is one example of the use of nuclear technology in medicine.

The Hon. D. R. White—What happened to her afterwards—is she infertile?

The Hon. ROBERT LAWSON—She was cured, Mr White. She was cured by nuclear technology.

The Hon. Joan Coxsedge—We exclude nuclear medicine.

The Hon. ROBERT LAWSON—Will the Labor Party declare Victoria's industry a nuclear-free zone? There are many applications of nuclear technology in industry. If Victoria cannot use nuclear technology in industry, inevitably it must fall behind the other States and other nations that are prepared to accept the techniques of modern industry. Mrs Coxsedge said that the Labor Party has no objection to nuclear technology in medicine. Presumably the Labor Party would not object to nuclear technology in industry as well. It accepts both things.

During the debate, Mrs Coxsedge referred to extraneous matters saying that Victoria had plans for a nuclear power station in the State, that somehow or other Australia was going to bomb Russia or some other country or join in a nuclear war. There are no such plans. Australia has no nuclear weapons but it acknowledges that the nuclear age has arrived.

Another dilemma facing the Labor Party in this matter is closer to home. I refer to the proposed hydro-electric works on the Franklin River. These proposed works may or may not proceed. The Tasmanian Government plans to flood the lower Franklin River and generate electric power from the proposed hydro-electric works on that river. This is the cleanest and least

polluting means imaginable for generating electric power but the Labor Party is totally opposed to it and the scheme may not proceed.

If Tasmania is not able to generate power in this way what is the alternative? Tasmania claims that it has no coal or other source of power. In justice, there should be some device whereby Victoria can transfer some of its abundant power to Tasmania but if that principle were followed and Victoria allocated some of its brown coal and other energy resources for the use of other States and other nations that do not have natural means of power, what would happen? Mrs Coxsedge and other honourable members mentioned the enormous resources of energy in Victoria, citing those resources as a reason for not having nuclear power stations in Victoria. But what of countries such as Bangladesh, India and States like Tasmania that do not have abundant sources of natural power. If arrangements are made to transfer Victoria's sources of natural power to those countries, Victoria's brown coal resources would not last the predicted 300 years but would be dissipated far sooner.

The Hon. Joan Coxsedge—If it is squandered, yes.

The Hon. ROBERT LAWSON—Mrs Coxsedge is now using the word, "squander".

The Hon. Joan Coxsedge—On projects like Alcoa of Australia Ltd.

The Hon. ROBERT LAWSON—I am talking of other nations in the world that do not have natural sources of power and have no means of generating power for their needs unless they build nuclear power stations or import energy. Japan is a prime example. If Victoria is to be complacent about its resources for generating power and if it is so pure that it can declare the State a nuclear-free corner of the world, it should examine the consequences of its actions and help nations without similar resources.

Honourable members opposite have read material on what will happen ultimately if nuclear energy is used. Have they also read what will happen if the world persist in using coal and oil to generate power? If they read such material they would discover an equally horrific scenario that may affect us all. The level of carbon dioxide in the upper atmosphere has been rising steadily since the advent of the industrial revolution and the world is facing the question of what irreversible damage is occurring. A greenhouse effect could develop that would screen the effects of and increase the temperature of the atmosphere so that polar ice caps would melt and I remind honourable members that there is enough ice in the west Antarctic ice shield to flood all the world's ports, including Melbourne.

Could this be possible? Much research is being undertaken on the question. One school of thought believes this will not happen and that in fact we will descend into a new ice age. I do not know. I am a layman the same as other honourable members, but I have done my reading and I say that there are equal dangers facing the world and the lesser danger is that many countries should turn to nuclear power for energy rather than coal and oil-fired power stations because of the serious effect they may have on the atmosphere. The Liberal Party is advocating the safer of two dangerous courses.

I draw attention also to the dangers of extracting oil and coal from the earth, and particularly coal. The coal industry has a long list of martyrs stretching back hundreds of years, whether people have been trapped underground in rock falls and cave-ins or have coughed their lungs out with the various lung diseases associated with the industry. However, can any honourable member name one person who has been killed in the service of nuclear industry?

The Hon. Joan Coxsedge—People have died because of it.

The Hon. D. R. White—Give us names, too!

The Hon. G. A. Sgro—What about South Australia, now?

The Hon. ROBERT LAWSON—The last martyrs in the service of the generation of thermal power in Australia were some miners in New South Wales who were killed in a mine cave-in last year. If honourable members who are interjecting would care to look up the files of the newspapers they will find details of the disasters that have occurred throughout the mining industry where the quest for coal and the quest for power have taken men underground. If one balances the dangers inherent in the two courses, one comes down in favour of nuclear energy, as Sir Mark Oliphant has done. A short while ago Mr Hauser read from the book, *Challenge to Australia* which has been written with the aim of providing some idea of the way in which Australia should go in the future. Sir Mark Oliphant said, at page 29:

> Assessment of the appropriate time to introduce nuclear (fission) power to Australia with special attention to uniquely suitable uses e.g.: for fresh water production from the sea and for the production of a full range of radioactive isotopes for industrial and medical use and as an essential tool for chemical, biological and technological research.

The argument about nuclear power was dying down. There was no incident to support the fears of the anti-nuclear people, until the accident at Three Mile Island and this was an incident needed by the people who were opposed to the use of nuclear power stations. Suddenly they had something on which to hang their hats. However, I ask what was the death roll for the Three Mile Island mishap. Can any honourable member say how many people were actually killed at Three Mile Island by accident or radiation?

The Hon. Joan Coxsedge—It was very close.

The Hon. ROBERT LAWSON—Mrs Coxsedge claims that it was close, but she cannot name anyone who was injured, killed or affected in a deleterious way in that accident. Nevertheless, it was used as an excuse to close a number of projected power stations in the United States of America.

This can be only temporary because the Americans will once again have to continue their power programme of building nuclear power stations. They have no choice because of the gradual diminution of the power reserves in the United States of America. The world can turn no other way than towards the nuclear option, but I believe this option is only one stage in the progress of the search for energy. The next stage is hydrogen fusion.

Mr Hauser referred to the sun as being an atomic bomb. I do not wish to correct him, but I point out that the sun is a hydrogen fusion reactor which has been pouring an immense bounty of light and heat into space for the past 4·5 billion years and it is predicted that it will be doing so for the next 4·5 billion years, at the very least. This energy source could well be open to us also because for some years experiments have been conducted in the United States of America and England in the search for a practical way in which hydrogen fusion can be harnessed and used in the generation of energy. If mankind turns its back now on the search for nuclear power and on research into nuclear power, it will turn its back on the future, because nuclear power generation is only a stage in the forward progress of the human race.

The Hon. D. M. EVANS (North Eastern Province)—I sometimes wonder what the reaction of the world would have been if the first tangible use of atomic power had been for the generation of power and the provision of services and electricity and not for the dropping of two terrible devices on the Japanese cities of Hiroshima and Nagasaki. If that had been the case, I wonder how many people would have joined the band of people that Mrs Coxsedge referred to earlier in the debate, who are against the use of nuclear power. I suggest that the ranks of that group would have been considerably smaller.

If the people who are against the use of nuclear energy had been told that 600, 700 or 800 deaths are caused every year in Victoria alone, that approximately 3000 deaths are caused every year throughout Australia and that many more thousands of deaths are caused throughout the world in any year, and that for every death 5, 6, 7, 8 or 10

human beings are seriously injured, some for life, I wonder whether the ranks of which Mrs Coxsedge and others of the flat-earth brigade in this community support would have been considerably larger. Perhaps the wrong thing is being banned and perhaps it is the motor car that should be banned because that is the machine that causes the deaths to which I have referred. I do not think anyone says that the motor car should be banned. Rather, attempts are being made to make it safer. That seems a reasonable way of tackling the problem.

The whole of the earth is subject to varying degrees of low-level radiation. That radiation comes from a wide variety of sources—from the sun, from the mining of coal, from the natural radiation within the earth, from proximity to other radioactive substances. Uranium and other radioactive elements are widely distributed throughout the world's surface and are concentrated in certain areas to a marked degree, to the extent that they can be mined. They are present throughout the earth's crust and form a part of the low-level radiation that has been a feature of this planet ever since it was created. Some may say that without such low-level radiation, the changes in species that have occurred ever since the first crawlies came on to the earth about 1000 million to 1500 million years ago would not have developed.

Perhaps this radiation led to the diversity of life on the earth, and perhaps it is part of the natural process. It would therefore seem reasonable that if it is to be of some use for civilized purposes, by way of its immense natural force, it should be used in circumstances where it can be controlled and where the levels of radiation do not reach harmful figures. I do not think there has been any suggestion, backed by evidence, that the current use of radiation or atomic power, except in the apparent areas of severe testing and the two occasions of its use in wartime, has markedly affected the background radiation over any substantial area. In fact, the whole of the system of use of atomic power has been geared towards the containing of any additional radiation within narrow confines and I believe it has been done extremely successfully. That appears a bit like the example of the motor car, and perhaps we have been less successful in regard to the safety of the motor car than in relation to this nuclear power.

Mr Lawson made an excellent contribution by introducing new material to the worth-while debate brought on by my colleague, Mr Wright. He referred to the greenhouse effect and the serious problems the earth may face as a result of it. He referred to the fact—and I wondered why no other honourable member in the debate referred to it earlier—that the earth has two sources of atomic power—fission, which occupied all of the debate until the past few minutes, and fusion.

It is essential to recognize that the world has a finiteness of fossil sources for fuel. In due course it will be necessary to seek out other sources of power. If our standards of living are to be maintained one must realize that the world has an immense appetite and need for power. The United States of America is a nation on this earth with about 5 per cent of the total global population, but it uses an immense proportion of the total energy usages in the world. I am not sure, but I think it is in the order of 30 to 40 per cent of the total global usage of energy. That relates to an extremely high standard of living. It may be that the standard of living of the whole world need not be as high as in the United States of America, but nevertheless it is true that many countries in the world have standards of living that are barely above subsistence level. Worse than that, they are not guaranteed that that wretched level will be maintained.

The world population is increasing rapidly with a need for heat and light, not only for cooking, but also for warmth. India is a prime example of the less fortunate countries. It is finding it increasingly difficult to meet the most basic needs for heating, cooking and warmth. People in India are burning cow dung to provide heat, and this has caused a reduction in the natural fertility of the soil. It has caused a

degradation of the soil because the manure is not going back into the soil in the natural course of events to maintain soil fertility. They are burning up the soil in order to maintain something that remotely resembles some sort of existence.

Those countries will have to seek and find an alternative source of fuel to maintain current standards, let alone improve their standards. The nuclear energy field provides an alternative source of energy, provided it is used sensibly with proper safeguards, recognizing that it is a natural source of power. It is used somewhat differently from coal, but it should be remembered that coal is not a source of power until it is treated. It is burned, although it was not intended that it should be burned; it was intended to be kept in its original condition. Therefore, it is unreasonable to suggest that the clock can be turned back and that one can ignore progress and hope that energy will appear out of the sky. We cannot join the flat earth society, as I suggested earlier. We cannot react like people in Italy in the 1500s, who on hearing the theories of Galileo, said he must be mad because those theories were against their religion and could not be true.

One cannot ignore the facts. No one likes the thought of anything that resembles a nuclear holocaust, nuclear weapons or anything that kills men. I noticed an article in a newspaper a day or two ago which reported that the fossil of a hominid, a human-type species, was found in Africa. A scientist was quoted as saying it was at least 4 million years old. Apparently, the skull showed marks that had been made by a sharp weapon such as a stone tool. It was suggested that the only way those marks could have been made was for the skull to have been scalped by another hominid. It is evident that 4 million years ago men were killing each other. That is still occurring, although we are now more scientific about it and are able to do it in different ways. The best way for one to protect oneself is for one's opponents and potential enemies to recognize that the sting in one's tail is so strong that it is not wise to take one on. It may be necessary to be sufficiently armed to be able to protect oneself and make oneself a dangerous target for any aggressor. Hopefully, that is all this nation will do.

Australia cannot protect itself as it is a small nation with only 15 million people. Although our technology may be advanced, it is far below the technology of many other nations that may look at Australia's open spaces, resources in metals and agriculture, and other benefits, with envy. Australia must look to other countries for assistance. I do not believe Australia has territorial desires on any other nations. Australia has plenty of land and resources of its own and is fortunate in that regard. Australians can afford to be a little self-satisfied with Australia's advantages, but should not say that Australia has so much that it does not need any more—it is easy to be sanctimonious in those conditions but there are others less fortunate than us who view Australia with considerable envy.

I submit that Australia does not have sufficient strength to maintain its independence in the face of a real and serious threat from a well-armed aggressor. Australia must look to friends to assist it in that regard and it should do so with some degree of gratitude. Unfortunately, in the global climate at this stage sophisticated weapons are a most important part of protection. Without them, a country may have no chance of surviving. It would certainly have no chance of acting as an aggressor and no chance of being able to defend itself.

If Australia wishes to survive it must have protective influences and protective friends to assist it. If it shows an ingratitude similar to that demonstrated by the childish efforts of the Victorian Government of proclaiming Victoria a nuclear-free zone, Australia is likely to find itself rapidly running out of friends. It will be told to fry in its own juices. It will be told that if it is not prepared to make concessions and be understanding of the needs that must be met in order to be protected, it will be on its own. Although the Victorian Government may wish to be on its own in that situation, if it were isolated it would change its

view. The people of Victoria would not wish to be isolated either. I have a theory that the Premier is hoping that somehow someone will pluck him out of the difficult position in which he has found himself. He will receive credit, if credit is due, for trying to be modern by proclaiming Victoria a nuclear-free State. Hopefully, someone will protect him from his own folly. The motion moved by Mr Wright is perhaps one attempt in that peaceful battle and I congratulate him and commend the motion to the House.

The Hon. G. A. SGRO (Melbourne North Province)—Mr President, this debate has gone on long enough. I have been listening to it for four and a half hours. I have heard members of the Opposition and the National Party mention the Socialist left 55 times. I remind the House that the decision was a unanimous decision by the Labor Party. To hear members of the Opposition repeating the same words 55 times reminds me of a cockatoo I used to have. The only thing it could say was, "Hello, Cocky"—nothing else. Members opposite are cockatoos. They talk about the whole world. The whole world condemns nuclear weapons. Last week, that cowboy, the President of the United States of America, went to Europe.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! That is an unacceptable reference to the President of the United States of America and I ask Mr Sgro to withdraw the remark.

The Hon. Glyn Jenkins—He didn't go to Italy.

The Hon. G. A. SGRO—He did go to Italy and he kissed the Pope. I withdraw the remark, Mr President; I used it only because I read those words in some newspaper. When he went to Europe he wanted to promote his nuclear missile policy but he found that the people of Europe said, "We do not want those missiles". They protested and they went to gaol. People throughout the world are strongly opposed to nuclear weapons.

Yesterday, the Chancellor of the West German Government, Mr Schmidt, went to America and he said that peace rallies in Bonn must be heeded. The *Age* today carries an article datelined New York which states:

> The West German Chancellor, Mr Schmidt, warned other world leaders yesterday that "we should not simply push aside" the global movement for disarmament.

Of course, the newspapers did not print what Mr Schmidt said yesterday. They quoted what suited them, but that is what he said in America yesterday. The day before he landed in America, 1 million people protested in America against their own Government.

In moving the motion, the National Party stated that the Government's policy on this matter would embarrass Australia and the Australian people, but I say that the embarrassment caused to this country is whenever Australia's Prime Minister goes overseas. Until Mr Whitlam went overseas as Prime Minister a few years ago, Australia was considered as another State of the United States of America and we have now gone back to that old policy. Whenever the Prime Minister goes overseas, journalists from all sections of the media ignore him. It is as if he did not exist. I repeat that most people throughout the world consider Australia to be just another State of the United States of America. If any embarrassment is caused to this country, it is caused by Mr Fraser, the Prime Minister, not by the Labor Government.

Mr Wright and other members of the National Party should remember that Mr Bjelke-Petersen has caused tremendous distress and embarrassment to this country. Whenever he goes overseas he embarrasses not only his own party but also this country by trying to sell Australia bit by bit.

This morning Mr Wright said that, had it not been for the Americans, the Japanese would have swallowed Australia in the second world war, but look at what has happened. The Japanese lost the war but now they have won the battle. The people in this country have allowed the Japanese to come in and buy it at sixpence a block. They are free to drill holes anywhere they want. They should drill holes in the heads of honourable members opposite.

We in the Labor Party are opposed to nuclear weapons. Despite what honourable members opposite say, we know the danger of nuclear weapons. In this country, details are now being revealed of the consequences of the British nuclear tests conducted in the 1950s and we know how many Aboriginal people died and how many Aboriginal people have cancer. Honourable members opposite do not care because they consider the Aboriginals merely as "Blacks". All the same, right, left and centre, the Opposition knows the damage that has been caused by nuclear tests and refuses to talk about those tests. The Opposition talks about nuclear ships.

Suddenly, members of the Opposition have discovered the Socialist left. I have said that the Socialist left wants to ban nuclear ships, and I say, "Good luck to the Socialist left". I remind the House again that the decision by the Labor Party to ban nuclear tests was a unanimous decision, not a decision of one section of the party, and the Government intends to put into effect that decision.

The National Party tried to embarrass the Government but the National Party is simply busy looking for publicity in the newspaper and is using the ban on nuclear ships in Victorian waters to try to gain a bit of publicity. The Labor Party put its policy six months ago, the same policy which it has today, so what are members opposite talking about? It was Mr Cain's policy and the Labor Party's policy.

I condemn the motion which is purely a gimmick motion moved by the National Party to embarrass the Government, but the Government is not embarrassed. It has been through stormy waters before and is accustomed to the nonsense that is put forward by the National Party.

The Hon. J. W. S. RADFORD (Bendigo Province)—I support the excellent motion moved by Mr Wright and the amendment moved by Mr Hunt. This is an important debate and I will not canvass the question that was dealt with by Mr White when finally announcing the back-down of the Premier in relation to the entry of nuclear ships into Victorian waters. In one way, one could express it as the Cain mutiny now being over and we are not faced with the prospect that worried my colleague, Mr Lawson, the prospect of *HMAS Cerberus* being refloated from Half Moon Bay to go out and do battle and defend the Heads against any ship that comes along that may or may not have nuclear weapons on board.

The most important aspect of the debate is the emphasis placed by Mr Hunt on the unnecessary discouragement of research directed towards the peaceful application of nuclear energy to the benefit of the Victorian community and the development of proper safeguards. When talking about nuclear research, the bloody-minded always look to the militaristic point of view, but governments should consider the development of nuclear power for the benefit of mankind.

Examples have been mentioned by previous speakers. For instance, Mr Lawson made mention of the greenhouse effect, and that reference was supported in Mr Wright's initial statement when he produced figures from the uranium information centre referring to the discharge of the various types of chemicals into the air and their effect. He mentioned carbon dioxide, sulphur dioxide and the annual waste disposals. In speaking of the annual waste disposals in the production of electrical energy, he mentioned 100 000 tons of fly ash and 60 000 tons of sulphur based on 3·5 per cent sulphur coal with 80 per cent stack efficiency. Those figures certainly would not relate to the brown coal industry at Yallourn.

The Government has an ostrich-like approach to nuclear energy research in this State; it has its head in the sand. The Minister for Minerals and Energy mentioned that the State Electricity Commission will dispose of the site at French Island. It was short sighted of the Minister for Minerals and Energy to make the statements he made when one considers the finite energy resources Victoria possesses. The Government has been lulled into a false sense of

security by the fall in oil prices. The Organization of Petroleum Exporting Countries has presided over a decline in oil prices due to a world oil glut and a temporary fall in demand for oil. I predict that within the next three to four years there will be an upsurge in oil prices due to consumer demands that will cause nuclear power to become a far more competitive power source on a cost basis.

Many persons in Australia have claimed that solar energy could be of assistance in meeting the future power resources. With the exception of some small areas of Victoria, one will find that solar energy would have a dramatic impact only during the summer months. I was surprised that honourable members opposite did not express concern about the greenhouse effect on the environment and the acid rains that are generated by pollution in the upper atmosphere. Acid rain falls frequently in parts of Gippsland and in many areas of the United Kingdom, Europe and the United States of America. If one wanted to consider the total effect of acid rains, one would have to examine the mining venture that was carried out on Mount Lyell, where the entire mountainside was stripped bare. Since the mine has ceased production, the tourist trade in that area has fallen because tourists were visiting the area to view the hillside that had been stripped of all vegetation. That raw hillside was a tourist attraction. The complaint is that because the smelter is no longer operating, the acid rain effect has disappeared and, slowly but surely, primitive forms of vegetation are appearing on the hillside that was once barren.

An interesting article appeared in today's *Australian*, under the heading, "Nuclear opponents ignore the future". The first paragraph states:

> The anti-nuclear silly season is on again. Australia swarms with imported, articulate, but ignorant opponents of uranium mining and peaceful nuclear energy.

Mr Leslie Kemeny, the senior lecturer in the school of nuclear engineering at the University of New South Wales quotes some interesting figures on the nuclear industry in the United States of America. The nuclear industry in America is planning to increase the electrical energy generated from the nuclear fuel-cycle from a present level of 11 per cent to 20 per cent by the year 1990. According to the Fusion Energy Foundation, a United States pro-nuclear group with 18 000 members, it has been estimated that utilities and consumers of electricity would save more than $50 000 million if 50 of the 82 United States nuclear power plants, currently stalled by delays in construction and licensing, were put on line between now and the end of 1984. With all 82 reactors in operation by 1987, the savings would be more than $100 000 million compared with the cost of generating electricity by alternative means.

Mr Kemeny refers to Korea, which plans to have 41 per cent of its electricity generated by nuclear power. Mr Wright and other honourable members referred to the massive efforts being made in France to have 40 per cent of its electricity generated by nuclear power due to the short life span of other alternative fuel sources.

Russia favours nuclear-powered energy. Nuclear power, which provides 6 per cent of the total electricity needs in Russia, has grown to the equivalent of 50 million tonnes of coal annually.

The fuel substitution factor is an important element in the consideration of the possible use of nuclear power in Australia. Indeed, figures produced by the Northeast Utilities in America demonstrate that in Connecticut and parts of Massachusetts, nuclear power supplies 53·8 per cent of its customers' electricity, thus saving 21·3 million barrels of oil. No honourable members opposite could deny the cost effectiveness of nuclear power. The Government has ignored the future power needs of Victoria.

The Minister for Minerals and Energy said that 99 exploratory licences have been issued for uranium mining and that the Government will provide no encouragement to the holders of those licences. However, nuclear power does have a future and the Government will

discover that the role nuclear power has to play is not one that is in the distant future. The Government should continue to examine the peaceful uses of nuclear energy for Victoria.

The Hon. K. I. M. WRIGHT (North Western Province)—I commend the many honourable members who, in the main, have debated the motion and the amendment in a most constructive manner. Nothing that I have heard from the Government side of the Chamber has led me to believe that anything else has happened in this matter, but that the Socialist left has dragged the Labor Party by the nose into this sorry position. It demonstrates that the honeymoon is over. This is the first serious mistake the Government has made. It has been noted by the community, and the Government would be well aware that it would take only three or four similar mistakes to put the Government on the electoral downhill slide.

I commend my colleagues, Mr Dunn, Mr Baxter and Mr Evans for their contribution to the debate. Mr Crozier correctly spoke of the detrimental effect the decision of the Government has had on the defence situation. The Leader of the Opposition moved an amendment to the motion, which refines paragraph (*b*), and the National Party accepts the amendment.

Earlier in the debate, I discussed the peaceful use of energy in Victoria. I put it that this State and this country could ill afford to lead themselves away from this source of energy.

In his contribution to the debate the Minister for Minerals and Energy was strangely subdued. This was most unexpected, because I thought he would come back with all guns blazing, but he did not do so, apart from making a few comments about whether nuclear-armed or nuclear-powered ships would be allowed to come to Victoria. That is an interesting argument, because originally in the Labor Party policy and the statement by the Premier it was clearly stated that the ban referred to nuclear-armed and nuclear-powered vessels. Now there has been a back-down from that position, so nuclear-powered ships will be allowed to come to Victoria.

The Minister for Minerals and Energy and Mrs Coxsedge made much of the danger aspect of this subject, but as I said originally, and as was mentioned by a number of other honourable members, there is no recorded information of any fatality having occurred in an atomic energy plant.

The Hon. Joan Coxsedge—That is an absurd statement.

The Hon. K. I. M. WRIGHT—It is correct that accidents have occurred in the mining of uranium; similarly many accidents have occurred in the mining of coal. Mention was made of an atomic energy plant in the United States of America where a disastrous accident occurred, but no loss of life occurred.

The Hon. Joan Coxsedge—What about the number of people killed in the Ural Mountains?

The Hon. K. I. M. WRIGHT—Mrs Coxsedge can tell me about that.

The Hon. Joan Coxsedge—You don't know; you just made a statement but you don't know!

The Hon. K. I. M. WRIGHT—It is strange that Mrs Coxsedge should become so vocal on the subject-matter of the motion, because she spoke for quite a number of minutes but at no time did she speak directly to the motion. Her address was more like one that she would give to the annual conference of the Labor Party to endeavour to secure her re-endorsement.

As Mrs Coxsedge is a member of the Socialist left faction, I expected that she would have commented on what is being done in Russia and China to use nuclear energy for peaceful purposes. Mr Brezhnev, the Chairman of the Communist Party Government in the Union of Soviet Socialist Republics, said that no longer could Russia be dependent on oil for electricity or energy, and that nuclear energy was required. The same principle applies to China and many other countries.

The Government produced no argument to support the action it is taking. The matter concerns us deeply in two

ways. Firstly, on the international and diplomatic side the Government has adopted a disastrous policy that could have unfortunate effects on the State of Victoria. Fortunately, it has now been proved that the Commonwealth Government has the main jurisdiction in this matter, and I am sure its policy will continue to prevail.

Secondly, no argument was produced to throw out the proposition of the use of nuclear energy for peaceful purposes. I do not necessarily support such a proposal, but the State can ill afford to disregard the obvious advantages that have been claimed for the use of nuclear energy for peaceful purposes, and must at least continue to monitor and research such nuclear energy.

I conclude by congratulating all honourable members who have taken part in the debate, and urge the House to support this most important motion.

The House divided on Mr Hunt's amendment (the Hon. F. S. Grimwade in the chair).

Ayes	24
Noes	12
Majority for the amendment	12

AYES

Mr Baxter	Mr Hunt
Mrs Baylor	Mr Jenkins
Mr Block	Mr Knowles
Mr Campbell	Mr Lawson
Mr Chamberlain	Mr Radford
Mr Crozier	Mr Reid
Mr Dunn	Mr Storey
Mr Granter	Mr Ward
Mr Guest	Mr Wright
Mr Hamilton	
Mr Hauser	*Tellers:*
Mr Hayward	Mr Bubb
Mr Houghton	Mr Evans

NOES

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

PAIR

Mr Long	Mr Walker

The House divided on the motion, as amended (the Hon. F. S. Grimwade in the chair).

Ayes	24
Noes	12
Majority for the motion as amended	12

AYES

Mr Baxter	Mr Houghton
Mrs Baylor	Mr Hunt
Mr Block	Mr Jenkins
Mr Bubb	Mr Knowles
Mr Campbell	Mr Lawson
Mr Crozier	Mr Radford
Mr Dunn	Mr Reid
Mr Evans	Mr Storey
Mr Granter	Mr Ward
Mr Guest	
Mr Hamilton	*Tellers:*
Mr Hauser	Mr Chamberlain
Mr Hayward	Mr Wright

NOES

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

PAIR

Mr Long	Mr Walker

OPTOMETRISTS REGISTRATION (AMENDMENT) BILL

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I move:

That this Bill be now read a second time.

This Bill makes a number of amendments to the Optometrists Registration Act 1958, and has four objectives.

These are, firstly, to enable optometrists to use a small range of drugs in conjunction with the practice of optometry; secondly, to provide a capacity for future adjustments in the fees payable to the Optometrists Registration Board; thirdly, to delete the minimum age for registration; and fourthly, to update the penalties in the principal Act.

As I have indicated, the first objective of the Bill is to enable optometrists to use a small range of drugs in conjunction with the practice of optometry.

The Optometrists Registration Act currently prohibits optometrists from using drugs for the purpose of measuring vision.

This is reflected in the interpretation of "optometry" or "the practice of optometry" in section 3 of the Act which excludes the use of drugs for the measurement of vision from the description of optometry and, more particularly, in section 15 (1) which goes on to make it a specific offence for any person to use, supply or prescribe any drug for the measurement of the powers of vision.

Some time ago, the Victorian College of Optometry proposed to the former Government that optometrists be permitted to use a limited range of drops and ointments to widen the pupil of the eye and to return the pupil to normal size.

The purpose of using such drugs would be to assist optometrists in examining the eye and in determining which lenses should be prescribed. This proposal has been examined by the Poisons Advisory Committee which has noted the high standard of education provided by the college and has recommended that optometrists be authorized to be in possession of certain mydriatics and miotics in the course of their profession.

The drugs concerned are tropicamide up to 1 per cent cyclopentolate up to 1 per cent pilocarpine nitrate and hydrochloride up to 2 per cent and physostigmine up to 0·5 per cent. The Government has accepted both the proposal of the college and the recommendation of the Poisons Advisory Committee.

Accordingly, this Bill will remove the present proscription on the use of drugs in conjunction with the practice of optometry contained in the Optometrists Registration Act.

I would add for the information of the House that the amendments to be made by this Bill will not of themselves be sufficient to empower optometrists to use drugs in conjunction with their practice. Following the enactment of this legislation, it is the intention of the Government to make the necessary complementary amendments to the Drugs of Addiction and Restricted Substances Regulations to specifically authorize optometrists to possess and to use the drugs I have mentioned.

The second objective of the Bill is to provide a capacity for adjustments in the fees payable to the Optometrists Registration Board. At present about 400 optometrists are registered under the Optometrists Registration Act and the Optometrists Registration Board is dependent upon the revenue received from registration and renewal fees to meet its expenses.

The present Act fixes a maximum fee of 50 for renewal of registration with commensurate fees for other services provided by the board. The maximum fee for renewal of registration was fixed by regulation in 1979, while other maximum fees were reached some time earlier. As I am sure there is no need for me to say, there is now no further capacity for adjustments of fees to meet any increase in costs which the board may incur. The Bill will amend the maximum fees which may be fixed by regulation so that fees may be varied from time to time as recommended by the board.

The third objective of the Bill is to delete the minimum age for registration under the Act. Section 11 of the Optometrists Registration Act currently prohibits the board from registering a person as an optometrist unless, *inter alia*, he is at least twenty years of age.

The Government has been informed that there have been some instances where a person who has the required qualifications has had to wait to be registered because he has not reached the minimum age specified in the Act. In the view of the Government, a person should not be precluded from registration merely on the grounds of age provided that he has the necessary qualifications and meets the other requirements necessary for registration. Section 11 of the Act therefore, will be amended by this Bill to delete the minimum age requirement.

The final objective of this Bill is to update the various penalties in the principal Act and to bring them more into line with modern day values. The opportunity is also being taken to express penalties as penalty units and thus avoid the need for further amendments to the penalty provisions of the Act.

The amendments proposed in this Bill are in the interests of the public and optometrists and, in particular, will give effect to changes sought within the profession itself. I commend the Bill to the House.

On the motion of the Hon. HADDON STOREY (East Yarra Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, June 22.

PSYCHOLOGICAL PRACTICES (SCIENTOLOGY) BILL

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I move:

That this Bill be now read a second time.

This is a rather brief measure and its object is to repeal those provisions in the Psychological Practices Act 1965 aimed at the practice of scientology in Victoria. The Psychological Practices Act was passed by Parliament in the wake of the Anderson inquiry into scientology.

Among other things, the Act establishes a body known as the Victorian Psychological Council and vests in the council responsibility for registering those persons who are qualified to practice as psychologists in this State.

Part III of the Act creates a number of offences. These include the use of hypnotism in connection with a public entertainment or advertising by an unregistered person that he is skilled in the practice of psychology. However, is also contains three sections specifically relating to scientology, sections 30, 31 and 32.

Section 30 prohibits the use of a galvanometer E meter or similar instrument except by a registered psychologist or with the consent of the Victorian Psychological Council. Section 31 prohibits the teaching, practice or application of scientology for fee or reward. Section 32 requires any person in possession of scientological records to deliver such records to the Attorney-General and also empowers the Attorney-General to issue warrants to search persons or premises for such records.

I am sure there is no need for me to say that these provisions have been completely ineffective in curbing scientology in Victoria. Indeed, in a less emotional atmosphere to that which prevailed in the mid-60s I have no doubt that such Draconian measures would never have been agreed to by the Parliament.

The law relating to scientology has been breached consistently since it was passed and there appears to have been little effort to enforce it, certainly in recent years. If anything, membership has flourished in the period of its illegality—a similar experience to that of the Communist Party during the period it was banned.

Each of us has his or her own views on scientology as well as the many other sects or cults which exist in society. The important point I wish to make to the House is that no other similar minority group has been singled out by legislation, or its practices subject to prohibition or its records liable to arbitrary seizure.

The Government considers that it is manifestly unfair and unjust that the law should discriminate against any sect or cult in the way the Psychological Practices Act discriminates against scientology.

It can be seen that this Bill, through the repeal of sections 30 to 32 of the Psychological Practices Act, will have the effect of putting scientology on the same footing as the various other groups which currently operate in Victoria.

It is appropriate that I should go on to say that a working party under the chairmanship of Dr J. L. Evans, a member of the Health Commission,

has undertaken a complete review of the Psychological Practices Act and recommended a number of changes to its provisions. They are being considered by the Government and further amendments to the Act may well be proposed after interested parties have been consulted. However, I take this opportunity of mentioning that, although the working party made no recommendations in respect to sections 31 and 32 as it considered these were outside its terms of reference, it did recommend that section 30 should be repealed. The working party made this recommendation on the basis that the use of a galvanometer or E meter was harmless and not particularly useful and that there did not appear to be any particular reason for the retention of the section at the present time. I commend the Bill to the House.

On the motion of the Hon. HADDON STOREY (East Yarra Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, June 22.

VICTORIAN TOBACCO GROWERS (DISPOSAL OF ASSETS) BILL

The Hon. D. E. KENT (Minister of Agriculture)—I move:

That this Bill be now read a second time.

It is anticipated that the Bill is likely to be ruled to be a Private Bill. However, the Government has agreed to accept carriage of the measure.

The purpose of the Bill is to resolve a long-standing dispute between the Victorian Tobacco Growers Association, which was the principal grower organization until the early 1960s and the Victorian Tobacco Growers Association Limited regarding the transfer of assets from the association to an organization that could be regarded as representative of the majority of tobacco growers in Victoria.

A body known as the Victorian Tobacco Growers Association was formed about 1919 and subsequently purchased land at Myrtleford in 1955 and made further purchases of land in or about 1957, the purchases being registered in the name of various trustees.

Over the years the association expanded its activities, established an office at Myrtleford and opened a number of accounts with the National Bank and the National Bank Savings Bank at Myrtleford.

In 1962 a company called the Victorian Tobacco Growers Association Limited was incorporated under the Companies Act 1961, with the intention of transferring the title of the land and other assets from the trustees of the company. A dispute arose between the association and the company on this issue. In a Supreme Court Order dated 7 October, 1965, it was stated that the lands acquired by the association were held by certain trustees who were not the trustees of funds held by the National Bank, nor were they trustees of certain debentures held at the National Bank. Proceedings were commenced in the Supreme Court to deal with the ownership of the property but the action was never tried.

It is no longer possible to trace all the persons who contributed to the assets of the association, over the years of its existence.

Submissions were made to the former Government for the introduction of legislation to resolve the issues arising from this dispute. The former Government sponsored moves at Myrtleford to establish a body which would have the unanimous support of a large majority of tobacco growers in Victoria. With the support of almost all of the tobacco growers who attended public meetings called for the purpose, a new company was established with the title The Tobacco Growers of Victoria Limited. This company was incorporated on 21 November, 1979, and the first company —Victorian Tobacco Growers Association Limited—was dissolved on 3 December, 1980, under the provisions of the Companies Act 1961.

The new company now has the strong support of a very substantial majority of the tobacco growers in north-eastern Victoria. The organization

represents all but thirteen of the 318 tobacco quota holders of the State, and it is, therefore, proposed that the assets enumerated in the Bill be transferred to the new company. The assets consist of land and buildings at Myrtleford, debentures and bank accounts totalling approximately $98 000, and the office furniture specified in the Bill.

Turning to the Bill itself, the preamble sets out in more detail the relevant aspects of the history I have just outlined. Clause 1 contains the usual citation and commencement provisions. Clause 2 contains the interpretations. Clause 3 provides for the assets of the old Victorian Tobacco Growers Association to be disposed of as follows:

(*a*) The three blocks of land are to be vested in the new company, that is, The Tobacco Growers of Victoria Limited.

(*b*) Funds in the Victorian Tobacco Growers Association Research Account are to be vested in the new company and held in trust for projects approved by the Minister of Agriculture for research into the improvement and development of the tobacco industry.

(*c*) Funds in the eight bank accounts specified in the schedule are to be vested in the new company and used for repairs to the buildings and improvements on the land previously mentioned, with any balance being held in trust for research projects as mentioned before. Funds in these accounts have been frozen since late in 1962.

(*d*) Two State Electricity Commission debentures, each having a face value of 1000 pounds, are to be vested in the new company.

(*e*) Finally, the office furniture specified in the schedule is also to be vested in the new company.

Clause 4 provides for a permanent stay of the relevant Supreme Court actions of 1966 and 1967. Clause 5 provides for directions to be given to effect the disposal of the property.

The new company, that is, The Tobacco Growers of Victoria Limited, has the strong support of approximately 96 per cent of the tobacco quota holders in Victoria, and the proposed transfer of assets is in accordance with the wishes of the company.

The Government proposes that the Bill should lie over until the spring sessional period of Parliament, to allow time for adequate public consideration. In the meantime, I commend the Bill to the House as a positive means of resolving a long-standing dispute.

On the motion of the Hon. H. R. Ward, for the Hon. D. G. CROZIER (Western Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, June 22.

HISTORIC BUILDINGS (AMENDMENT) BILL

For the **Hon. E. H. WALKER** (Minister for Conservation), the Hon. W. A. Landeryou (Minister for Economic Development)—I move:

That this Bill be now read a second time.

It will amend the Historic Buildings Act 1981 which was passed during the last Session of Parliament to replace the Historic Buildings Act 1974 and was proclaimed on 23 March 1982 to come into effect on 1 June 1982.

In its present form the 1981 Act is unacceptable to this Government. Therefore, the Government will amend it and is introducing the amending legislation now, before the 1981 Act comes into effect, to make its intentions clear and to avoid uncertainty in this regard. As was stated during debate on the Bill, the 1974 Act was not perfect and needed amendment. The Government sees the replacement as lacking the conceptual quality of the original Act and, in its present form, as inimical to the best interests of individual owners and preservation generally. The approach adopted in the 1981 legislation places too much emphasis on political aspects and other transitory circumstances where long term certainty should be the objective.

The Government believes items of our heritage are irreplaceable, once gone they cannot be recovered. Accordingly, the identification and long term preservation processes are matters for independent and objective analysis and guidance. These amendments aim to correct the most severe shortcomings of the 1981 Act whilst providing a sound basis for equitable and efficient legislation, consistent with stated Government policy.

In addition to these immediate changes, the Government commits itself here to a comprehensive review of all aspects of heritage control, which will involve detailed consultation with interested parties, and possibly, future legislative amendments. The key policy features which these amendments aim to give effect to are:

to reinstate the Historic Buildings Council as the key body advising the Government in this area; and

to consolidate the functions of the Government Buildings Advisory Council within the brief of a single Historic Buildings Council.

To this end the following significant amendments are included in the Bill:

consideration of matters other than architectural or historic importance of a building at the time of identification will be removed;

the provisions relating to the provisional register will be repealed;

third parties will be able to apply direct to the council for a building to be added to the register instead of having to apply through the Minister; the review processes involving the Minister and the Chief Chairman of the Planning Appeals Board in relation to registration of buildings will be repealed;

alterations to registered church buildings will require a permit but the determination must not prevent religious practice;

the review processes involving the Minister and the Chief Chairman of the Planning Appeals Board in relation to applications for permits to alter or demolish registered buildings will be repealed;

the council will not have to obtain the consent of the Minister to issue an interim preservation order and the chairman of the council will be able to issue an interim preservation order subject to confirmation by the council;

the legislation relating to the Government Buildings Advisory Council will be repealed and the provisions incorporated into the Historic Buildings Act. In consequence, the membership of the Historic Buildings Council will be increased by the addition of an architectural historian and a representative of the Victorian Public Service Association;

the opportunity will be taken to include a nominee of the Minister in the membership, which will now total fifteen members;

the council will be able to prepare reports of its own motion in relation to matters covered by the conservation and enhancement clauses 8 and 8B of the Third Schedule to the Town and Country Planning Act; and

an additional function of the council will be to provide information about and promote interest in the preservation of buildings and areas of architectural or historic importance.

In relation to the designation process, the Government believes that it is inappropriate that identification should be concerned with matters other than those of architectural or historic importance. Questions of any disadvantage to the owner, economic feasibility and other matters, are more appropriately considered when the owner may want to change the existing situation and at that time the circumstances may be completely different to those prevailing when the building is to be registered. In practice, the cost to owners and interested parties of preparing lengthy submissions in relation to economic factors which may be highly speculative could prove to be unduly expensive and contrary to the objective of quick, certain, decision-making.

Similarly, the provision of a review process via the Chief Chairman of the Planning Appeals Board not only increases uncertainty, costs of parties and administration, it also encourages a perception that decisions are affected, if not actually made, by a body not necessarily expert in heritage matters. The Government takes the view that the existing checks provided by the Minister and the Governor in Council are thoroughly sufficient in protecting the owner and the community against improper decision-making.

The provisional register proposed in the 1981 legislation was said to be intended to save owners cost and effort in association with identification and registration of buildings. It is a provision which sets up a process whereby the evaluation and identification by the council which is clearly set out in the Act is avoided. This is undesirable and the streamlining of the designation procedure should accommodate those concerned with costs of representation. Accordingly, the Government rejects the whole concept of the provisional register.

Whilst the provisional register was never intended to be a form of interim register, the Government is aware that there is a body of opinion which sees merit in listing heritage items in an identification process without the status being included on a register such as the Historic Buildings Register. This aspect is also to be examined and recommendations prepared as part of the broader review.

In the interests of equity, the right under this 1974 Act of any person to apply direct to the council for a building to be examined is now to be reinstated, instead of such applications having to be made through the Minister.

Turning now to a key question in assessing the long-term possibilities for retaining a building—the permit process. Here a number of features of the 1981 Act improved the position over the 1974 Act: The 28-day public objection period before a permit could issue, which was required as a mandatory duty on the council, became discretionary in certain instances; possibilities for delegation, of all aspects of permit issuing, to officers became possible; and permit exemptions can be provided by the Minister and council. These features will considerably reduce inconvenience to owners and are retained. There are, however, two major provisions which the Government is not prepared to accept. They are those relating to alterations to churches and the proposed review process.

The provision relating to alterations to registered buildings which are churches is to be amended. Rather than seeking to exempt certain alterations from the requirement to obtain a permit, as provided in section 26(11) of the 1981 legislation, the proposed amendment will retain the basic concept that alterations to registered buildings require a permit but make it clear that the council's decision must not prevent religious practice. This will meet the objective of protecting freedom of worship whilst enabling the council to ensure that alterations are made in a manner which retains our community heritage consistent with that freedom.

The Government takes the view that the objective for a review process must be to add substantially to equity and reliability whilst meeting the broad objective of simple, inexpensive decision-making at an appropriate level. The proposed review process cannot be said to meet the objectives of simplicity and cost effectiveness. Procedures are, in effect, duplicated.

It is also difficult to see how reliability will be increased by reassessment by the Planning Appeals Board, there being a requirement that the chief chairman or any panel membership be appropriately qualified or experienced.

The cross-section nature of the council, its broad terms of reference in this respect, and the provision of a right to be heard before a permit is refused, offer the owner a high degree of protection against biased or unfair decisions.

If a decision is seen by an applicant to be improperly reached, the owner has, naturally, recourse to the courts.

The major undesirable effect of the type of review system proposed in the 1981 Act is that it may be expected that owners, especially wealthy owners, will appeal as a matter of course and will come to rely on a decision from the chief chairman as having primary influence in the final determination of the matter. This tendency, already apparent in the planning sphere, reduces the quality of debate at the "lower" authority and encourages "upward delegation" of difficult decisions.

This substantially increases costs of representation and administration. It also understates the spread of expertise available at the council level—expertise not guaranteed at the chief chairman level. It can be strongly argued that the council's actual membership has been designed to provide equity expertise and a cross-section "public view", specifically in the area of permit issuing.

It is probably worth putting this aspect in its proper perspective. I am advised that of the seven applications to demolish registered buildings that have so far been received, three have in fact been granted. Nonetheless, because of the wider considerations which may be applicable to an application for a permit to alter or demolish a building, it may be that some form of review process could be applicable. The Minister for Planning has asked for this aspect to be examined and for recommendations on the nature and scope of such a review process and the manner in which it should be carried out. This examination will not take place without consultation with representatives of owners, the National Trust, the legal profession and other relevant community and professional groups.

Amongst other matters broached in these amendments is the question of interim preservation orders. To protect buildings, pending an examination to determine whether they should be added to the register, the council may serve an interim preservation order. The 1981 Act changes the earlier provisions in that it requires the prior consent of the Minister. This is not considered necessary, and in the interests of speedy action, this Bill will amend section 40 to revert to the former system where the council can act on its own initiatives.

As a further improvement, the chairman of the council will be able to serve an interim preservation order but this will cease to have force or effect after fourteen days unless confirmed by the council.

This Bill proposes that the Government Buildings Advisory Council Act 1972 and the Government Buildings Advisory Council (Amendment) Act 1981 be repealed because the Government has clearly expressed its view that there is no need for two bodies to deal with historic buildings whether they be Government owned or privately owned.

The functions of the Government Buildings Advisory Council will be incorporated into the historic buildings legislation and the Historic Buildings Council will become the Government's adviser on all historic buildings and the Minister for Planning will become responsible for the heritage aspects of Government buildings instead of the Minister of Public Works. The provisions of the previous legislation will be substantially incorporated into the Historic Buildings Act and their operation will be monitored as part of the longer-term review.

As I stated earlier, the membership of the council will be increased to include an architectural historian and a representative of the Victorian Public Service Association to reflect differences in membership between the Historic Buildings Council and the Government Buildings Advisory Council. During the debate on the legislation last sessional period, my colleague, who is now the Minister for Planning, pointed out that it removed the category of architectural historian as contained in the 1974 legislation. This removes from the council critical expertise and these amendments correct this error. The

opportunity is also being taken to add to the membership of the council a person nominated by the Minister.

In a major effort to upgrade the protection of important heritage streetscapes and areas of significance, the provisions of section 9 are to be broadened to enable the council to prepare reports of its own motion in relation to matters covered by the conservation and enhancement clauses 8 and 8B of the Third Schedule to the Town and Country Planning Act. The Third Schedule of the Town and Country Planning Act specifies the matters which may be provided for in planning schemes. These clauses read—

8. The conservation and enhancement of buildings, works, objects and sites specified as being of architectural, historical or scientific interest by prohibiting restricting or regulating the use or development of the land concerned or adjacent land and by prohibiting restricting or regulating the pulling down removal alteration decoration or defacement of any such building work site or object.

8B. The conservation and enhancement of the character of an area specified as being of special significance by prohibiting restricting or regulating the pulling down removal alteration decoration or defacement of any building work site or object in such area or by requiring buildings and works to harmonize in character and appearance with adjacent buildings or with the character of the area or (in the case of an area of historical interest) to conform to the former appearance of the area at some specified period and for such purposes specifying the materials colours and finishes to be used in the external walls of buildings or in the external coverings of such walls.

Copies of such reports are to be provided to the Minister and to the responsible authority and will provide a basis for consideration of planning controls for buildings, works, objects and sites of architectural, historical or scientific interest and areas of special significance.

This Government also perceives that there is a need to provide information to promote general interest in our heritage and considers that the council is well qualified to assist in meeting this need. Therefore, this aspect is now to be added to the functions of the council. I have outlined the thrust of the Bill, and notes on the various clauses are provided with the Bill for the guidance of honourable members. I commend the Bill to the House.

The Hon. B. A. CHAMBERLAIN (Western Province)—This is a measure that is very wide in its scope. It makes some dramatic changes to existing law and has the effect of combining two substantial Acts of Parliament. For that reason, I move:

That the debate be now adjourned.

I suggest that the debate be adjourned until Tuesday, 29 June. This will enable consultation, which has already been commenced, to be concluded. The Opposition has lined up a number of discussions during the course of next week, by each day it seems that more people want to talk about these issues, which are important. The Bill has only just come from another place and the Opposition would need the period I have suggested, but it would be ready on Tuesday week to carry on with the debate.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Tuesday, June 29.

ELECTORAL COMMISSION BILL

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

Clause 3 was agreed to, as was clause 4.

Clause 5 (Function of Commission)

The Hon. W. R. BAXTER (North Eastern Province)—I move:

Clause 5, page 3, line 11, insert the following sub-clause to follow sub-clause (2):

"( ) Notwithstanding the foregoing provisions of this section the Commission shall not be required to undertake a redivision of the State of Victoria after the Commission has

divided the State into electoral provinces and electoral districts pursuant to the provisions of this Act unless the number of electors enrolled for the provinces or districts do not comply to a substantial extent with the requirements of this Act with respect to approximately equal enrolment.".

That may sound wordy and may appear to be complicated and difficult to grasp, but it is not. It arises out of a deficiency in the Bill that was drawn to my attention by the honourable member for Benalla in another place, Mr McNamara. He interpreted the provision to mean that the commissioners may believe that Parliament was directing them to have a fresh redivision at the very moment one seat exceeded the 10 per cent tolerance provided for. I do not think Parliament would intend that for one moment, because there would be constant redivisions. That would not only be most unsettling for members of Parliament, because there would be constant boundary changes for no significant reason, but would also be most confusing for the electors, because they would not know in which province or electorate they were enrolled.

The operative words in the proposed sub-clause are "to a substantial extent". That is an indication to the commissioners that Parliament does not require them to carry out a fresh redivision until there are some seats that are, to a substantial extent, outside the tolerance provided for. I believe that is a reasonable instruction to the commissioners and one the Committee could well endorse.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 6 to 8.

Clause 9 (Factors to be taken into account by Commissioners)

The Hon. W. R. BAXTER (North Eastern Province)—I propose to move a number of amendments to this clause. The first is the addition in line 29 on page 3, after the word "electors", the words "and in determining the number of electors to be allocated to a province or district". The clause would then go on to read, "the Commissioners shall give due consideration to" and then lists four criteria.

I am anxious to have those words inserted because the clause, as originally proposed, seems to require the commissioners to have regard only to the geographical nature of the proposed division and the commissioners may believe they are required to maintain equal enrolments in each division, simply to take into account the various geographical features and the like when juggling those boundaries to a particular configuration.

I believe the intention to the Bill is to indicate to the commissioners that they should also take into account the number of electors in the division when examining the four criteria. Therefore, I move:

Clause 9, sub-clause (1), line 29, after "electors" insert "and in determining the number of electors to be allocated to a province or district".

That will provide further clarification to the commissioners on the manner in which they are to consider the criteria laid down.

The Hon. A. J. HUNT (South Eastern Province)—I thank Mr Baxter for his proposal. It does clarify the intention of the Bill, but it does not change that intention or the meaning in any way. Any lawyer would read sub-clauses 9 (1) and 9 (2) in conjunction and, thus, would take into account the four physical factors and features set out as criteria, both in drawing the lines and in determining the numbers. However, I must say that a number of individuals from all sides of the House have queried whether the criteria relate only to the drawing of the lines or to both the drawing of the lines and the ascertainment of the numbers.

Clearly, the provision is meant to relate to both. That is the intention and the way in which it should be interpreted by the commission but, if honourable members have some doubt, it is possible that members of the commission might have some doubt and what Mr Baxter's amendment is designed to do—and I am sure it does—is to put beyond doubt the question that the four criteria the commissioners must take into account apply to both the location

of the lines and the way in which the commissioners should exercise their discretion in determining the number of electors. I believe it achieves that intention quite successfully.

The amendment was agreed to.

The Hon. W. R. BAXTER (North Eastern Province)—I move:

Clause 9, sub-clause (1), line 31, omit "size" and insert "area".

I propose this alteration simply believing that, "area" is the more appropriate and descriptive term because I am quite certain that paragraph (a) is talking of the physical features of the terrain, meaning geography and area, whereas, "size" could mean other things and even the number of electorates. In this case, "area" is far more appropriate. Perhaps it could be assumed that I am engaging in semantics but I prefer the word "area".

The Hon. B. A. CHAMBERLAIN (Western Province)—I support Mr Baxter's suggestion. I do not believe he is being pedantic. There is a different connotation on the question of area. He is supported by the Commonwealth Electoral Act which, in similar circumstances, sets out the matters that the commissioners should consider in any proposed division and sub-section (3) refers to the areas of divisions. That connotation is correct and Mr Baxter's amendment should be supported.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—It really is begging the question. There is a pretence that there is a desire to have some form of electoral reform relating to democratic principles but when one reads all of those qualifications, clearly it is an attempt to hoodwink the public.

The Hon. A. J. Hunt—Nonsense!

The Hon. W. A. LANDERYOU—The honourable member used the word, "nonsense".

The CHAIRMAN (the Hon. W. M. Campbell)—Order! If the Minister for Economic Development wishes to speak more widely on clause 3, he should do so later. He is now speaking to the amendment moved by Mr Baxter seeking to change the word "size" to the word "area".

The Hon. W. A. LANDERYOU—In that case, I shall be restricted in the comments I wish to make and I shall make further remarks at the appropriate time.

The amendment was agreed to.

The Hon. W. R. BAXTER (North Eastern Province)—I move:

Clause 9, sub-clause (2), line 37, after "may" insert "and in the case of a province or district having an area of more than 30 000 and 10 000 square kilometres respectively, shall".

I invite honourable members to read the Bill with that particular insertion in it and to read sub-clauses (1) and (2) in conjunction because they do indeed both run together. The effect of the clause as it stands in the Bill is that there is an instruction to the commissioners that they may take into account all those factors listed in sub-clause (1), including the amendment the Committee has just made and they may use a variance either side of the quota up to 10 per cent.

There is no argument with that, but I believe there is a clear intention in the Bill that on the very large areas that tolerance should in fact be implemented. I believe it needs to be more clearly spelt out to the commissioners that is what Parliament intends because, if one examines what has happened in the past, one can determine that the commissioners have not been too ready to abide by the intent of Parliament.

I refer honourable members to the report of the commissioners on the last occasion a redistribution of electoral boundaries occurred and to section 8 of the Electoral Provinces and Districts Act 1974 where the commissioners were permitted to depart from the prescribed quota under section 8(1):

(a) In the case of a proposed province or district, the greater part of the area of which is sparsely populated, by not more than 15 per centum; and

(*b*) in any other case, by not more than 10 per centum.

That was a clear direction given to the commissioners by Parliament but the commissioners did not take note of it. Their report, when referring to the "Southern District" of the Legislative Council states at page 6:

> In no instance did we use the full 10 per cent margin permissible under the Act, the greatest variations being 4·2 per cent above the prescribed quota in the case of the proposed Melbourne Province (116 724 electors) and 5·1 per cent below the quota in the case of the proposed Boronia Province (106 278 electors).

The commissioners did not use the full quota and in the Legislative Council country area where there was an instruction from Parliament that a 15 per cent tolerance was permissible, the commissioners noted:

> The greatest variations are 1·9 per cent above the prescribed quota in the case of the proposed Geelong Province (81 520 electors) and 4·7 per cent below the quota in the case of the proposed North Western Province (76 208 electors).

Honourable members know that this province covers a huge part of the State, about 25 per cent, that it is sparsely populated and that it meets with the criteria set out by Parliament, but the commissioners failed to respond to the instruction. A similar failure occurred with the Legislative Assembly division and the report states, for the Port Phillip District, at page 7:

> In no instance did we use the full margin permissible under the Act, the greatest variations being 4·8 per cent above the prescribed quota in the case of the proposed Albert Park District (29 353 electors) and 6·8 per cent below the quota in the case of the proposed Wantirna District (26 092 electors).

Certainly, the commissioners did forecast correctly that Wantirna would expand in population, but it did so at a greater rate than they provided. The report states:

> In no instance did we use the full margin permissible under the Act, the greatest variations being 2·4 per cent above the prescribed quota in the case of the proposed Monbulk District (25 095 electors) and 3·8 per cent below the prescribed quota in the case of the proposed Mildura District (23 561 electors).

Notwithstanding that Parliament had indicated that in the case of Mildura, which is a sparsely populated area, a 15·3 per cent tolerance was permissible, the State commissioners last time failed to carry out the intent of Parliament.

In the light of an amendment to be proposed by the Minister for Economic Development later, seeking only a 5 per cent diversion, it is interesting to note that section 19 of the Commonwealth Electoral Act, which contains a reference to a one-tenth diversion from the quota, was inserted in that Act in 1974 during the term of the then Labor Government, so that some inconsistency is shown there. From the advice I have been given by my Federal colleagues, I can say that the Commonwealth Electoral Commissioners have also failed to take note of the intent of Parliament and have not provided for a 10 per cent tolerance on any occasion, notwithstanding that Parliament made it perfectly clear that was what was wanted.

Therefore, Parliament needs to insert a definite instruction for the commissioners. I have endeavoured to do that by setting a square kilometerage on the very large electorates and saying in those cases that the commissioners will take all the criteria into account but that they shall provide for this allowance below the quota. I say that with good reason.

I believe there have been significant changes in the Bill compared with the last redistribution. For example, the last redistribution of the Port Phillip District had a quota of 28 000 electors and the remainder of Victoria had 24 000 electors. That all goes by the board in the Bill. There is not that sort of division between metropolitan and country areas. For the Legislative Council, in the previous redivision, provinces in the Southern District had a quota of approximately 112 000 and the balance of Victoria's nine electoral provinces had a quota of approximately 80 000. Under this Bill that is finished. There can be no suggestion of a rural gerrymander, but a sound case can be made out for the very large country elector-

ates both in this Chamber and the Legislative Assembly having some mandatory allowance below the quota.

I am talking about equality of representation and in my second-reading speech I went to lengths to define equality of representation in terms of accessibility to the member, and of the voice of country people in Victoria being retained in this Parliament, which is the forum of the people. That is what the National Party is talking about. I do not propose to repeat my arguments made during the second-reading speech. Lest it be thought that the National Party is endeavouring to "fix up" the seats it holds by including an amendment such as this, in terms of the Legislative Council where a 30 000 square kilometre benchmark has been suggested I point out that, at present three provinces fall into the category—North Western, held by Messrs Dunn and Wright, Western Province, held by a Liberal Party member, and Gippsland Province, which at present has two Liberal Party members, but in a fortnight's time will have one Liberal and one Labor member. There is no selective procedure there where the National Party has picked out its seats and tried to contrive some artificialty.

In the Legislative Assembly where I have specified a benchmark of 10 000 square kilometres, at present eight seats are beyond the 10 000 square kilometre area. Four are National Party seats and the other four are held by other parties. The seats are Benalla, Benambra, Gippsland East, Lowan, Mildura, Portland, Ripon and Swan Hill. If the Parliament declines to give the commissioners any definite instruction on these large seats and if the commissioners have regard to the provisions of the Bill and take an attitude similar to that which they took in 1974, notwithstanding what I consider to be some fairly precise instructions by the Parliament, and if they take the attitude that the Federal commissioners appear to have taken and ignore the intent of Parliament, we will end up with some unmanageable and huge seats in country Victoria.

It is all very well to talk about providing adequate facilities to country members. Not too much of that has been seen in the past and not too much is promised for the future. There is no fair relationship between the electoral allowance paid to the honourable member for St Kilda who has a small area to cover—8·7 square kilometres—and the allowance paid to the honourable member for Benambra who has an area of 14 690 square kilometres to cover. The allowance paid to the honourable member for St Kilda is about $11 000 a year and that paid to the honourable member for Benambra is about $14 000 a year. There is no correlation. There is no necessity for the honourable member for St Kilda to spend portion of his electoral allowance on overnight accommodation within his electorate, but country members are required to be away from home not only to attend Parliament but also to visit parts of their electorate. There is no requirement for the honourable member for St Kilda, or almost any honourable member who represents a metropolitan seat, to expend a large amount of his electoral allowance on petrol, for example. Honourable members in country seats often travel vast distances and, in view of the high price of petrol, they run up huge fuel bills. By interjection, the Minister says, "What about Mr Eddy who hands out welfare cheques left, right and centre?" Mr Eddy is not alone in that regard. All members of Parliament are frequently approached for handouts to people in needy circumstances. That is not an argument in favour of the city against the country. I believe the talk about making better facilities available for country members is good, but honourable members have not seen evidence of it in the past, and no promises are in the air for the future. Therefore, it still does not overcome the basic inequality of representation if country people have little or no access to their representative. The people of Yarto would have difficulty in seeing their member, Mr Dunn, because of the isolation of the district. If North Western Province increases in size to a mythical one vote, one value quota, it will be necessary for those people to travel even

farther to see their representative. I propose this amendment, not in any way from a partisan angle, but simply to give a fair direction to the commissioners that it is the intention of this Parliament that some regard should be had to the area, to the sparsity of population and to the vast distances involved, so that people have some form of equity of representation in this Parliament.

The Hon. A. J. HUNT (South Eastern Province)—Although I can appreciate the points made by Mr Baxter, I invite the Committee not to accept the amendment he proposes, for a number of reasons which I regard as sound. Firstly, I should like to deal with the position in which the commissioners will find themselves under this Bill compared with the position in which they found themselves under previous legislation. It is perfectly understandable that the commissioners utilized minimum possible tolerance rather than the maximum under previous legislation when there were two differential quotas for the Port Phillip district on the one hand, and the rest of Victoria on the other.

Under this Bill, however, that differential quota disappears and the commissioners are faced with the task of giving a realistic interpretation to the criteria to be taken into account under clause 9 (1) of the Bill. It is now, by virtue of Mr Baxter's earlier amendment, a clear and specific direction to them to make allowances for various factors, including size, in determining the variation one way or another from the quota and in doing that they have 10 per cent either way according to the Bill so that they can be equitable and do their job properly, having regard to the factor which this Parliament requires them to take into account. It is not only that I believe the commissioners will use that discretion, I believe they will need to use it to arrive at a realistic distribution.

I have three major reasons for not supporting the amendment moved by Mr Baxter, despite a considerable degree of sympathy with the case he put forward. Firstly, the objective has largely been achieved by his first amendment. The amendment requires not only the physical boundaries, but also the number of electors in variations from the norm to be taken into account. Therefore, the first objective has been achieved. My second objection to the amendment is that it does not do what Mr Baxter has claimed to the House that it will do. It states that in the case of large electorates the commissioners may take the provinces or districts to be of approximate equal enrolment, where they do not vary by more than 10 per cent. That would mean that in the exercise of the commissioner's discretion, they may decide that a variation of up to 10 per cent is desirable in the case of small electorates. If they exercised discretion, they will take it as long as it is within the province. This does not enlarge on their discretion or, for that matter, restrict it in any way.

The third reason that I would be personally loathe to accept the amendment in its present form is that it creates an arbitrary criterion taken out of context with all the other criteria that the commissioners are considering. In doing that, it departs from the spirit in which the Bill was presented in a genuine desire to reach the maximum possible degree of consensus and to leave the commissioners free to balance these important factors of size and physical features of terrain. Travelling problems are another factor, but they balance the important factors with others that are also quite viable such as the questions of community of interests and the likelihood of changes in the electorate.

Tolerances must be applied to an electorate that is expanding fast and some allowance must be made for the future. Allowance should also be made for an inner Melbourne electorate with a decreasing population. The various factors need to be properly balanced. It is no good giving discretion on the one hand and hamstringing it with attempted declarations on the other. We have tried to set out as clearly as possible the factors to which the commissioners must give real and important consideration. In view of the amendment moved by Mr Baxter, I am

confident that the commissioners will seek, to the best of their judgment and ability, to balance the various factors with equity to all. I, for one, would not like to see them hamstrung in their affairs.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—One of the disappointing features of Mr Baxter's contribution was the almost arrogant way in which he asserted the belief that people who live in more sparsely populated parts of Victoria somehow have greater difficulty in finding their local members than do city dwellers. The attempt by the National Party to try to turn city dwellers against rural dwellers for electoral purposes is selfish. It does the community a great disservice and, in the end, people in country Victoria will wake up to the fact that they have been conned.

If the electoral commissioners are to take into account matters like physical terrain, means of travelling and communication, why should not this House ask them to consider other factors? If one departs from the concept of equality for all people, one can consider a whole range of options. Continuing with the same sort of logic, it is possible to come to the conclusion that those who are not currently enrolled and who are not eligible ought to be taken into consideration as well. If it is good enough to count roads, traffic lights and so on and to assess an area because it has trees and no people, one could start counting people who are not voters, such as the young and migrants who are not enrolled to vote. The Minister for Conservation represents the Melbourne province which has a population of nearly 700 000 during a working day. Mr Baxter and the National Party have traditionally argued that those in the country should receive special privileges for which the rest of the community must pay and suffer. That is what has been argued in this clause.

With the greatest respect to Mr Baxter's argument, I indicate that if it is valid to count gum trees and broad acres on which no one actually resides, it is equally valid for city-based politicians to start counting fish in Port Phillip Bay.

The Hon. D. M. Evans—What about the sharks in the City of Melbourne?

The Hon. W. A. LANDERYOU—If the honourable member looks at the bull that comes from the country he will understand the nature of the argument, because that is what it is. It is sheer humbug in the twentieth century to argue in that way. I confess to losing patience with people who pretend to favour this argument and come into the Chamber to argue the matter tongue-in-cheek.

The Hon. W. R. Baxter—I am not tongue-in-cheek.

The Hon. W. A. LANDERYOU—Mr Baxter is concerned with political survival—he is not worshipping at the altar of democracy; he is running away from it, back through time. This Chamber ought to be leading the community forward. In my view, Mr Baxter's contribution is a retrograde step.

It is not valid to argue that country members should have representation on a gerrymander system. It is not valid to claim that because they live in the country their votes are more valuable in real terms than those of any other member. That is what Mr Baxter has argued because of the disabilities he suffered in representation.

Without giving away Labor Party secrets, I state that it is clear from our surveys that members of the National Party in the Legislative Council have a higher rate of recognition within their provinces than some honourable members on both sides of the Chamber. That is probably due to their capacities and their local workloads, which have extended over long periods in some cases. Instead of discussing physical problems associated with sparsely populated areas or remote areas of the State, the argument should be about providing better facilities for communication.

It could be said that petrol is expensive. The Federal Government created that situation and honourable members

all know who in this Chamber supported that move. If petrol is so expensive, that is an argument for the remuneration tribunal and perhaps for extra transport facilities—and I would not be unsympathetic to that—for members in large areas. It may be an argument for additional electoral offices and additional money for specific purposes aimed at communication.

The Hon. B. P. Dunn—They all want to see their local member. That is the problem.

The Hon. W. A. LANDERYOU—I understand that and I have taken honourable members through that exercise in previous debates. There is only one of me and there is only one of Mr Dunn and, while all one's constituents may wish to see their local member, that is not physically possible in the six-year term. To do so, one would still be going at the turn of the century.

There are other more valid arguments, if one is to be intellectually honest, to support the case, but honourable members should not use a cheap device to bolster their case. I appreciate that, in country towns in Victoria, there may be more urgent demands upon members in terms of personal appearance. Mr Dunn probably opens more baby shows, on a *pro rata* basis, than most other members of this Council, but that really is a question of having the courage to organize one's time more efficiently, with the greatest respect to those who place upon Mr Dunn demands which he says he cannot resist.

I again say to Mr Baxter that, if he puts to the Government a proposal which is based on realism and which is intellectually honest, and does not pretend it is something other than this proposal which is a departure from one vote, one value—for instance, if he were saying that there ought to be a 5 per cent differential—I may have a different attitude.

I do not believe it is possible to have a fair and equitable redistribution on the criteria that have been outlined. It is certainly not possible to implement the one vote, one value proposition. If the difference between size and area is so significant—and Mr Hunt makes the concession that the commission will have flexibility in this area—that is unacceptable to the Government which has faith in the average person's capacity to understand an argument. I do not believe the Opposition will be able to convince the people of Victoria that a constant and continued departure from the concept of one vote, one value so that some of them are "more equal" than others, will survive. I do not believe the average person will accept that argument for much longer, and the Government will take steps to ensure that that is what the community understands about the nature of difficulties in this Chamber on this question.

Even the proposition of a 10 per cent variation is an outrage but I will come to that at the appropriate time. Viewed in the proper context of these other proposals that the commissioners will have specific criteria to take into consideration—and I stress that it is only consideration—obviously it makes some sense to have regard to some of the matters referred to in clause 9 (1), but Mr Baxter is putting that we will have this extraordinary situation where districts will be determined on the basis of size. The honourable member mentioned eight seats in the Legislative Assembly. He did not acknowledge that they were all held by non-Government members, nor did he acknowledge the extraordinary disparity between the existing number of seats in the two Houses. It is not all one way either, other than that it is anti the metropolitan area.

This State must be governed by men of vision who understand that they represent the entire State. It is not long since, from Mr Hunt as the then Leader of the Government, those very words of advice were being put to me in respect of a delicate power industry negotiation that honourable members in this House should have known better than to raise. Nevertheless, Mr Hunt put that argument to me and he is

now hoist with his own petard. Any Government committed to governing in the interest of the entire community must regard the entire community equally. It cannot pretend that, because of some electorate advantage by handout or by gerrymander, it is treating the community fairly and equitably.

I have attempted to read Mr Baxter's proposition so as to make sense of it. I take the point that I think was made by interjection by Mr Hunt to explain that I am not certain that it does not do the opposite to what it was intended to do, but I am applying my mind to the substance of what Mr Baxter was putting.

The Committee should reject out of hand the assertion that somehow or other people in Victoria, principally special parts of Victoria—those represented in the main, by the National Party, certainly not by the Government —have special rights and that their voting capacity ought to be recognized in a special way. I do not believe that to be so. I believe the community, in the latter part of the twentieth century, regardless of what other reforms this House faces, will demand that its Parliament and its Government govern in a democratic way, based firmly on the principle of one vote, one value.

The Hon. B. P. DUNN (North Western Province)—I support the amendment moved by Mr Baxter. Honourable members have heard the usual old arguments from the Minister for Economic Development, the same arguments I heard year in and year out in this House, about the trees, the sheep, the goats and all the rest. Honourable members have heard those expressions not only from Mr Landeryou but also from the Premier and others. Country Victorians do not take kindly to some of the references that have been made by this Government to them and their interests.

The matter must be kept in its proper perspective. If one examines the Bill, it is obvious that there has already been a departure from the one vote, one value principle. It is not possible to implement a full and concise one vote, one value principle. Already, the Bill provides for a 10 per cent variation between electorates. The Labor Government has consistently urged that a 5 per cent tolerance should apply, at the discretion of the commissioners, in any redistribution. I make the point that, in moving this amendment, the National Party has already conceded a number of important aspects that were included in past distribution, and I will come to that matter shortly. The National Party now says that it agrees with the 10 per cent tolerance, with the question of area being considered. In the case of electorates, the amendment proposes, in respect of provinces whose area is more than 30 000 square kilometres and Assembly districts whose areas is more than 10 000 square kilometres, that the word "may" relating to the discretionary powers of the commissioners will be replaced by the word "shall" so that there will be a requirement on the commissioners to use that variation in the case of those electorates. That is where the individual parties stand.

In previous distributions, including the last one, to which my colleague, Mr Baxter, has referred, there was a Port Phillip District which had a higher quota and Legislative Council country areas. At that time there was a difference, from the word go, between the electoral quotas that were applied in the Port Phillip District and the electoral quotas that were applied in rural electorates. The National Party has conceded that principle in the interests of reaching a degree of consensus on the Bill. That is an important point that the Committee should recognize. In the past there was provision for a 15 per cent variation in enrolments between electorates. The National Party has conceded that that 15 per cent variation between electorates should be reduced to a 10 per cent variation.

The National Party has made significant concessions in an endeavour to reach a general agreement with the Government on the Bill. Indeed, those concessions will guarantee that the proposed electoral commission will ensure that due consideration is given to the area and population of each electorate.

The need exists for a 10 per cent tolerance in electorates and that tolerance should be exercised in certain rural electorates.

Honourable members opposite have claimed that the National Party is attempting to drive a wedge between city and country dwellers. That argument is sheer nonsense. The National Party has attempted to adopt a fair minded approach to the Bill. Some would say that the National Party has travelled too far down the road on the matter, but honourable members should note that the National Party has made a genuine attempt to reach a consensus of agreement with the Government on the Bill.

The Opposition has asked the National Party to concede to its arguments for the Bill. Those provisions that relate to large country electorates are not firm enough and, if adopted, would not necessarily be exercised. During the last electoral redistribution, the commissioners did not exercise that degree of tolerance between electorates. Therefore, it would be an academic argument to discuss any percentage of electoral variation because, under the provisions of the Bill before the Committee, the proposed electoral commission will exercise that right. The amendment before the Committee, if adopted, would ensure that that provision of clause 9 would be much tighter.

The majority of honourable members would know of the difficulties that face those honourable members who represent large electorates. Together with my colleague, Mr Wright, I represent the largest electoral province in Victoria. Both Mr Wright and I have discovered that the electors have a desire to see their local members and they do not want the staff members of Parliamentary representatives attending meetings on their behalf. A local community would not accept a staff member receiving the debutants at the local ball. Some Ministers of the former Government sent their staff members along to meetings on their behalf, but the local communities rejected that level of representation. The electors wish to discuss their problems with their Parliamentary representatives. It is a difficult task to properly represent a large electorate. The North Western Province covers an area of approximately 68 000 square kilometres and the electorate expects Mr Wright and me to appear in country towns regularly. I am not complaining, but I use that as an example to demonstrate the expectations of an electorate. It is difficult for the electors I represent to regularly contact me because of the cost of telephone calls and the difficulties in travelling. The size of an electorate should be a factor that is considered by the proposed electoral commission.

Mr Landeryou agreed that the geographical area of an electorate should be a factor that needs to be taken into account. One could dismiss the argument that the National Party has moved the amendments to ensure its political survival if one studied the number of rural electorates that are held by other political parties.

The amendment moved by Mr Baxter is worthy of support and I urge the Committee to support the amendment, which, if adopted, will improve the intent of the Bill.

The Hon. ROBERT LAWSON (Higinbotham Province)—Mr Hamilton and I have the honour of representing in this House that pearl of the south, the City of Moorabbin. That representation is not as exclusive as it sounds because four other members of the House could make a similar claim. Indeed, the City of Moorabbin is represented in the Parliament by ten members. In another place, the City of Moorabbin is represented by the honourable members for Bentleigh, Heatherton, Glenhuntly and Sandringham. In this House, the City of Moorabbin is represented by Mr Kennedy, and, after 29 June, Mr Van Vliet, Mr Guest, Mr Hayward, Mr Hamilton and myself. That is an impressive roll call.

It is to be hoped that the proposed electoral commission will take note of clause 9 (1) (*c*) and give due consideration to either the community or diversity of interests and will ensure that

there is a more equitable distribution of electoral boundaries amongst municipalities. It would appear that ten members of Parliament representing one municipality might be close to a record. It is to be hoped that the proposed electoral commission will consider a better distribution of members of Parliament between the various municipalities.

The Hon. HADDON STOREY (East Yarra Province)—I agree with the comments made by Mr Dunn who said that the National Party has come a long way in its acceptance of the general principles of the Bill. There could not be the slightest doubt that, under the existing electoral arrangements, the larger electorates are protected because of the break up of the State into the Port Phillip District and the larger differences in population figures that are permitted for country electorates. The National Party has accepted the general purport of the Bill and recognized the need to change the method of electoral distribution. I thought the Minister for Economic Development was being unnecessarily cruel to the National Party in the comments he made.

It is not possible for the Opposition to support the amendment moved by Mr Baxter, leaving aside all questions of principle, simply because of what it does, or rather, what it does not achieve.

What the amendment is saying is that in the case of certain large electorates the commissioners shall take the district to be of approximately equal enrolment where the enrolment does not vary by more than 10 per cent one way or the other. That is exactly the same as saying that they may take an electorate of approximately equal enrolment where the number does not vary by more than 10 per cent, because under Mr Baxter's proposed amendments the electoral commissioners could quite properly say that if the numbers are exactly equal, they have complied with what is required under the amendment.

The proposed amendment does not say that the number of electors in larger electorates must be 10 per cent less than in others. It leaves open for the commissioners to determine the question of what is the proper role for each electorate having regard to the various questions that were discussed when the Committee was discussing the earlier amendment. It does not add anything to what is required, but causes additional problems in ascertaining what is really meant by the amendment.

The problem is that what Mr Baxter is seeking to do is to require that discretion be exercised in a particular way. If he wants that to be done, it can be done only by removing the discretion and telling the commissioners that they must do something. Mr Baxter, quite rightly, does not want to do that, so he has run into difficulties with the wording of the amendment.

If the discretion is to remain, one cannot tell the commissioners how to exercise it. All one can do is set out the criteria they should apply in exercising it, and that is what the Bill does.

The criteria set out in the first part of clause 9 tells the commissioners what they should take into account in determining the boundaries, and that includes the number of people in electorates. Provided that that number is within 10 per cent of the average either way, the requirements of the clause and the Bill will have been carried out.

For that purpose it does not matter whether the difference is 10 per cent or 5 per cent, the number is the same. The objective sought by Mr Baxter to be achieved is already achieved by the proposed legislation, because of the criteria spelt out in the first paragraph of clause 9.

For that reason it is not possible for the Opposition to support an amendment which does not achieve anything, and by not achieving anything adds words which can only confuse but certainly not do what Mr Baxter wants to be done, which is achieved in any event by the criteria set out in the first part of the clause.

The Hon. D. M. EVANS (North Eastern Province)—Some interesting arguments have been advanced by several of the speakers on the clause. I shall deal first with the matter raised by Mr Storey, that if discretion is to be given to the commissioners, mandatory conditions should not be imposed.

What Mr Baxter was intending to achieve with the clause is to give discretion under certain conditions, but under particularly well specified conditions; to indicate that certain conditions must apply and that for an electorate of a certain size there is no discretion. This refers to electorates of very large area. I direct that point to attention because it is one that Mr Storey may have missed and is relevant to the argument.

The arguments advanced earlier by the Minister for Economic Development —and I am disappointed that he is not now present in the Chamber to hear my comments—appeared generally to agree with a number of points Mr Baxter put forward; that there was an additional problem with electorates of large area and that they required different treatment.

The specific argument he put against the same consideration being given to numerical size of an electorate was simply that it was not in conformity with this business of one vote, one value. It has always interested me that nobody has ever thought to define the word "value". It has always been accepted that if a system of one vote, one value operated, it meant in the perfect sense that there were exactly the same number of voters in each electorate.

I suggest—and the Minister for Economic Development hinted at this during his argument—that perhaps another and equally valid definition of that word is that the value refers to the ability of an individual voter to influence the course of government. That is a much more difficult definition to understand and certainly much more difficult to apply in terms of electoral redistribution and equality of value within an electorate, because many things can affect the value of a vote.

I have heard it said by members of political parties in the electorate that I represent that under our system of determining Legislative Assembly electorates—I shall deal specifically with this matter because it becomes complex when one deals with dual representation in the Legislative Council—a candidate out of a field of between two and twenty who receives 50 per cent plus 1 of ten votes then represents the whole electorate. The candidates or those who have views politically contrary to those of the elected member can then claim that they are disenfranchised because their point of view is not put in the Parliament.

Therefore the full force of the argument of one vote, one value begins to come under suspicion. If that comes about, the arguments advanced by the Minister for Economic Development against the proposition put forward by my colleague, Mr Baxter, also come under some degree of suspicion.

I extend the argument a little further because what one is talking about in terms of one vote, one value is, as I said, the ability to influence the course of Government decision, and surely that must be different. A vote has no value unless it can influence the course of a Government's decision.

I shall put a theoretical situation at the absolute limit of ridiculousness to make a point. There are 81 seats in the Legislative Assembly. If there were only two political parties in Victoria and both contested each of the 81 seats and received an equal number of votes, and although each received exactly 50 per cent of the votes one party had 81 swinging voters and put one into each seat, it would theoretically mean it had won every seat in the Assembly.

Something like that could happen, so one can see how difficult it is to have one vote, one value, because as is claimed by the Labor Party and many other people, with some justification, that unless people have a member in Parliament who represents their point of view, a person's vote has no value, so

one sees how ridiculous is the situation of one vote, one value, referring to electorates of equal numbers.

I shall look at the matter of gerrymander, which has been waved in this House like a flag. As I understand it, the word "gerrymander" means not so much having unequal numbers of voters in an electorate but so drawing the boundaries that one has a certain number of people who will vote in a certain direction in the electorate and therefore control the person subsequently elected. It is an extension of the "rotten boroughs" in England years ago. A gerrymander does not mean unequal numbers of voters. That is the thrust of my argument to this stage. The definition "one vote, one value" is one on which a considerable amount of suspicion needs to be cast. Members of this House need to examine the fairness of it. I add that the arguments I have advanced could well be used by persons to argue against the proposition I have put.

The sitting was suspended at 6.23 *p.m. until* 8.5 *p.m.*

The Hon. D. M. EVANS—Prior to the suspension of the sitting, I was dealing with what I considered to be an important section of the discussion this evening. I refer to the variety of definitions which can be attributed to one vote, one value. I indicated that the simplistic approach generally adopted that one vote, one value simply means that all electorates have the same number of electors was perhaps not the only reasonable definition.

I canvassed the view that it was just as reasonable to suggest that an equal value for a vote means an equal opportunity to influence the course of Government decisions. I also canvassed the situation that in a single member electorate when the member of a political grouping was not elected, the supporters frequently considered themselves disenfranchised.

I examine the definition of one vote, one value simply because so many of the arguments that are being raised are pitched towards that particular point. During the course of his discussions, Mr Landeryou raised the quite legitimate point that some electorates contained large numbers of migrants and that it is not unreasonable to take into account the migrant population in assessing the physical size and the numbers of people who make up that particular electorate.

It is an important point and we must lay it on the line that those people who have come to Australia as migrants are extremely welcome. A process exists whereby, in due course, migrants have an opportunity of becoming Australian citizens. Every member of this House from time to time attends naturalization ceremonies where a number of new citizens take the oath of allegiance or the affirmation and become Australian citizens.

It would be a practice in every other country of the world—and not unreasonably in Australia—to suggest that these people are awaiting the opportunity of taking over that privilege and becoming new citizens. In the meantime, there is certainly somewhat of an apprenticeship. Therefore, it would be reasonable to suggest that that factor should not be counted in the assessing of the size of an electorate. I hate to think also that new citizens in Australia unduly delay taking out their opportunity to become Australian citizens. I would like to think that as soon as possible migrants accept the opportunity of being welcomed into the community. That is a worthwhile point for consideration.

With respect to one vote, one value, it occurs to me that the principle—as defined by common usage in this place—does not apply in every other situation. For example, another organization, which Mr Landeryou, as the Leader of the House, and many other members of the Australian Labor Party and no doubt members on all sides of the House would have had contact with, is the Trades Hall Council. I am not sure that every union is represented on the Trades Hall Council totally in line with the percentage of its membership. I stand to be corrected on that.

No doubt larger unions have a larger membership. However, I would like Mr Landeryou to answer that question concerning the concept of one vote, one value in the Trades Hall Council for the public record. The Trades Hall Council is an important and influential body in the Australian community. Many of its decisions are important for the community and have a substantial effect on it.

The Hon. W. A. Landeryou—I thought democracy meant: Government of the people, by the people, for the people!

The Hon. D. M. EVANS—Democracy is of the people and for the people——

The Hon. W. A. Landeryou—I would have thought that was how democracy was defined in the dictionary!

The Hon. D. M. EVANS—That is quite correct but what we are also discussing, and I will repeat it again for the interest of the Minister for Economic Development——

The Hon. W. A. Landeryou—Honourable members have heard the argument; we have heard it all before.

The Hon. D. M. EVANS—I hope the Minister will agree because there is a considerable amount of merit in the argument. I raise the issue now and no doubt we will vary on it and vote on it in due course.

I also raise the argument that the Trades Hall Council does not, as I understand it, totally comply with the views of the Minister on one vote, one value. Whilst that is certainly not the case in the Parliament, it is one of a number of influential bodies in the community and on that point we agree.

Some of the arguments being put forward are ones that could be regarded as setting some degree of challenge, but they are certainly not regarded as totally and completely immovable in every situation in the community. If exceptions are made in one area, it is not unreasonable to make exceptions in other areas. That is the point I want to make, because the National Party has been described tonight as seeking a particular purpose because of the amendments put forward by my colleague, Mr Baxter. I have tried to trace out the arguments put up against the arguments put forward by Mr Baxter, arguments which were very logical and well reasoned. The substantial thrust of his argument is well known to those who put forward the opposite argument.

It is not an unreasonable argument to put forward as the Minister for Economic Development said, "Democracy is of the people, by the people and for the people" and therefore it is reasonable that the issue be discussed by the people. However, it is an interesting argument and one that perhaps adds a little more breadth to the debate and makes the matter the Committee is discussing tonight, seem a little less simple than it did at first.

As I indicated prior to the suspension of the sitting for dinner there are so many other points that can be advanced. In fact some of the arguments that I have advanced tonight, if they are extended a little further, could be used against the arguments put forward by Mr Baxter. I sought to point out that the matter was not as simple or straight forward as some people like to think. There are many reasons why it is not and many reasons why differing arguments can be used.

The argument all honourable members tend to scout around is the fact that the electoral system, according to which way it has been designed can, from time to time, be of some advantage to one political grouping or another. That is true. There is always a suspicion in the mind of the public that those who have the greatest political influence at the time, may attempt to so design the electoral system so as to further give a slight advantage to their political grouping. I hope that is not true, but the suspicion is advanced from time to time.

The present political system is well known in the community to those who are interested in politics, and surely the political parties and groups have designed their constitutions and their *modus operandi* so as to operate within that system in the most effective and efficient way possible.

For example, it is difficult for a small grouping whose members are spread widely over the community to gain acceptance in Parliament, in either the Legislative Assembly or the Legislative Council. Such groupings as the Australian Democrats and formerly the Democratic Labor Party, both of whom represented a substantial percentage of the community vote on a State-wide basis, proved that. Political groups such as the National Party generally represent specific groups in the State because of the concentration of interest but they do seem to be able to obtain representation in the Parliament. What has been done is that these groups have designed a *modus operandi* which has been applied to the current political system. That is completely and perfectly legitimate, and in that way a variety of viewpoints are put forward in the Parliament and in that way, we try to govern of the people, by the people and for them.

In his speech, Mr Lawson said that the City of Moorabbin has some fourteen representatives in the Parliament. I suggest that Mr Lawson should graciously and generously share their superfluous members of Parliament with those municipalities throughout the State that are far less fortunate.

The Hon. W. V. HOUGHTON (Templestowe Province)—One of the problems that has arisen from the debate tonight and which has become more and more evident, is that each side of the political spectrum tends to have taken a rather tunnelled-vision point of view on the question of one vote, one value. What is that particular value? The Minister for Economic Development and honourable members on the Government side obviously have taken a view that can be supported, that a value is determined by the strength of the vote taken on the floor of the Legislative Council, the Legislative Assembly or the floor of any Parliament, for that matter. What the honourable gentleman was talking about was the value which the electorate or the community can bring to bear on the vote taken in this Chamber. That is very important.

The Opposition's friends in the National Party believe the value is determined by the representation in the electorate. There is no question—and I am sure the Minister for Economic Development will acknowledge this point—that the value in an electorate that is very large and spread out as many country electorates are, whether represented by the Labor Party, the Liberal Party or the National Party; that the value of the representation of each person by a member is the function that has been spoken about, such as the accessibility each person has to the member. That value is rather more difficult to assess than the value of a member in an electorate like Hawthorn or St Kilda, or any small Legislative Council province. I am speaking about two different values and honourable members will have to choose which value they prefer.

Strictly on the amendment, I do not believe the amendment does what Mr Baxter proposed it ought to achieve or suggested it ought to achieve. I feel he is hoping the electoral commissioners shall be required, where there is a larger area, to take into account the fact that they must make full use of the 10 per cent in allocating the number of electors in the electorate. The amendment does not do that. It clearly provides that the electoral commissioners may consider that where an electorate varies by 10 per cent either way that, for all purposes of the Act, that is equal representation.

On the other hand the amendment proposes that they shall do that. What is the difference in the end? Whether they may or may not do it, the actual result, in my view, is the same. The amendment does not express what the National Party has in mind. I do not know whether it examined this point during the suspension of the sitting for dinner or considered the arguments put forward by Mr Haddon Storey. Honourable members do not know whether other amendments are to be proposed. The National Party has indicated that the Opposition will have to wait and see; it will wait and see whether the National Party can express the principle in a different way.

The Hon. B. A. CHAMBERLAIN (Western Province)—Honourable members on all sides of the House should recognize that the country members of the Liberal Party and members of the National Party have been most constructive in their approach to the general tenets of the Bill. They have also yielded to the Government considerable changes to the conditions now prevailing in Victoria relating to redistribution of electorates. It is worth while pointing out to honourable members just what those changes are. Firstly, the abolition of the bigger quota for the Port Phillip district. Secondly, the provision giving commissioners the discretion to vary from those quotas by 10 per cent in all electorates and 15 per cent in sparsely populated electorates, have been removed. That is an enormous concession. It is a recognition of the general view in the community about the weight of political votes and the need as far as possible to have those votes equal. That is a principle from which the Liberal Party does not resile. However, one of the leading academic writers, in relation to democratic theory, that is, Henry B. Mayo, who has written extensively on this subject, said—and I am paraphrasing a little—that the provision of a percentage variation from a quota or a number recognizes the principle of one vote, one value, but at the same time recognizes the disabilities, physical and so on, which relate to the running and the establishment of electorates.

I believe this Bill is on good grounds. The point has been made by the National Party and members of the Liberal Party, that the difficulties of handling a country electorate is not an argument for saying that country members represent trees, sheep, cattle or whatever. In electorates there are varying types of services which members of Parliament are called on to deliver and varying numbers of service points. I have made this position clear in the House before. For instance, in the province I represent, as compared with the province of Doutta Galla, there are 24 municipalities that have to be serviced on a regular basis, for instance, with details of legislation and relation to all the issues which are of concern to local government. Those of us in the country are aware of the need to service local government. There are 24 municipalities in the province I represent, and six in the province of Doutta Galla.

On the question of schools, and education forms a large part of the work of members of Parliament, there are about 40 schools in the province of Doutta Galla, and in the province I represent there are 184.

On the question of hospitals, again the number is 30 in the province I represent, and six in the province of Doutta Galla. Those are service points where people require services.

The Hon. W. A. Landeryou—How many traffic lights have you got in your province?

The Hon. B. A. CHAMBERLAIN—Very few. I am talking about people services, and these are issues to which the House has to direct its attention. The country members in this House, by supporting this Bill, are making considerable concessions, and if I were in Government I would grab this with open hands. The Liberal Party is offering the Government a very fair deal. As I said, it is in accordance with modern democratic theory. However, I must also say that I cannot support the amendment, and I cannot support it because it does not achieve anything.

The Hon. B. P. Dunn—Have another go at redrafting it. You are trying to skate out of it.

The Hon. B. A. CHAMBERLAIN—I am not trying to skate out of it. It is useless, and one has to read the plain words of it. The House has already had the advice of an eminent Queen's Counsel on this side of the House. First of all, look at the words of the amendment and incorporate those into clause 9 (2), which my colleague, Mr Houghton, has already done in so far as it relates to the large electorates. The clause would then read:

> For the purposes of this Act the Commission shall take electoral provinces or electoral districts to be of approximately equal enrolment where the enrolment for each province or district does not vary by more than 10 per centum from the average enrolment of all provinces or districts (as the case requires).

The Hon. W. R. Baxter—You have to read the clause in its totality.

The Hon. B. A. CHAMBERLAIN—I was just going to commend Mr Baxter on the previous amendment, which this House has passed, and it achieves what Mr Baxter wants to achieve without the necessity of this amendment.

There is one case in the *Victorian Law Reports* which equates the word "may" with "shall". The Leader of the House is aware of that authority. It does not matter whether the word "may" or "shall" is used, it still gives the commissioners a discretion to go up to 10 per cent. The only way to provide compulsion is to set quotas. The way it is suggested in this amendment, it will not work. What does work is the amendment that the House has already passed, amendment No. 2, which is a constructive addition to the clause.

I suggest that the amendment being discussed does not help, but amendment No. 2, which has already been passed, has greatly assisted. I understand Mr Baxter's purpose, and I agree with it, but I believe the purpose has been achieved and that this amendment achieves nothing.

The Hon. J. V. C. GUEST (Monash Province)—I left the Chamber at about a quarter-past five, when I assumed Mr Baxter was completing his exposition of the need for this amendment. I had not realized that I would come back into the Chamber hours later to hear Mr Evans so eloquently expressing the complexity of an allegedly simple idea. Very appropriately, for these things are not as simple as they seem.

One vote, one value sounds nice and simple, but it is a small element only of an effective and fair democracy, and it is not an element that should receive as much attention as it does: In our fairly working democracy, we find the essential element adequately guaranteed —that the people have a right to change their Government in a peaceful manner when there is a substantial change of public opinion. The concept of one vote, one value can be made to work excellently provided there is real homogeneity in the community, of course. I am taking the Government's point of view and regarding my numerous country colleagues on either side, down to what is rather anomalously on my left, the National Party corner, as a distinctly heterogenous element in the community.

But perhaps I should first indicate my attitude to this amendment in brief, and that is—much as I was persuaded to follow the opinion of my learned deputy leader—that, I am, nonetheless, ultimately moved to make a final or at least further distinction. I am sure that Mr Storey would agree with me that courts confronted with a sub-section containing the words proposed by Mr Baxter would take the rather pitying view of the efforts of members of Parliament that lawyers and courts frequently do, and according to the usual rules of construction would try to make something of it, and say "It really must mean something. What it is trying to say is, 'We ought to be sorry for all these country fellows but even sorrier for some of them'." The County Court judge chairing the commission would find himself inclined to say, "We will give them a little bit more leeway in Gippsland Province, Western Province and North Western Province". However, it is not a soundly drawn amendment, and I oppose it. I do not believe it is an appropriate way in which to achieve what is sought by Mr Baxter and his colleagues.

The real problem—and this is why I mentioned the superficiality of speaking only about one vote, one value—is what to do about more or less permanent minorities. There are so many examples of them around the world—as in Northern Ireland for example. In Northern Ireland, it is not to the point to tell the Catholic community that there is one vote, one value or near enough, and that the problem is that they have only 35 per cent or 40 per cent of the population and will never have any power in Government under a system such as ours, namely a typical Westminster type Parliament. It was not to the point to tell the whole of Ireland late last century or

early this century that they had fair representation in the House of Commons according to their number. They wanted Home Rule, for very good reason. The same problem has arisen more recently for Scotland and Wales.

That is recognized in the electoral systems of many countries throughout the world, hard though it may be if one is part of a particular small or unpopular minority, such as a rich Parsee in India, a rich Chinese in Malaysia or Jew in pre-war Germany.

The Hon. D. R. White—That is an argument for proportional representation.

The Hon. J. V. C. GUEST—It may be an argument, but it is also a real problem for many people. The Australian Labor Party completely fails to represent country electors. It has no real understanding and does not seem to have any real understanding of country issues. The people of country Victoria are entitled to the view that the Labor Party will treat them as a permanent powerless minority. What happens to permanent powerless minorities is that they can be moved to revolutionary or insurrectionary solutions—such as the terrorist activties of the Red Brigades or the Baader-Meinhof gang if they are small minorities, or to the Irish Republican Army in Northern Ireland. Alternatively, they can seek simply to leave their countries, as the Jews do in Russia or as a number of people are leaving Victoria for Queensland. That number will increase if the Government pursues its present policies.

The CHAIRMAN (the Hon. W. M. Campbell)—Order! The honourable member is getting beyond the 30 000 square kilometres.

The Hon. J. V. C. GUEST—I am addressing myself, as previous speakers have——

The CHAIRMAN—Order! Mr Guest is getting a little too far beyond that area.

The Hon. J. V. C. GUEST—I am addressing myself to the essential question of country representation and characterizing country people as a minority. The final solution—I did not have in mind the particularly ruthless farmyard ways of some of our country members—is possibly to form an unconstructive, narrow sectional source of influence on a larger group. Examples good and bad are the open, honest co-operation of the National Country Party in Federal politics, in coalition, and the dangerous internal groups such as the Socialist left faction of the Australian Labor Party. The big advantage is that at least one knows one can buy the economic interest groups—the others are not so easy. The farmers are much more straightforward. I may be appearing to say this in jest, but the points I make are real ones and I am sure honourable members understand that these are important points. We have to accept the fact that, with this Government, country Victoria is faced with being a permanent minority. What kind of solution will there be? Will we be forced to accept that the Government is acting in good faith and accept the concept of one vote, one value, in the way in which it is being put forward by the Government? If the Government is acting in good faith in claiming that it will represent all the people of Victoria, the real question of how permanent minorities are to be looked after in a democratic system will not be a dangerous question for Victoria.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I take up the invitation to outline the Labor Party's response to one or two points, particularly those raised by Mr Evans. It is patently clear, at least to a majority of honourable members, that what we are really endeavouring to do is to debate, in the context of the Galbally, as amended Landeryou, as now amended Hunt, Bill, the need for electoral reform in Victoria.

Mr Evans suggested that, because the Victorian Trades Hall Council does not operate on the basis of one vote, one value in respect to the representation of delegates, the arguments of the Government should be knocked out. I regret that notion. I have in the past—

and I am sure I shall in the future—said to members of the National Party that if they were serious there could at least be a card vote. I do not care how many members of the National Party are in this House, I do not want any of those honourable members to tell me that the people who live in the electorate I represent are in any way inferior to those who live in country areas.

The Hon. D. M. Evans—We did not say that. That was never suggested.

The Hon. W. A. LANDERYOU—When one departs from the concept of one vote, one value, that is what one implies. Members of the National Party are trying to pretend that the people who live in country areas represented by those honourable members, because it is difficult for them to travel to see their representatives or for their representatives to travel to see them, in some way or another ought to be regarded differently from the people who live in the more densely populated areas of metropolitan Melbourne.

The Hon. D. M. Evans—I did not mention Melbourne at any time.

The Hon. W. A. LANDERYOU—Mr Evans did not, but I was referring to Mr Baxter. I should be more sympathetic and judge the case put forward by members of the National Party as being more sincere if they said, "It is impossible to represent this wide area adequately". If members of the National Party are sincere in suggesting that all Victorians should be regarded equally, let us have a percentage, a card vote. Let my vote reflect the number of people I represent. The 148 000 people who enrolled in the electorate I represent are entitled to be treated equally with people who live in country areas. The last bastardization of that principle resulted in the Bolte Government's gerrymander.

The Hon. D. M. Evans—It is not a gerrymander.

The Hon. W. A. LANDERYOU—It is. How can it be said that it is fair, reasonable and democratic to have a 15 per cent boundary? But the National Party is not saying that, to its credit. It has come some way in the debate tonight.

The Hon. A. J. Hunt—They have come a long way.

The Hon. W. A. LANDERYOU—I endorse the remarks of the Leader of the Opposition that the National Party has come a considerable way in at least acknowledging the point I have been endeavouring to make over the past six years in the Chamber. The National Party cannot expect me to back away from my representation on behalf of the average person in the State and the assertion my party has made that all persons should be regarded equally.

One honourable member was seriously expounding the enormous responsibility of attending debutante balls. My observation in the province that I represent is that there are not too many debutante balls in that area. If one cares to refer to the past, one can look back at the time when the Victorian Parliament included a representative from the Victorian Railways and other vested interest groups which Mr Guest, in his unique approach to the subject, has been canvassing.

All honourable members acknowledge the difficulties of distances even with a simple comparison of 30 000 kilometres to 10 000 kilometres in different provinces. However, large distances do not matter if the area consists largely of gum trees and sheep. Some smaller-sized provinces are densely populated. Some electorates and provinces include exceptionally large migrant groups and should not be ignored by the commissioners. Geographical size in some provinces and electorates is greatly outweighed by population.

The time which an honourable member spends in a densely-populated electorate is sometimes ignored when comparing sizes of electorates. If the problems described by memmbers of the National Party are great, then those honourable members should submit their cases to the Government so that the Government can ensure they are

given adequate facilities to service the electorates or provinces they represnt. I undertake that the views of members of the National Party will be seriously considered by the Government.

The Hon. W. R. Baxter—The remuneration tribunal did not take those views seriously last time.

The Hon. W. A. LANDERYOU—The Government will give it serious consideration, but members of the National Party should not say they represent people who do not exist, while other honourable members are representing people who do exist and who are often not counted in the current electoral process.

The Hon. W. R. BAXTER (North Eastern Province)—I was pleased tonight to have the support of Mr Guest in my interpretation of the meaning of the amendment I have moved. I can understand the reservations expressed by the former Attorney-General, Mr Storey, and I thank him for his learned advice. I can also understand the reservations expressed by Mr Houghton. I, too, on reading the amendment in the first instance was of the same view but I sought advice on two occasions and I received advice contrary to that proposed by Mr Storey and Mr Houghton in that my wording in fact does determine what I have in mind provided one reads it in the totality of the clause.

If honourable members are unhappy with the wording, and they have made that perfectly clear—I think also that a number of honourable members desire to support the thrust of the amendment—I am happy to entertain the notion that progress be reported and I will again seek advice with a view to coming up with other words.

My difficulty is that the other option I had was to seek to remove this clause entirely and insert in place thereof a clause which specifically sets smaller quotas for country and certain specified seats. I think honourable members will aprpeciate that that is not the course I wish to adopt because it did appear to be creating two categories of electorates and provinces. I did not particularly want to write that into a legislative measure.

My amendment quite clearly maintains the discretion of the commissioners in allowing for a tolerance in a variety of seats, whether metropolitan or country, where there was either a growth or decline in population.

No one suggests that a seat like Shepparton, which is largely urbanized, or a compact seat like Murray Valley should have a larger tolerance created for them. However, the amendment is an instruction to the commissioners that the intent of Parliament is that in the large electorates the commissioners should allow a significant tolerance of up to 10 per cent. The amendment does not state that the tolerance has to be 10 per cent, and I do not want to put that in because, as honourable members will be arguing on a subsequent amendment to be proposed by Mr Landeryou, it is impossible to tie things down to a precise figure.

I consider that the amendment is a clear indication to the commissioners that the Parliament believes a significant tolerance ought to be allowed for in these certain specified seats and I would think Mr Guest, even though he referred humourously to a court interpretation, has placed an interpretation on my amendment the same as I and which I am quite positive the commissioners would do if the Parliament were to agree to the amendment.

I invite honourable members to support the amendment. I am sure Mr Reid and Mr Radford, representing the Bendigo Province, support the thrust of the amendment and I know Mr Chamberlain and Mr Crozier, of the Western Province, would be of a similar view. I am of the opinion that they are using semantics in an endeavour to avoid voting for the amendment. Mr Granter, Mr Knowles and Mr Bubb represent large provinces, as does Mr Houghton, who represents the Templestowe province which, although of a reasonable size, would not come into

the 30 000-kilometre category. They would support the thrust of the amendment. If honourable members support the thrust and wish the wording to be improved, I am satisfied to report progress and to re-examine the situation.

Honourable members have heard Mr Landeryou speak twice on various amendments and his contribution was typical of the low-insult type of address to which honourable members have grown accustomed. He has accused members of the National Party of being partisan and in some way or other of trying to protect our own skins. We are not trying to do that. The National Party is attempting to obtain adequate representation for country people in this forum. If country people are to be denied this, the State will be the poorer for it.

On Mr Landeryou's assertion that the National Party is trying to protect its own flanks, I would say that in fact larger electorates are advantageous to the National Party because they add rural cream of strong National Party areas around provincial cities like Shepparton, Mildura, Horsham, Wangaratta, Wodonga and so on. It makes the seats safe for the National Party, whereas there is no suggestion that this is some endeavour to prop up a party that cannot win seats either way. No longer does the National Party rely entirely on farmer votes. If it did, it would not have one seat in Parliament because farmers do not constitute a majority in any seats now, even if they all voted for the National Party, which, unfortunately, they do not. The areas represented by the National Party are the growth areas of Victoria. Any seats that disappear under this redistribution or new distribution—it is obvious that one or two country seats will disappear—will not be in the area held by the National Party but in central Victoria and western Victoria. There is no fear in the National Party that in some way this proposed legislation will dispose of the National Party. The National Party will return to the next Parliament after the redistribution in similar or greater strength.

The Hon. W. R. Baxter

Mr Landeryou referred to his 140 000 electors, and no one disputes that that is the correct number. He created some fantasy that the 140 000 electors might all want to see him in the period of a year, and that would be impossible. Of course it would be, and no one suggests for a moment that 140 000 people would want to see their member in twelve months. Mr Landeryou was confusing the issue. Of the 140 000, those who wished to deal with him in the twelve months' period would be easily able to do so by means of a local telephone call, a tram ride or by coming to see him at Parliament House whenever Parliament is sitting. It is not far from Douta Galla to Spring Street. Mr Landeryou's electorate office is accessible to everyone, but he should have been comparing that situation with the one that pertains in the country electorates where the member is in Melbourne three days a week and is inaccessible to the people. When he is in the province, as in the case of Mr Dunn and Mr Wright, he may be 200 miles away, and the difficulty and cost of making contact there must be taken into consideration.

Mr Landeryou referred to debutante balls and said that there are not many in his electorate. That is another indication that members of Parliament who represent metropolitan areas have a complete misunderstanding of the way of life in the country. The debutante ball is one of the premier social events of the year in most country towns and the honourable member is expected, and quite rightly so, to attend. That is only one aspect of the activities in his electorate.

I am not saying that country members have more problems but they have them in multiples of problems faced in the city. Mr Chamberlain has referred to that in specifying the number of municipalities he represents as compared with the number in Doutta Galla Province. The same issues must be canvassed in multiple numbers. That takes time, contact and travel. These things should be taken into account.

Mr Landeryou also said that in my earlier remarks I failed to indicate to the House that, of the seats that would be covered by these area qualifications, none were held by the Labor Party. That is true but there is no reason why, in the future, the Labor Party should not hold some of these seats. Labor manages to win country seats in New South Wales, Queensland and Western Australia, and it has won Gippsland Province. I rue the day, but in Victoria if the Socialist left allows it, the Labor Party may win some seats in country areas. It is a specious argument to suggest that in some way this provision is preserving the bastions of conservative parties. Of course it is not. It is simply preserving a rightful voice for country people, regardless of political persuasion.

I invite the Committee, and particularly members of the Liberal Party who are from country areas and who fully understand the points I am making, to accept the amendment. I often think that I would like to put some of the members who represent metropolitan areas, good members though they be, in the back seat of my car for a fortnight and let them learn what is involved in representing a country electorate. I invite those honourable members of the Opposition to support me in my amendment tonight. If they are still unhappy with the wording, progress can be reported and an improved version of the amendment later considered.

The Hon. V. T. HAUSER (Nunawading Province)—It may be of some use to honourable members of the Committee to know of the supposed gerrymander existing in the House of Commons, the Mother of Parliaments, so far as seating enrolments are concerned. I note with some amusement that the seat of Caithness and Sutherland, held by the Labor Party in the House of Commons, has an enrolment component of 29 564. The seat of Merioneth—I cannot pronounce the name of the party of the winning candidate—has an enrolment of 27 250; the constituency of Antrim North, which is held by the Conservative and Unionist Party, has an enrolment of 126 444. When one divides the seat of Antrim North by the seat of Merioneth, one finds that it is possible to fit almost five Merioneths into the seat of Antrim North. It would seem that one vote one value means very little in the United Kingdom.

Additionally, in relation to the City of Birmingham, where there are twelve seats, the lowest enrolment in the area consists of 33 989 persons and the highest enrolment in the area is 78 873. Mr Michael Foot, the Leader of the Labor Party in the United Kingdom, holds the seat of Ebbw Vale, which has an enrolment of 36 207.

It might be of some value to the Committee to know that the Mother of Parliaments seems to have enrolments that could be described as all over the place, running from a minimum in Merioneth of 27 250 to a maximum in Antrim North of 126 444. Voting is by the first past the post system which, if anything, must be less fair than preferential voting, and I know of no move in the United Kingdom to have a redistribution of seats. It seems to me that, in a rough fashion, the Mother of Parliaments seems to be satisfied with vast differences in enrolments whereas Victoria is dissatisfied with a comparatively small difference.

The Hon. J. V. C. GUEST (Monash Province)—I am sorry that I have not managed to construe the effect of Mr Baxter's amendment before, but I think I can do so now. The other opinion stands, but I am now dotting the i's and crossing the t's. Mr Baxter may have overlooked the fact that his amendment has its effect in relation to the previous amendment to clause 5. When the commission has decided whether it is time for a redistribution it asks itself whether the electorates are approximately equal. In deciding that, it will consider clause 9(2) and say that those that were up to 10 per cent eitherway may be regarded as approximately equal, but then it may decide that 10 per cent in most cases is a bit much and that it will accept only 2 per cent or 3 per cent as approxi-

mately equal before deciding on redivision. However, if Mr Baxter's presently proposed amendment was passed, the commission would be required to treat the variation admissible in the seats over 30 000 square kilometres in this House, and 10 000 square kilometres in Assembly seats, as 10 per cent either way.

It would be for that purpose, the purpose of deciding whether a redivision was required that they would find a meaning and possibly important consequences flowing from Mr Baxter's proposed amendment. Perhaps that is what he would intend. I am certain that is the effect.

The Committee divided on Mr Baxter's amendment (the Hon. W. M. Campbell in the chair).

Ayes	4
Noes	25
Majority against the amendment	21

AYES

Mr Baxter	*Tellers:*
	Mr Evans
Mr Dunn	Mr Wright

NOES

Mrs Baylor	Mr Kennedy
Mr Block	Mr Knowles
Mr Bubb	Mr Landeryou
Mr Butler	Mr Mackenzie
Mr Chamberlain	Mr Sgro
Mrs Coxsedge	Mr Storey
Mr Guest	Mr Walker
Mr Hamilton	Mr Walton
Mr Hauser	Mr Ward
Mr Hayward	Mr White
Mr Houghton	*Tellers:*
Mr Hunt	Mr Eddy
Mr Jenkins	Mr Lawson

The Hon. W. A. LANDERYOU (Minister for Economic Development) —The Committee has agreed to amendments to clause 9 (1). I move:

Clause 9, sub-clause (2), line 40, omit "10" and insert "5".

The proposed amendment seeks to omit from the Galbally, Landeryou, Hunt Bill the figure "10" and insert "5".

Having regard to the fact that the Committee has given consideration to amendments to clause 9 (1) and about to consider the clause as amended, I believe the criteria contained in the amendments so far agreed to and the clauses already adopted are sufficient to have regard to virtually all of the points that have been made with respect to the departure from the strict concept of one vote, one value.

I believe Mr Butler canvassed the general principle in which the Government believes during the second-reading debate and at the relevant stage during the Committee deliberations some of the substance of what Mr Butler was putting to the House was canvassed. It is not my intention to labour the point but simply to say that the Government believes it has a mandate from the people of the State on a record vote in favour of the concept of electoral reform based on the concept of one vote one value.

The Hon. A. J. HUNT (South Eastern Province)—The presentation of the Bill and the view taken upon it by honourable members from all parties recognizes the acceptance of the general nature of the Government's mandate. It is admitted that the Leader of the Government has been magnanimous enough to realize that enormous progress has been made and there has been a tremendous move towards consensus on this issue.

However, members of the National Party who have spoken, members of the Opposition and I have pointed out that to give proper effect in a meaningful way to the criteria does require some degree of tolerance and an average of 5 per cent appears inadequate to do that. The figure of 10 per cent included in the Bill is the common figure used in Australian electoral systems.

Furthermore, since I presented the Bill I have personally carried out an exercise on the way it would operate with respect to at least eastern Victoria. I found it would be quite impossible for the electoral commissioners

to carry out the instructions to them in the Bill with a tolerance of 5 per cent.

The Hon. W. R. Baxter—Hear, hear!

The Hon. A. J. HUNT—I agree it would be quite impractical for them to observe the need for an emphasis upon community of interest, for example, let alone to have regard to the other criteria with a tolerance of a bare 5 per cent.

It would be even more impossible for them to perform their task in the way required of them by the proposed legislation without interfering with Commonwealth subdivisional boundaries.

I make the point that all members of the Committee would regard it as very desirable that the same subdivisional boundaries be retained for Commonwealth and State elections, as any other way would result in chaos.

It is possible for the commissioners to depart under the proposed legislation from Commonwealth boundaries and it is possible for them to redivide electorates. It is possible under clause 17 for the Governor in Council, which really means the Government, to declare subdivisional boundaries within the electoral districts and provinces created. That is possible—it is not likely nor is it desirable—but it ought not be done without consultation with the Commonwealth Government with a view to having common boundaries for both electoral systems.

I am sure honourable members would recognize the sense of that argument and I defy any member of the Committee to sit down and produce a redistribution based upon existing Commonwealth boundaries that would give any equity at all with less than a total tolerance of 10 per cent.

Quite apart from the arguments that I advanced in my second-reading speech; quite apart from the further arguments that have been adduced in the House and in Committee, I emphasize that the practicalities are such that a 10 per cent tolerance is absolutely necessary if the commissioners are to do their job properly. For that reason the Opposition cannot accept the amendment moved by the Minister for Economic Development.

The Hon. W. R. BAXTER (North Eastern Province)—I support the Leader of the Opposition and oppose the amendment moved by the Minister for Economic Development on the very same grounds advanced by Mr Hunt. In my view it is completely impractical to suggest it is possible for the commissioners to draw a redistribution with a 5 per cent tolerance.

The Leader of the Opposition has already indicated that that would mean parting from the common rule of common subdivisions that are used in State and Federal elections.

At the last redistribution many of the smaller subdivisions were amalgamated into larger subdivisions. In my area, Chiltern was rolled in with Wodonga, Rutherglen was amalgamated with Yarrawonga and Cobram was put with Numurkah. I expect a similar situation pertained in the metropolitan area. Is it to be a suggestion that we are to go back and recreate a number of smaller subdivisions and the Federal people go on as they are? That would create utmost confusion in the minds of the electors as to which subdivision they lived in. There is already much confusion when one takes into account the fact that electors need to know in which Federal division they live, for which Legislative Council province they are enrolled, for which Legislative Assembly district they are enrolled and what subdivision without having different subdivisions for the various parliamentarians that they elect.

It needs to be pointed out that honourable members are not speaking about some holy principle, because the Premier has already conceded that it is impossible to have an equality of electorates. However, the Premier has stated that he will insist on a 5 per cent variation so honourable members are not speaking about a principle; honourable members are defining a practicality.

I seek the indulgence of the Committee to quote from an excellent document prepared by Mr Bruce Evans, the honourable member for Gippsland East in another place. The document is titled *One vote—one value?* In writing on this particular aspect of redistribution, Mr Bruce Evans had this to say:

> The Premier, Mr Cain has indicated that he will insist on a maximum variation of 5 per cent. Some variation is essential because it is physically impossible to get total equality.

The CHAIRMAN (the Hon. W. M. Campbell)—Could Mr Baxter inform the Committee from where the quotation is coming?

The Hon. W. R. BAXTER—It is a document published by Mr Bruce Evans MLA, and I understand it was circulated widely, certainly to the press in Victoria and to numerous members of Parliament in Victoria. It is not a speech made in the Legislative Assembly—it is not a *Hansard* extract but in fact a document prepared by Mr Evans in his capacity as a member of Parliament and as a person very interested in the redistribution process. The document continues:

> One vote—one value is therefore a theory which is impossible to achieve in practice—that Mr Cain concedes any variation is a concession to that fact.

Indeed it is, but this is the crunch point in the observations of Mr Evans, and I agree with him entirely:

> Therefore the amount of variation is a matter of opinion—not principle. The Premier cannot assume the air of a democrat of high principle because he concedes a 5 per cent variation and condemns as villains and gerrymanderers those who believe that there are good reasons why it should be 10 per cent or even 20 per cent.

They are very significant words and I commend and congratulate Mr Bruce Evans for putting them to paper, because honourable members have heard tonight many arguments advanced which suggested that there is in fact a very good case to be made for having a 10 per cent variation, not only in terms of the impracticality of having 5 per cent, but in terms of maintaining equity of representation for all people in Victoria.

That is what we are on about—defining the equality of representation—and that is the maintenance of a fair and adequate voice in this Parliament for the people of Victoria who happen to live outside the Port Phillip District.

I invite the Committee to reject the amendment moved by the Minister for Economic Development and to maintain the principle laid down in the Bill introduced by the Leader of the Opposition. It has been stated dozens of times tonight that the Bill goes a long way down the track compared with what has been done before. Some persons believe that the National Party has gone too far. If I were the Leader of the Labor Party in this House, I would grasp the Bill with both hands and consider that it goes so far towards what the Labor Party has always fought for that it should be accepted. The Labor Party would be silly to try to pursue a 5 per cent electoral variation when there is a wide consensus of agreement that a 10 per cent electoral variation is the only practical figure that can be applied.

The Hon. E. H. WALKER (Minister for Conservation)—I ask a question of detail of Mr Chamberlain because the Leader of the Opposition has briefly left the Chamber. Am I correct in believing that there is some loose terminology being used with the words "tolerance" and "variation"? Am I correct in believing, that where one is speaking of a 5 per cent variation, one is speaking of a 5 per cent variation either way? Would it not be correct to say, therefore, that if one is using the term tolerance one is speaking of a 10 per cent variation when one is speaking of a 5 per cent variation either way, and when one is speaking of a 10 per cent variation, one means 10 per cent variation either way, which means that the tolerance would be 20 per cent?

I go a little further: If one accepts as an example an electoral province of 100 000 voters and if the 10 per cent variation applies, does it not mean that the variation may either drop to 90 000 voters or rise to 110 000 voters, thus representing a 10 per cent variation

either way? If one expresses the 110 000 as a function of the 90 000, the tolerance is more than 20 per cent, it is 22 per cent.

The Hon. J. V. C. Guest—Nobody else is using the word tolerance.

The Hon. E. H. WALKER—The Leader of the Opposition used two words, tolerance and variation. Perhaps the readers of *Hansard* might like a little enunciation on the matter.

The Hon. Haddon Storey—The Bill says "variation".

The Hon. E. H. WALKER—The Leader of the Opposition has been using the word tolerance as if it were interchangeable with the word variation. There is no doubt about the word variation, although I would prefer the word variation because 5 per cent either way would mean that 10 per cent is the tolerance. The Bill speaks of a 20 per cent tolerance or, if one wishes to use the lower figure, the upper figure is a function of the 22 per cent or thereabouts. Would Mr Chamberlain agree that that is a fair representation of the difficulties being discussed so that the readers of *Hansard* might get a clear picture of what the differences might be between provinces and electorates?

The Hon. B. A. CHAMBERLAIN (Western Province)—The answer is found in clause 9(2) where it is stated that the enrolment for each province or each district does not vary by more than 10 per cent from the average enrolment for all provinces and districts as the case requires.

For the sake of the argument assume that the total population is 4·4 million and assume that there are 100 seats. One obtains one's average, and the variation is obviously either up or down from that average. If the proposed electoral commission exercises its discretion, the variation can rise by 10 per cent in one case and fall by 10 per cent in the other case.

The base figure is the average for the State and, therefore, there is a possible total variation of 20 per cent. Assume that the average turns out to be 100 000. If the proposed electoral commission exercises its discretion to the utmost, one could have an enrolment figure of either 110 000 on the one hand or 90 000 on the other hand.

The Hon. J. V. C. GUEST (Monash Province)—Speaking purely in partisan terms, I would be inclined to accept the amendment moved by the Minister for Economic Development because, as Mr Baxter said, it is amazing that the Labor Party has not leapt to accept the Bill because the consequences of reducing the tolerance from 20 per cent to 10 per cent are favourable to the Government. There would have to be many more direct redivisions, which could hardly suit an incumbent Government with a majority of seats with many members seeking to work their way into their electorates, to serve their electorates and make themselves well known. Moreover, a Government, with presumably some confidence that it will continue to win the votes in the areas that it won them at the last election, would surely be interested in the maximum——

The Hon. E. H. Walker—Mr Guest is using convoluted logic.

The Hon. J. V. C. GUEST—I believe the Minister for Conservation is a good numbers man in broad electoral terms and should understand the advantage that I am coming to. At the last election the Labor Party did well in seats like Warrandyte, Evelyn and Berwick, where there are expanding populations and where it is obviously in the interests of the Labor Party, if it assumes it is going to maintain some momentum in the areas where it has just won votes, to have the maximum allowance for the electoral commission to provide for the future, which would mean that the electoral commission would maintain relatively small numbers enrolled in those seats that the Labor Party won last time, thus allowing them to grow. The commission will obviously be able to do more for the Labor Party with a 10 per cent variation than with a 5 per cent variation. Therefore, I find

it astonishing that the Government is opposed to a 10 per cent variation either side of the average.

The amendment was negatived.

The Hon. B. A. CHAMBERLAIN (Western Province)—Due to my inattention earlier in the evening I let the time for proposing an amendment to the clause pass, but I want to take the opportunity of commending certain amendments and additions to the Leader of the Government.

The CHAIRMAN (the Hon. W. M. Campbell)—Which ones are these?

The Hon. B. A. CHAMBERLAIN—I am putting certain issues in relation to clause 9 for the consideration of the Leader of the Government.

There are reasons for adopting the approach used in Commonwealth legislation. A common law system operates in Australia, which provides for judgments of one court to be used in certain cases in other jurisdictions of the Commonwealth, but it is necessary for the courts to be interpreting similar clauses. In looking at section 19 (*b*) of the Commonwealth Electoral Act, one discovers that the Commonwealth Government has approached some of the issues the Commonwealth has been discussing in a different form. For example, that provision of the Commonwealth Act talks about one of the factors being the means of communication and travel within the division, with special reference to disabilities arising out of remoteness or distance. There would be an advantage if similar wording were used in clause 9.

There have been a number of constitutional cases in the Commonwealth area in recent years dealing with aspects of this Act. It would be of assistance to Victoria if the proposed electoral commission were able to examine the Commonwealth experience and to make similar decisions. Section 19(B) of the Commonwealth Act is more explicit. The Committee has already adopted the general concept that there should be a discretion to vary from the average of electorates by 10 per cent up or down after looking at certain factors. One of these factors that has been spelt out by Mr Baxter and others is disabilities arising from remoteness or distance, but our clause does not contain that provision.

Another proposal incorporated in the Commonwealth legislation is that we should also look at the density or sparsity of population of a particular electorate.

To take some of the issues raised by the Leader of the Government, such a clause could work either way in both a country and a city electorate, but again, it broadens the discretion of the commissioners to look at the issues that have been canvassed in the House.

So without formally moving those amendments, I suggest to the Leader of the House that those proposals are worthy of consideration and that he may take them into consideration in making recommendations elsewhere as to what future action should be taken on this Bill.

The Hon. A. J. HUNT (South Eastern Province)—I take the point raised by Mr Chamberlain, that obviously it is of great assistance in the interpretation of any Act if it is consistent with other similar relevant Acts that have been judicially interpreted.

I also take the further point he makes that some of the words, phrases and expressions used in the Commonwealth Electoral Act could well be preferable to some of those used in this Bill. I am familiar with section 19 of the Commonwealth Electoral Act, and I acknowledge that its terminology is better understandable and more readily definable in the light of legal interpretation than this Act. Had I been commencing to draft this Bill from the beginning, I should doubtless have drawn very heavily on the Commonwealth Act.

However, as I indicated to the Committee, what I sought to do was to take the Galbally-Landeryou Bill and to adopt it with the minimum of amendments. The amendments which I made in presenting that Bill to the House were only such as I believed to be absolutely necessary. I pointed out on

introducing the measure on that basis that only five changes were made involving issues of principle. As I say, had I been commencing from the start, I should certainly have followed the Commonwealth Act more closely rather than the Galbally-Landeryou precedent on this issue.

Now the measure will go to another place—one hopes, to be fully reconsidered in the light of a possible Constitutional Convention and as part of an over-all package of reform. I will commend to the Leaders of the parties in another place that they take account of the remarks made by Mr Chamberlain and of section 19 of the Commonwealth Electoral Act in determining the final form of clause 9(1) of this Bill.

Of course, another place will have the right to submit amendments and this House will in due course have the right to look at any changes that may be made in another place. Thus, the material raised by Mr Chamberlain will be taken into account then.

Speaking to the clause generally now, I want to indicate my view that all parties agree to a considerable degree. I am sorry that at times the argument became a little heated. I am sure the Minister for Economic Development recognizes that, despite the special interest which they represent, country members in this Chamber for the National Party and the Liberal Party have gone a considerable distance towards the achievement of a consensus.

The Hon. W. A. Landeryou—I acknowledge that.

The Hon. A. J. HUNT—I am pleased the Minister acknowledges it, and that progress towards consensus necessitates acknowledgement of genuine effort such as we have seen from those members.

I hope, too, that country members of the House in both the National Party and Liberal Party will heed the kind offer of the Minister to look sympathetically at any representations for better recognition of the differences between country and city by way of increased allowance of staff or other support facilities. The olive branch has been held out and expectations have been raised.

The Hon. W. A. Landeryou—It will not be retrospective unless you are in the union, though!

The Hon. A. J. HUNT—I trust that country members will take advantage of that generous offer and make every endeavour to see that their problems are met in one way, if not in another.

I should like to thank all members of the Committee for the way in which they have co-operated in the interests of the general good towards reaching a mutually acceptable electoral redistribution for this State.

The Hon. ROBERT LAWSON (Higinbotham Province)—Earlier in the debate before my remarks were so cruelly cut off I was telling the Committee about the City of Moorabbin being represented by ten members of Parliament, which may seem rather excessive. After 29 June, Mr Connard and I will be two of the Upper House members, and we will be quite adequate to represent Moorabbin on our own—the dynamic duo!

The Hon. W. A. Landeryou—He must be good!

The Hon. ROBERT LAWSON—We do not mind sharing Moorabbin with at least one Lower House member. I suggest to the commissioners that when they are considering this matter they should take account of large municipalities such as Moorabbin and perhaps have the centre of gravity of a Lower House electorate or an Upper House province in a large municipality such as that, because there is a fairly close community of interest in that city. This would not be an unreasonable suggestion to make and would allow other cities also to have their fair share of members of Parliament.

I support the 10 per cent differential that it embodied in clause 9. I also speak on behalf of people in the electorate I represent, because some people around there have still not caught up with the last distribution in 1975.

People tell me that they are still in the electorate of Moorabbin, which has not been in existence since 1975, when it was split into two. First it was created the electorate of Heatherton, and parts of the former electorate of Moorabbin were put into the Sandringham electorate. Some of the people of Sandringham still believed they were living in the electorate of Moorabbin.

The point I make about the 10 per cent differential is that it seems adequate to me. If there were only a 5 per cent differential there would be more frequent distributions and this could be hard on the people in marginal subdivisions, because some of the subdivisions in the electorate I represent seem to be shifted now and again from one electorate to another, depending on the population size and what redistribution takes place at the time. A number of people find it difficult to comprehend in which electorate they live, and it has to be explained carefully to them.

This is a reasonably cogent argument for retaining the 10 per cent rather than the 5 per cent differential.

The Hon. E. H. WALKER (Minister for Conservation)—I was interested in the contribution of Mr Lawson and as he spoke twice, and as his arithmetic is not good, I consider I should respond. He was attempting to make the point that ten members for one area is too many. It is a serious point. He described one area, the City of Moorabbin, as being represented by ten members. That is an inaccurate statement that should be corrected. The honourable member was trying to support an unsupportable proposition. Perhaps the honourable member was adding together the members yet to take their seats in the Legislative Council as a result of the last election and those members retiring.

The Hon. Robert Lawson—Those seats exist whether members have been sworn in or not.

The Hon. E. H. WALKER—My view is that the honourable member is counting those members who are retiring as well as those who are coming in.

The Hon. W. R. Baxter—No, he named the seats and the total was ten.

The Hon. E. H. WALKER—Of course, the City of Moorabbin is not an actual seat and I believe the honourable member is referring to the provinces and electorates encompassing the City of Moorabbin from whence comes the figure of ten.

The Hon. A. J. Hunt—It is a conjunction of those seats.

The Hon. E. H. WALKER—In that case I understand. I thought the honourable member was suggesting that Moorabbin was over-represented. He means that there is a conjunction of seats in the Lower and Upper Houses in such a fashion that those seats intrude into the City of Moorabbin in all directions and that in fact members in the Upper House seats, which the honourable member did not mention, represent either average or above average seats particularly those in the south-easterly direction.

The honourable member does himself no service in suggesting that his area is over-represented. With the way in which it has been represented in recent years, I should have thought it was under-represented. I make the point that the honourable member was being vague about representation and he did not make his point very well.

The Hon. ROBERT LAWSON (Higinbotham Province)—The point I am making is that the City of Moorabbin has ten Parliamentary representatives and I can list them for the honourable member as I did on the previous occasion I spoke. These seats impinge into the City of Moorabbin. They are represented in the Legislative Assembly by Mr Hockley, Mr Spyker, Mr Ihlein and Mr Vaughan. Further, there are the provinces in the Legislative Council, represented by two members for each province, of Waverley, Monash and Higinbotham. As I said before, all those members of Parliament can attend mayoral balls and it gets overcrowded. It is ambivulent for the City of Moorabbin and I believe the centre of

gravity of individual seats which include a large municipality such as Moorabbin could well be based at the centre of the municipality so that one set of members could represent the whole of a city such as Moorabbin. That is a valid point.

The clause, as amended, was agreed to.

Clause 10 (Submissions and representations)

The Hon. W. R. BAXTER (North Eastern Province)—I move:

Clause 10, sub-clause (1), line 2, omit "in writing".

Clause 10, line 5, insert the following sub-clauses to follow sub-clause (1):

"( ) A person shall be entitled to make submissions to the Commission in writing or, by leave of the Commission, orally.

( ) Where the Commission hears oral submissions the Commission shall hear them in public and cause them to be recorded and a transcript to be made thereof which shall be taken to be a public document as described in this section."

Clause 10, sub-clause (2), line 7, after "thereof" insert "and a transcript or copy of a transcript of any oral submission".

Clause 10 refers to the receival by the commissioners of submissions of interested parties and, as presently set out in the Bill, those submissions are limited to those in writing. Members of the National Party, particularly the honourable member for Gippsland East in another place, Mr Evans, whom I have already indicated has a particular interest in the measure, has suggested there ought to be a facility for the receival by the commission of oral submissions. The amendment I have moved allows for that and does not provide for anyone to be able to give an oral submission except by leave of the commission. It will be open to any person to put in a written submission but to appear before the commission in person to give an oral submission one will require leave of the commission.

It is a commendable qualification to the clause that it will obviate the commission spending a lot of time hearing vexatious submissions put in by people who have a particular axe to grind with endless time being taken up. I am sure the commissioners will use adequate discretion in deciding who they will hear and who they will decline to hear. I invite the Committee to accept the amendments.

The amendments will mean that submissions are put in writing; provision is made for submissions to be both in writing and oral at the discretion of the commissioners, and for oral submissions to be made in public when the transcript of the hearing becomes a public document so that there is an adequate safeguard and clear evidence that no person was able to exercise undue influence over the commissioners by speaking to them privately. The safeguards built into the Bill are thus preserved.

The Hon. A. J. HUNT (South Eastern Province)—I thank Mr Baxter, who drafted the amendments, and his colleague, Mr Evans in another place, who suggested the concept for what is a clear improvement to the Bill. The series of amendments preserves the notion that the prime means of making a submission is in writing but it enables the commission when it considers it desirable to hear oral submissions with the safeguard that those oral submissions shall be taken at a public hearing, shall be transcribed, and the transcript retained as a public document for inspection by anyone interested.

This will preserve an important principle of the clause that no one shall seek to exert influence on electoral commissioners otherwise than through a formal and open submission. The means by which submissions are made is broadened at the discretion of the commission.

The Hon. HADDON STOREY (East Yarra Province)—I support the amendments for reasons explained by Mr Baxter and supported by Mr Hunt. I raise one question. The amendments would have the effect of providing for submissions in writing or oral submissions and sub-clause (3) talks of a person who obstructs or endeavours to influence a member of the commission

in the performance of his duties otherwise by way of submission in writing shall be guilty of an offence. That would need a consequential amendment.

The Hon. A. J. Hunt—It would, too. It must be taken out.

The Hon. HADDON STOREY—If that is agreed, the amendment could still be proceeded with and to save taking up the time of the Committee, the consequential amendment could be made in another place.

The Hon. A. J. Hunt—We will take out the words "in writing".

The Hon. HADDON STOREY—If the words, "in writing", were removed pursuant to clause (1), that would cure the problem.

The Hon. B. A. CHAMBERLAIN (Western Province)—I have a question for the Leader of the Opposition, namely, whether there could be a consequential provision obliging the commissioners to report to the House any breaches of this provision. It would appear that there is no such obligation on the commissioners at present and that they could receive improper overtures and there is no mechanism to handle the question. Is there an obligation on the commissioners to report to the House? If not, should the Act make such an obligation?

The amendments were agreed to.

The Hon. HADDON STOREY (East Yarra Province)—I move:

Clause 10, sub-clause (3), line 15, omit "in writing".

The amendment was agreed to.

The Hon. A. J. HUNT (South Eastern Province)—Mr Chamberlain raised an issue as to whether the commissioners are required to report to Parliament on any breaches or suspected breaches of this section which is designed to safeguard against elicit or back-door influence. There is no such provision. I thank the honourable member for his constructive suggestion and I will arrange for the matter to be considered by Parliamentary Counsel before the Bill is dealt with in another place.

The clause, as amended, was adopted, as were remaining clauses.

The Bill was reported to the House with amendments, and the amendments were adopted.

The Hon. A. J. HUNT (South Eastern Province)—I move:

That this Bill be now read a third time.

In so doing, I express the hope that the Bill will not be buried in another place, but will receive the attention which it so obviously merits.

The motion was agreed to, and the Bill was read a third time.

SUPPLY (1982–83, No. 1) BILL

This Bill was received from the Assembly and, on the motion of the Hon. W. A. LANDERYOU (Minister for Economic Development), was read a first time.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—By leave, I move:

That this Bill be now read a second time.

It provides for the expenditure requirements of departments from the current account sector of the Consolidated Fund for the first five months of the 1982–83 financial year in so far as they depend on appropriation.

As honourable members would be aware the Supply Bill is an extremely important Bill. Passing of this Supply Bill will enable the Government to continue its administrative operations from the end of financial year 1981–82 until the 1982–83 State Budget has been passed by both Houses.

The amount of supply sought is $1 884 514 900 and comprises the individual amounts shown in the table to clause 2 of the Bill. These amounts have been calculated having regard to salary and wage rates at 14 May 1982 and existing operating cost levels, including subsidies, and are the amounts

estimated to be required to meet payments during the period from 1 July to 30 November, 1982.

The effects on expenditure during the supply period of wage awards which may be handed down after 14 May 1982, and which have effect before the end of the supply period, are handled through the provisions contained in clause 2. Under well-established arrangements this clause provides the necessary appropriation authority to allow supply amounts to be adjusted to meet any additional funds required during the supply period to meet the cost of such awards.

The definition of determination contained in clause 2(3) of the Bill has been amended to provide for the situation where a Minister has the legislative power to determine salaries or wages. This situation arises in the Education Service Act 1981, where the Minister has authority to determine the salaries and wages for officers and employees in the Education service. To ensure that any determination made by the Minister in this situation is covered the word "person" has been inserted in the definition of determination.

The Supply Bill recognizes certain changes in the administration of Government functions and these have been incorporated. The majority of these in this current Bill are of a minor nature. However, it should be noted that the functions of the Ministry of Tourism have been separated from economic development and are now provided as a separate appropriation under division 155.

If the annual Appropriation Act is passed before the five month period expires the supply provisions under this Bill will lapse and the expenditure will be authorized by the Appropriation Act. In order to provide the Parliament with more meaningful additional information the method of presentation of the explanatory memorandum has been changed.

In the past it has been the practice to attach to the Bill an explanatory memorandum which provided a break up of the estimated amount required for each division during the supply period under the heading of salaries, general expenses and other services—the same classifications are used in the annual Appropriation Act. In addition, a separate document providing additional explanatory material was circulated.

Honourable members will have noted that this practice has been discontinued for the current Supply Bill now before the House. Rather, a separate explanatory memorandum to the Bill has been prepared. This lists for each division the estimated amount to be required for each of the broad subdivisional classifications of expenditure together with the percentage that the total provision in the Supply Bill represents of the amount provided for that division in the 1981–82 budget.

Where the amount to be provided is affected by administrative changes, or variations because payments are not made on a regular or even basis during the year, an explanation is provided in the document. This will be of benefit to honourable members as it will bring together in an expanded form both the detail of the amount provided and, where necessary, the appropriate explanation.

The presentation of this additional information should be viewed as a first step in the process of providing more comprehensive and comprehensible data on Government activity.

Secondly, the Government has also taken action to keep honourable members and the community better informed of the fiancial position of the State and the financial problems with which we are faced. A monthly statement on the financial transactions of the current account is now prepared so that the course of the State Budget can be subject to more informed scrutiny. This statement is important as it informs the people of Victoria of the Government's finances and will assist public understanding of the State Budget.

The Government has established an Office of Management and Budget Task Force. A major function of this group

will be the assessment of the pilot programme which has been underway to implement programme priority budgeting in the Victorian public sector. The introduction of such a budgeting technique will provide honourable members and the Parliament not only with the measures of inputs which will be made to departments, but also with a statement of the objectives of programmes, the functions performed by the departments and the necessary information to assess the performance of the public sector and the effectiveness of Government economical and financial decisions. The Government regards programme priority budgeting as an important development and steps have been taken to develop this form of Budget, beyond the pilot scheme stage, as soon as practicable.

The Government is committed to further enhancing the information available to honourable members for this debate and they may rest assured that further improvements will be made over the term of the present Government to enable proper and informed debate on this Bill and the finances of Victoria as a whole. For some time the Government has been concerned that the Victorian economy has been lagging behind the growth in economic activity for the rest of Australia.

Recent economic indicators confirm this view. Growth in consumer spending and investment expenditure in Victoria over the past year has been slower than the average for the rest of Australia. Economic activity in the building and construction industry, and the home building industry in particular, have been at very low levels. Stimulation of economic activity in these areas of the economy will be given a high priority by the Government.

Legislation for the exemption from stamp duty for eligible first home buyers has now been passed by this House. This measure will have a significant effect on the ailing home building industry. However, additional measures to boost home building in Victoria will be included in the 1982–83 State Budget.

The building and construction industry generally will also receive a substantial boost in the 1982–83 Budget. This Government intends to do all it can to maximise the use of its powers and assets in the interest of Victoria's economic and social development.

The formal establishment of the Victorian Development Fund will take place in 1982–83. However, the Government does not intend to wait until the fund is formally established before introducing modern financial management techniques to bring forward urgent capital works expenditure in the public sector. Work has already been initiated by the Government through Treasury and the Office of Management and Budget Task Force to ensure that modern financial management techniques are employed to stimulate capital expenditure in the public sector. The effect of this new approach to financial management will be felt early in the financial year. Honourable members can be assured that the use of techniques which will ultimately fall under the auspices of the Victorian Development Fund are underway.

The Government recognizes that the effectiveness of its positive economic programme will be limited by the negative impact of the Federal Government's economic policies. The severe disadvantage suffered by Victoria under the Federal Government's revenue sharing arrangements, and the restrictive economic policies pursued by the Federal Government provide a difficult background against which the Victorian Government's initiatives are set.

The Government recognizes the pervasive influence of Federal economic policies on the Victorian economy. To this end the Government will utilize the forthcoming Premiers Conference and Loan Council meeting to seek a fair financial deal for Victoria and a full discussion on the direction of Federal economic policy.

The stagnation in employment in Australia, evident from the latest labour force information, supports the actions of the Premier in proposing a discussion of economic policy in Australia

as an agenda item at the forthcoming Premiers Conference. The Government hopes that the Prime Minister will be responsive to genuine discussion, in view of the clear failure of existing Commonwealth policies. I commend the Bill to the House.

I thank the officers of the House and the Leader of the Opposition for assistance tonight in enabling the Government to introduce this important measure at this late hour. As a member of this House for nearly six years. I remember occasions in Opposition when I was critical of the former Government for introducing these sorts of measures in the closing hours of a sitting. I hope that the way in which the Government introduced the measure tonight is an indication of better things to come in the future that will enable this House to perform a useful role in reviewing the process of both Supply and the budgeting situation.

On the motion of the Hon. P. D. BLOCK (Nunawading Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, June 22.

ADJOURNMENT

Leasing of land in Wodonga—Advertising by interstate bookmaker—Subsidies for municipal libraries — Vandalism in Highett—Jeparit Primary School—Poker machines—Fire access roads in Whipstick forest

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I move:

That the Council, at its rising, adjourn until Tuesday, June 22.

The motion was agreed to.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—I move:

That the House do now adjourn.

The Hon. W. R. BAXTER (North Eastern Province)—The matter I raise for the attention of the Minister for Economic Development concerns the leasing of land in the Wodonga area that is owned by the Albury–Wodonga Development Corporation. As the Minister will be aware, the corporation is a large landowner in the Wodonga area in the shires of Chiltern, Yackandandah, Tallangatta and the rural City of Wodonga. Most of the land is leased out to farmers, in some cases to the person from whom it was acquired. Over the past few years those tenants have been paying rentals which, in the fullness of time, have come up for review. That is happening at present and a number of tenants are concerned at the escalation that has occurred in their rents. A public meeting was held to discuss the issue in Wodonga on 4 June, which was attended by 115 farmers.

The Hon. W. A. Landeryou—The landed gentry.

The Hon. W. R. BAXTER—That is not true. Many of the lessees are young men and women who are struggling to make a living on rented land until they can get sufficient capital to enable them to buy their own properties. It is incorrect to assume that the bulk of the tenants are people of means.

I shall give the House and the Minister some examples of the escalation in prices. The tenants of one property were paying $10 per annum per acre, which has increased to $32 per annum per acre. The rent on another property known as McGaffin, which is a 700-acre property, has increased in round figures from $3000 per annum to $9600 per annum. That property is fairly unproductive, hilly country. It has a carrying capacity of about 1·5 dry sheep to the acre. The income from the wool production is about $22 per acre. The shearing costs, if one refers to the *Stock and Land* of last week is $5 a head; superphosphate applied by the farmer costs $3 an acre and land rental is to be $15, so that the farmer spends $23, which will be more than the total income per acre. That also makes no allowance for his own labour, or any other running costs. Obviously, that tenant cannot go on renting that land at that rental.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! The honourable member is in danger of developing this

into a debate. If he wishes to fully canvass the matter, he should move a substantive motion. Alternatively, he may like to sum up and put a question to the appropriate Minister.

The Hon. W. R. BAXTER—I was endeavouring to outline the situation to the Minister because I am about to ask him to take action. If action is not taken to assess rates on a more realistic basis and if the land goes to open tender some people will be prepared to pay big money but they will be people who are not experienced farmers, people who work in towns and have another income. Experienced farmers will be pushed off this land, newcomers will get their fingers burned, farms will run down and, in the medium term, the corporation will be left with properties that are run down and it will be difficult to bring them back to productivity.

I ask the Minister to examine the situation to determine whether the formula on which rentals are assessed can be amended to ensure that skilled farmers are kept in the area to tend the land in such a manner as to retain it as a valuable asset to this State.

The Hon. R. J. EDDY (Thomastown Province)—I direct a matter to the Leader of the House and ask that he refer it to the Attorney-General. I raised this matter during the autumn sessional period last year with the then Attorney-General. It relates to a New South Wales bookmaker who at that time was advertising doubles prices in a mid-week Melbourne daily newspaper. The then Attorney-General referred the matter to the Chief Commissioner of Police. The police took action and the bookmaker and the newspaper proprietors were charged under section 40 of the Lotteries Gaming and Betting Act.

When the matter came before the Magistrates Court in Melbourne early this year, the magistrate found that there was a case to answer and senior counsel representing both the newspaper proprietors and the bookmaker sought a stay of proceedings for the purpose of appealing. Nothing has happened in relation to the matter since then. Over the past month, the bookmaker has again been advertising doubles prices in the mid-week newspaper. He pays no tax whatsoever. Victorian doubles bookmakers pay tax on every bet they write.

I ask the Leader of the House to raise the matter with the Attorney-General in an endeavour to ascertain how much longer the magistrate intends to take before making a decision in respect to this man who is operating illegally under section 40 of the Lotteries Gaming and Betting Act.

The Hon. H. G. BAYLOR (Boronia Province)—I raise a matter with the Minister for Conservation. It concerns subsidies for municipal libraries. I raise the matter now because the Government will soon be formulating its Budget for introduction during the spring sessional period.

Library subsidies have fallen somewhat behind in terms of the original concept. By way of substantiating the view that it is time increases were considered, I should like to quote part of a letter from the Shire of Lilydale to the Minister for the Arts. It states:

> 1. The current State Government funding of public library services is by means of a per-capita subsidy (on $2 for $1 basis), with a current ceiling of $3.40 per capita.
>
> In 1978/79 the ceiling was $3.00 per capita. Thus the State Government subsidy level has increased in the past three years by only 13·3 per cent, while the C.P.I. increases alone in the same period were in excess of 30 per cent.

I further point out that, in the case of the Shire of Lilydale, the two-for-one basis is now quite out of kilter. That shire is now paying a 59 per cent local contribution as against a 41 per cent State contribution.

When Cabinet is deciding its priorities, I ask the Minister to impress upon his colleagues the ever-increasing use made by both adults and school children of libraries and the importance that a municipal library plays in the life of any community. In the light of those factors, the Government ought to

give serious consideration to raising the subsidy to a more realistic level to maintain current services.

The Hon. ROBERT LAWSON (Higinbotham Province)—I raise a matter with the Minister of Agriculture who in this place represents the Minister for Police and Emergency Services. It relates to a plea made to me by the Highett Traders Association which has lately been plagued by a serious wave of vandalism. This vandalism has now been going on for some months and extra police protection is required at the Highett shopping centre. The association specifically asks that patrol cars proceed up and down Highett Road more frequently than at present.

In the latest incident of vandalism, the windows of some shops were attacked with glass cutters and deeply scored and will have to be replaced. No doubt the replacement will be at the cost of the insurance company, but that is not the point. It is worrying to the shopkeepers that such attacks are made on their premises. In addition, drag racing has been going on in the car parking area and shopkeepers are experiencing difficulty with noise, bottles being thrown and all sorts of unhappy incidents such as that.

I ask the Minister to reinforce the requests that have already been made to the local police and, if possible, to reinforce the manning of the police station in question so that the traders can be afforded some relief in this matter.

The Hon. B. P. DUNN (North Western Province)—I bring to the notice of the Minister representing the Minister of Education the alarming situation concerning the Jeparit Primary School which is located in the North Western Province. That school has received some Statewide publicity on the condition of its buildings and some of its problems.

The Hon. B. A. Chamberlain—What have the local members been doing?

The Hon. B. P. DUNN—The local members have been active on the school's behalf. Earlier this year, after visiting the school, I contacted the regional director and informed him that, unless urgent action was taken, I would recommend to the Minister that the school be evacuated.

During my visit to the school, I was conducted on an inspection tour and I found that, by pushing it, one wall was able to be moved at least one to two inches in either direction. In other words, it was hanging from the roof of the school and was not attached to the floor of the building. Basically, the wall was loose. The school building is old and has tongue and groove wooden ceilings.

The Hon. W. R. Baxter—Its the same as when Sir Robert Menzies went there.

The Hon. B. P. DUNN—That is correct. Possums are in the roof of that building and it is a regular occurrence for possum urine to drip from the ceiling on to the children's working environment below. Over decades, dust has accumulated from possums and so on in the ceiling and it, too, is constantly falling through the loose joints of the tongue and groove ceiling on to the environment of the children below. Following my visit the school was inspected by the Health Surveyor for the North Western Weights and Measures Union and Health Group, who said:

> The general condition of the school building has always concerned me, it reeks of dust and musty odours. The tongue and groove lining board interior linings are in very poor condition, permitting accumulated dust and dirt of many years standing to filter into the classroom atmosphere. Early in 1980 many children were affected by this dust and consulted the local doctor.
>
> There is a serious possum problem in the building and despite repeated efforts over some years this still occurs. Some interior walls have actually been holed by possums.

The school also has a problem in that white ants have removed much of the structural timber from the floor and the walls. There is an urgent need for the building to be replaced. Various works have been undertaken by the region to prevent a structural collapse —I thought one wall was in danger of collapsing. Polystyrene ceiling tiles were

fitted in a number of class-rooms to prevent dust from falling through. I have been advised that, in a fire, the tiles would fall from the ceiling and, while burning, would land on whatever or whoever was below and would create a serious burning problem.

Steps have been taken to try to keep possums out by putting bird wire around the base of the building, but, as anyone with experience of possums would know, they are darned hard to keep out. I shall not develop the argument any further but, through the Minister for Conservation, I invite the Minister of Education to visit the school. Together with Mr Wright and the honourable member for Lowan in another place, I seek an urgent commitment from the Minister of Education that he will have the building put on the replacement list for the 1982-83 financial year.

The Hon. J. W. S. RADFORD (Bendigo Province)—I raise with the Leader of the Government a matter mentioned in today's *Sun* in an article headed, "Clubs get set for pokies". Can the Leader of the House inform honourable members of the Government's policy on the introduction of poker machines into licensed clubs and whether discussions have taken place with the Victorian Licensed Clubs Association on this matter?

The Hon. N. B. REID (Bendigo Province)—I raise with the Minister of Forests, representing the Minister of Police and Emergency Services, an application for two sections of fire access road into the Whipstick forest, just out of Bendigo. An application for funds from the Shire of Marong was forwarded to the previous Minister for Police and Emergency Services in November 1981, and there has been quite a delay in its consideration. The amount involved is comparatively small—it is estimated that the two sections of road would cost $3200.

As the Minister would appreciate, we are rapidly approaching winter when there will be more rainfall. The two sections of road to provide vehicle access through the Whipstick country will run, firstly, as an easterly extension of Evans Road to the Eaglehawk-Neilborough road and, secondly, along the delightfully named Rocky Rises Road, Maiden Gully. It will be difficult, if not impossible, to carry out the work if it is delayed for much longer, because of the seasonal factors. The proposal has received the approval of the regional officer from region 21 of the Country Fire Authority, and I ask the Minister of Forests to take up the matter with the Minister for Police and Emergency Services so that a speedy decision can be made.

The Hon. W. A. LANDERYOU (Minister for Economic Development)—Mr Baxter raised the leasing of land held by the Albury-Wodonga Development Corporation. He had some difficulty in describing whether the meeting to which he referred was a public meeting or a protest meeting—it was certainly not a meeting of the landed gentry. The honourable member was concerned about the escalation in rental charges. I am not aware of the details but I shall certainly take up the honourable member's suggestion and to examine the matter, and I shall advise him in due course.

Mr Eddy raised with me his concern about doubles price bookmaking and advertising of that service in Victoria. I have never met a doubles price bookmaker but I assume the matter concerns some breach of the law. I shall refer it to the Premier, in his capacity as Attorney-General, and ask him to respond to Mr Eddy direct.

Mr Radford asked about the Government's policy on poker machines. He mentioned a report that appeared in the *Sun*. I did not have the opportunity of reading this morning's newspapers very closely, but I point out that the Government's policy is quite clear. There will be no introduction of poker machines unless and until there is a full and open inquiry into the matter. No decision has been made on that matter by the Government since the elections. If there is a decision to hold such an inquiry, I have no doubt the appropriate Minister will make the appropriate announcement.

The Hon. E. H. WALKER (Minister for Conservation)—Mrs Baylor asked me about subsidies for municipal libraries. She made her case well. The matter of falling behind in subsidies has not occurred in just the past couple of months. However, I take a bipartisan view of the matter. The issue is important and I shall take it up with the Minister for the Arts, as it is within his purview to handle such matters.

Mr Dunn, in graphic fashion, described the problems of the Jeparit Primary School. I do not think a visit is necessary, because his description makes it quite clear that the condition of the school is quite unacceptable. No schoolchild in Victoria, whether in the city or the country, should be subjected to these kinds of conditions. I shall certainly take up the matter with the Minister of Education. I have taken a note of the condition of the school. Clearly, it has been a matter of concern for some years and work ought to be carried out rapidly. I am not aware of the number of children who attend the school—Mr Dunn did not mention that —but, regardless of the enrolment, if it is a functioning school its environment ought to be safe and healthy. I shall ensure that the matter is taken up by the Minister of Education.

The Hon. R. A. MACKENZIE (Minister of Forests)—Mr Lawson raised a matter concerning vandalism in the Highett area and expressed the real concern of traders in the area about damage done to shops, as well as vandalism in the form of drag racing and general damage to property. The situation appears to be serious and I shall pass it on to the Minister for Police and Emergency Services so that action can be taken as soon as possible.

Mr Reid raised the matter of fire access roads in the Whipstick area. I shall take that matter up with he Minister for Police and Emergency Services and also inquire whether the Forests Commission is involved, because the Whipstick forest comes under the commission's jurisdiction, and it may have an interest in the matter.

I shall take the matter up with both departments to ascertain if the action requested by Mr Reid can be taken.

The motion was agreed to.

The House adjourned at 10.31 *p.m. until Tuesday, June* 22.

QUESTIONS ON NOTICE

VEHICLE EMISSIONS

(Question No. 10)

The Hon. B. A. CHAMBERLAIN (Western Province) asked the Minister for Conservation:

Does he intend to upgrade the priority given to the work of the Environment Protection Authority in controlling defective vehicle emissions in the metropolitan area; if so, when will additional resources be allocated for this purpose?

The Hon. E. H. WALKER (Minister for Conservation)—The answer is:

I am considering a draft Bill which will upgrade the Environment Protection Authority's enforcement capability. In relation to vehicle emissions, the Bill will provide access to both new and in-service vehicles for inspections and tests, and machinery to prohibit the use and sale of non-complying vehicles. Current staff resources will be adequate for these functions. Further, a proposal is being developed on a national level to require adjustments on carburettors to be sealed on future vehicles. Carburettor maladjustment is the biggest single cause of high in-use emissions.

LEAD EMISSIONS

(Question No. 11)

The Hon. B. A. CHAMBERLAIN (Western Province) asked the Minister for Conservation:

(*a*) What is the current yearly estimated amount of lead emissions to the Melbourne airshed?

(*b*) What is the estimated beneficial effect on the Melbourne airshed of the change to lead-free petrol proposed for 1985, and the estimated effect of the change on vehicle fuel consumption?

(*c*) What is the estimated beneficial effect on the Melbourne airshed from the installation

of catalytic converters on motor vehicles from 1986, and the estimated effect of such installations on vehicle fuel consumption?

(*d*) What is the estimated combined effect on the fuel consumption in a standard six-cylinder motor car of the introduction of lead-free fuel and catalytic converters?

The Hon. E. H. WALKER (Minister for Conservation)—The answer is:

(*a*) About 800 tonnes of lead per annum are currently emitted in Melbourne.

(*b*) In regard to lead levels, the dual approach of reducing lead content to 0·3 grams per litre in 1983, and gradually introducing unleaded petrol in 1986, will reduce total emissions in Melbourne to about 540 tonnes in 1985, 300 tonnes in 1988 and 160 tonnes in 1992. The lead phase-out will be complete by the mid 1990s. Vehicle fuel consumption is not directly affected by lead content. However, some vheicles may have lower compression ratios to use the lower octane unleaded fuel and this effect alone may cause a fuel penalty of up to 5 per cent for individual vehicles. The average effect across all vehicles will be about 2 per cent.

(*c*) Typical emissions of hydrocarbons and carbon monoxide from catalyst vehicles will be less than half of those from current models. Photochemical smog, which is formed from hydrocarbons, should be reduced in both frequency and severity so that State Environment Protection Policy objectives for oxidant are met. Typical fuel consumption should be reduced by 5 per cent to 12 per cent because the current engine-based control equipment will not be fitted to future models.

(*d*) The N.S.W. State Pollution Control Commission have tested a Commodore with a 3·3 litre six cylinder engine. They found a 12 per cent drop in fuel consumption using both unleaded fuel and a catalytic converter.

Legislative Assembly

Wednesday, 16 June 1982

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 11.5 a.m. and read the prayer.

ABSENCE OF MINISTER

The SPEAKER (the Hon. C. T. Edmunds)—Order! I have been advised that the Minister for Local Government will not be in attendance at question time.

QUESTIONS WITHOUT NOTICE

NUCLEAR-FREE STATE

Mr THOMPSON (Leader of the Opposition)—In view of the Premier's clear assertion yesterday that the Labor Party's nuclear policy was well known to the people at election time, how does he account for the fact that the Federal Leader of the Labor Party is apparently unable to understand this policy and, secondly, how does he account for the fact that there was no reference whatsoever to that important policy in his televised policy speech to the people of Victoria?

Mr CAIN (Premier)—I believe the issue to which the Leader of the Opposition refers was the subject of debate during the election. The matters in relation to nuclear energy were specifically referred to in the Labor Party's energy policy document, which was released, and I have no doubt studied closely by the then Premier's advisers. The specific reference to the televised policy speech was also made by me. It received a very loud cheer, and a strong round of applause from all those who were present during that policy speech, and the whole of that policy was clearly enunciated in the policy document released prior to the election. The Leader of the Opposition should be well aware of it. If he chooses, I will make a copy of it available to him.

PAY-ROLL TAX PAYMENTS BY FOOTBALL CLUBS

Mr ROSS-EDWARDS (Leader of the National Party)—I refer the Treasurer to discussions that have taken place between the Treasurer and the Victorian Football League concerning approximately $2 million in pay-roll tax allegedly owed by VFL clubs. Can the Premier advise the House of the terms and conditions relating to the payment of this amount; whether interest will be payable; whether a penalty will be payable, and what terms will be given? If beneficial terms are given to VFL clubs, will the same conditions be given to other sporting clubs in Victoria?

Mr JOLLY (Treasurer)—I make it clear to the Leader of the National Party that I was not involved in the discussions with the Victorian Football League. I have received a number of items of correspondence in the matter and I have had correspondence with the clubs, but the Premier met with the VFL officials on this particular issue, and of course I consulted with the Premier before and after the meeting, and we are in full accord on what action should be taken.

I have given instructions to the Commissioner for Pay-roll Tax to ensure that the pay-roll tax liability is paid by the various VFL clubs, and the conditions that will apply will be those that normally apply to organizations in similar circumstances.

WAGE INDEXATION

Mr FOGARTY (Sunshine)—I direct my question to the Premier. In view of the recent announcement that average weekly earnings in Australia have risen by the biggest amount in seven years, that is the twelve-month period to March 1982, what is the Government's attitude towards wage indexation?

Mr CAIN (Premier)—Unlike the previous Government, this Government has made its position on wage indexation very clear indeed. It offered submissions to the Arbitration Commission some days after it came to office.

The Government is strongly in support of a central wage fixing system, which should operate, the Government believes, with the authority of the Commonwealth Conciliation and Arbitration Commission. It is, we believe, only with such a system that there can be proper wage justice in this country and a fair and equitable distribution of the wealth of this nation for all sections of the community.

A central wage fixing authority would overcome the present leapfrogging process in which sections of the work force are being left behind because of the capacity of those who are stronger and more able to present their claims in a more forceful way. We believe the central role of the Conciliation and Arbitration Commission has to be recognized because it is vital for the future of this country.

I also emphasize that the on-site agreements to which reference was made yesterday will, where appropriate —that is, where Federal awards exist— be put to the commission for ratification. I also stress the point that the Government places prime importance on the conciliation process. That ought to have primacy in all industrial relations. It is the Conciliation and Arbitration Act; it is the Concliation and Arbitration Commission; it is a conciliation and arbitration system; and conciliation comes first. That will be the guideline and practice of this Government.

VICTORIAN CONSTITUTIONAL CONVENTION

Mr MACLELLAN (Berwick)—I remind the Premier of the recent announcement made by the Minister for Economic Development in another place concerning a possible Victorian Constitutional Convention. Can the Premier advise whether senior legal counsel have been asked to draft possible terms of reference for such a Constitutional Convention; whether Cabinet has discussed the matter; and what decisions Cabinet has made regarding the possible setting up of such a Constitutional Convention?

The SPEAKER (the Hon. C. T. Edmunds)—Order! It is not customary to ask about Cabinet decisions; it would be more customary for the honourable member to ask about Government decisions.

Mr CAIN (Premier)—I am obtaining advice and receiving briefings from officers of the Department of the Premier on this issue generally. I understand that the proposition has the accord of all parties and, as soon as the information is received, I shall discuss it with the Leaders of the other parties.

PAY-ROLL TAX PAYMENTS BY FOOTBALL CLUBS

Mr HANN (Rodney)—Further to the earlier question asked of the Treasurer by the Leader of the National Party, can the Premier advise the House whether the conditions imposed upon Victorian Football League clubs concerning the payment of pay-roll tax will effectively mean that the clubs must pay the tax within 30 days, plus any outstanding interest and penalties?

Mr CAIN (Premier)—I was the person who had the discussions with officials of the Victorian Football League and other sporting bodies and an officer from the Pay-roll Tax Office. I made it clear to the league that I did not believe the clubs making up that organization should be treated any differently from any other employer. The position is that a considerable amount has accrued in pay-roll tax arrears over a considerable number of years. There was some uncertainty as to the precise number of years and as to when, in the past, various clubs became liable for pay-roll tax, having regard to shifting levels of employment. It was made clear to me that there had been no real attempt to enforce payment over those years. It was also made clear that penalties had been incurred during that time and that a considerable sum was owing by way of penalties. I stressed to the Victorian Football League that I believed those penalties should be and would be paid.

There is some difficulty in the enforcement of the payment, because it is not obvious, in some cases, just who

employed the players. Were they employed by a committee, some individuals, a coterie within a club or a body corporate? In some cases the clubs are incorporated. There is uncertainty about those matters.

Mr Hamilton of the league undertook to assist the Pay-Roll Tax Office in ascertaining the appropriate employers in the particular cases. The Government does not intend to be unreasonable. As I said yesterday, it is not unreasonable, but what I did make clear to the Victorian Football League and I now make clear to the House is that the Government believes the league is selling entertainment. It is in business, it is making money and should be in no different position from any other employer of labour. I received a submission from the universities seeking some consideration on pay-roll tax because the moneys universities receive from the Federal Government have been reduced considerably. How can I say to the universities that they should not receive consideration if the VFL does?

Pay-roll tax is here, whether one likes it or not. Some honourable members might feel it is another form of growth tax that should not be given to the States. The VFL owes a lot of money. Its clubs will have to pay it as soon as they are able. The Leader of the National Party throws up his hands—if he has a complaint about it he should sheet it home to the Opposition because when in Government for many years it allowed this debt to grow without any apparent attempt to enforce it. The Labor Party has been in Government for ten weeks and I have told the clubs that they will have to pay it, and they will pay it.

It must be realized that the debt that has accumulated goes back four, five and six years and that clubs have spent the money that should have been appropriated for pay-roll tax and would have been, had the former Government had the stomach to stand up to them and enforce the tax. The fact is that some of the clubs do not have the money readily available.

Mr Ross-Edwards—Some do.

Mr CAIN—Yes. The league says it will co-operate with the officer of the department who was present and I believe they are working together to reach an arrangement to have the debt paid as quickly as possible. Make no mistake: The Treasurer will ensure that the debt will be paid as soon as practicable. The clubs will be treated no differently from anyone else.

CENTRALIZED BORROWING AGENCY

Mr ROWE (Essendon)—Will the Treasurer inform the House of the attitude of the Government to the introduction of a centralized borrowing agency to co-ordinate borrowing by semi-government authorities?

Mr JOLLY (Treasurer)—The Government has considered the question. I made it clear to the House during the election campaign that the Labor Party advocated the establishment of a centralized borrowing agency because it realized that many inefficiencies existed in the present system of borrowing. Since becoming Treasurer, I have had the opportunity of examining the borrowings of the State and I have noted that a number of small authorities and those less experienced in financial matters have experienced difficulties in borrowing in the market-place.

There is no doubt that the suggestion of the honourable member will be examined by the Government. It is currently being investigated by the Office of Management and Budget and the Government will implement centralized borrowing as soon as possible.

LIVE SHEEP EXPORTS

Mr AUSTIN (Ripon)—The Premier will be aware that a large public meeting of more than 600 people took place at Portland last Wednesday at which wide-sweeping and strong support was given to the continuation of the live sheep export trade, particularly by the Waterside Workers Federation of Australia, the Transport Workers Union of Australia, the Australian Workers Union, members of shipbuilding and repair interests and a very wide group of

people. In view of that support, has the Premier involved his Industrial Relations Task Force in this very important matter, and if not, will he do so?

Mr CAIN—I emphasized some time ago that it was the view of the Government that this matter ought to be resolved and responsibility for it rested with the Federal Minister, who, I understand, is taking initiatives in an endeavour to resolve it. As I have said before, the export of commodities from this country is clearly a Federal responsibility. I am still confident that some resolution can occur. The Government will do all it can to assist that resolution.

TUGS AT WESTERNPORT

Mr STIRLING (Williamstown)—In view of the continued concern of the Port Phillip Sea Pilots on the provision of suitable modern tugs at Westernport for the berthing of the larger tonnage vessels, is the Minister of Public Works able to inform the House whether a decision has been made to replace the present tugs at Westernport and, if so, when is this likely to occur?

Mr SIMPSON (Minister of Public Works) — Recently the Government made a decision to sell the two tugs located at Westernport. The tugs will be replaced by two more modern tugs being built for a consortium of Howard Smith Ltd and McIlwraith McEacharn Ltd. As the honourable member for Williamstown rightly points out, the tugs operating in Westernport since 1966 were designed in 1945 and virtually two generations of tugs have emerged since then, up to 1982. I take the opportunity of complimenting all those of the marine unions and the pilots in particular for the manner in which they have handled large ships over the past few years.

The former Government seemed to take considerable time to make a decision and I am happy to say that in the past few days the Government has decided to take this course of action. The consortium I mentioned will run and own the new tugs. The new tugs have a 45-tonne bollard pull, both fore and aft, which is a marked improvement on the 23-tonne bollard pull of the former tugs.

It is anticipated that one of the tugs will be commissioned in November this year and I hope the other tug will be available twelve months later. Finally, I categorically state that the tugs will not be nuclear powered.

OMEGA NAVIGATION BASE

Mr SALTMARSH (Wantirna)—Will the Premier give a clear and categorical statement defining the State Government's policy on the Omega navigation base in east Gippsland?

Mr CAIN (Premier)—As I indicated yesterday, the matter to which the honourable member refers has not been considered by the Government at any time. There is no cause for the Government to consider the matter at this time either.

LAND CONSERVATION COUNCIL

Mr B. J. EVANS (Gippsland East)—I refer the Premier to his recent statements about open Government. Bearing those statements in mind, will the Premier ensure that the Land Conservation Council hears evidence in public in the areas which are under its consideration at a particular time? Further, will the honourable gentleman ensure that all submissions made to the Land Conservation Council become public documents available to anybody interested in the contents?

Mr CAIN (Premier)—I will take up the matter with the Minister for Conservation. I am not aware of the procedures in the past with the taking of submissions and conducting of hearings. On the face of it, unless the person making the submission offers some qualification as to publication, I can see no reason why statements ought not to be made public. I will take up the matter with the Minister and have him reply to the honourable member.

DENTAL CARE FOR CHILDREN

Mr A. J. SHEEHAN (Ivanhoe)—Has the Minister of Health received recent reports of improvement in the teeth of young children? If so, will the honourable gentleman provide that information to the House and explain the reasons for the improvement?

Mr ROPER (Minister of Health)—Last week I met a deputation of dental therapists who mentioned the considerable improvement they have noticed in the teeth of children in prep classes this year. The children had virtually no caries whatsoever. I asked the School Dental Service branch to provide me with information on the change in the incidence of dental decay in young children over the past few years. I have been informed that in Melbourne since 1978 a 60 per cent reduction has taken place in the decay rate for six-year-olds.

This represents a major reduction in what was previously an enormous problem. A large part of that increase can be attributed to the fluoridation to Melbourne's water supply. Other helpful factors have been a reduction of junk food in school tuck shops and better preventative treatment through the School Dental Service.

Fluoridation, however, is the major part of that decrease. On this occasion I thank the honourable member for Benambra for his co-operation and support in this matter. Parliament has made a decision in this area and all members of Parliament should put that into effect so that children throughout the State will have teeth that are as good as the teeth of five and six-year-old children in Melbourne schools at present.

FEDERATED SHIP PAINTERS AND DOCKERS UNION OF AUSTRALIA

Mr REYNOLDS (Gisborne)—I direct a question to the Premier in his role as Attorney-General. Has the Royal Commission into the Federated Ship Painters and Dockers Union yet requested the Attorney-General to commence proceedings in the Supreme Court against Messrs Spence, Holman and Lowe for failure to answer questions at yesterday's hearing and, if so, will the Attorney-General advise the House what action he intends to take against those three men?

Mr CAIN (Attorney-General)—I have not received a request of that kind. I read a report in a newspaper this morning about the matter and I will take up the matter with the department some time today.

PUBLIC TRANSPORT FARE EVASION

Mr ERNST (Geelong East)—What steps has the Minister of Transport taken to reduce public transport fare evasion? Will he report to the House on the success of those steps?

Mr CRABB (Minister of Transport)—In recent mornings blitzes have been carried out, mostly on city destinations. On each occasion 300, 400 or 500 people have been apprehended for not producing valid tickets, depending on the success of each blitz. A substantial number of the people apprehended were carrying out-of-date tickets or forged tickets. A rampant industry seems to be under way forging travel cards with varying degrees of ingenuity and using Sellotape. Those people are in the process of being charged for offences and, wherever possible, they are paying the fares that they ought to have paid. Other matters need to be addressed to the elimination of fare evasion, such as ensuring that everyone has the opportunity of buying tickets. Considerable difficulties are involved in that matter, not the least of which is the problem of the $2 million worth of ticket machines that I have inherited from the previous Administration, and which cannot be used to sell the tickets that are now used in the system.

Mr Richardson—Why is that?

Mr CRABB—They are designed to sell other sorts of tickets. The Victorian Railways have endeavoured to use creativity to find a use for the $2 million worth of machines. The issue of the new ticketing system and the new validation and checking procedure for tickets, both on the rail system and

tramway system, is being investigated by transport organizations and me at present.

SITE ALLOWANCES

Mr RAMSAY (Balwyn)—I refer the Premier to an assurance he has given to the House that any site agreements negotiated by the Government with unions working on constructions by public authorities will be submitted to the Conciliation and Aribtration Commission for ratification and approval. Is the Premier aware that circular No. 4, issued by the Office of Industrial Relations Co-ordination in recent days, clearly instructed statutory authorities, where possible to reach agreement for on-site allowances with unions and to pay those allowances by an administrative arrangement, rather than by submission to either the Conciliation and Arbitration Commission or the Industrial Relations Commission of Victoria? It further indicated that if a contractual requirement existed for any site allowance to be incorporated in an award, only then would it be submitted to the appropriate tribunal. In light of the conflict between circular No. 4 and the stated policy of the Government, will the Premier now instruct the Office of Industrial Relations Co-ordination to issue a further circular countermanding the instruction in circular No. 4.

Mr CAIN (Premier)—The person who prepared that circular, which I have seen subsequent to question time yesterday, seemingly was referring to those arrangements where an arrangement was made with a group of workers that was either of small moment or had been the subject of a similar arrangement with other workers on another site in relation to the same matter and already ratified. As I understand it, he was alluding to the proposition that there ought not to be a requirement to go back and have each site's small print ratified, if the principle enunciated in it had been ratified on another site.

To the extent that any degree of ambiguity exists about that, the office has been instructed that it must be made perefectly clear that, in all cases, these agreements are or will be subject to ratification by the appropriate body—in the case of Federal awards, by the commission and, in the case of State awards, by the appropriate State body. That direction has been given and will be carried out.

FUNDING FOR SPORTS FACILITIES

Mr McGRATH (Lowan)—Will the Minister for Youth, Sport and Recreation inform the House whether it is a fact that all available money for capital works programmes within his purview were committed by the former Minister? If so, does that mean that no funds are available for the remainder of this year for sports facility projects? Is the Minister prepared to review the situation and to consider ways and means of providing some additional funds for clubs and associations to finance such sports facilities?

Mr TREZISE (Minister for Youth, Sport and Recreation)—The honourable member is on the ball. The former Government—principally the former Minister—made a decision last December to allocate approximately $1·2 million to councils on a ten-year basis commencing as from June 1982 and running to June 1992, even though the Government did not know in December last year whether it would be the Government at the relevant time. As it turned out, there is a new Government with a new Minister. I, personally, would never do such a thing, and I say that sincerely. However, that is the way some people work.

At present, the well is somewhat dry. Nevertheless, subject to Budget allocations, I trust that some revenue may be available to rekindle finances to municipalities, perhaps not on the same principle of a ten-year term which did not even cover the interest rates and which is certainly not approved by the majority of councils throughout Victoria. The Government is considering various means such as grants and interest subsidies to overcome the situation.

To sum up, the answer is that the well was left dry by what I see as a tactless action on the part of the for-

mer Government. My Government is examining the situation and I hope ways will be found of overcoming the problem.

GOONAWARRA HOUSING ESTATE

Mr CULPIN (Glenroy)—Will the Minister of Housing inform honourable members whether it is the intention that the Goonawarra estate at Sunbury be vested in the Urban Land Authority and, if so, whether Operation Home Buy could be extended to that estate?

Mr CATHIE (Minister of Housing)—The unsold developed allotments at the Goonawarra estate have been transferred to the Urban Land Authority and the remainder of the estate will follow. The authority is a specialized marketing body and that vesting means that all major metropolitan surplus lands of the Ministry of Housing have now been vested in the Urban Land Authority for marketing purposes.

I have also decided to extend the successful Operation Home Buy scheme to the Goonawarra estate. Operation Home Buy will, as announced earlier, close on 30 June in respect of the five estates at Pakenham, Cranbourne, Endeavour Hills, Broadmeadows and Werribee, but it will be extended to 31 August in respect of the Goonawarra estate. The extension of Operation Home Buy to the Goonawarra estate at Sunbury will complement the joint initiatives of the Housing Industry Association and the Ministry of Housing in establishing a builders' display village on that estate.

Both programmes will help to generate land sales and housing construction. Operation home buy has been effective and I urge either home buyers or builders who want to take advantage of the substantial benefits of operation home buy, to act quickly before the end of the month.

BLACK BAN ON PORTLAND BUSINESS

Mr BURGIN (Polwarth)—I ask the Premier what action does the Government intend to take to break the black bans that a certain union has put on a small business operator in the Portland area? Black bans are taking away the livelihood of an individual small business operator.

Mr CAIN (Premier)—I am not aware of the matter to which the honourable member for Polwarth refers. If the honourable member would like to contact me, I shall make some inquiries about the matter.

MINISTERIAL STATEMENT

Security on Ministry of Housing estates

Mr CATHIE (Minister of Housing)—I desire to make a Ministerial statement on security on Ministry of Housing estates.

There have been widespread reports in the media and elsewhere recently of the problems and indeed "danger" of living on Housing Commission estates, particularly within the high rise. Although any rational assessment of these suggestions would indicate they are grossly overstated, nevertheless, the Ministry of Housing has been aware that security matters and the desire of tenants to live with their families in the best possible environment have become more important in recent times.

The very nature of many Housing Commission estates creates unique environments. There are many positive aspects of this situation and at the same time it must be said that there are some unfortunate aspects, often related to historical circumstances surrounding their design and construction and often to the fact that many tenants, because of the current state of the economy and other factors, have certain difficulties in achieving satisfactory housing.

The Ministry of Housing has always believed that it has a responsibility to assist tenants in all aspects relating to their housing. Recent developments, which I will outline later in this statement, indicate that this concern has resulted in very real programmes of direct assistance to the tenant communities throughout the State. It is as part of this responsibility that the Ministry

has become aware of the fact that security problems—and these include safety questions, vandalism, potential and actual violence etc.—are vital in tenants' eyes. This concern has been expressed in the approaches made to the Ministry to request changes in operations procedures and structures.

I first wish to say that people who are tenants of the Ministry of Housing are no different from the rest of the community. Simply, for a variety of reasons, they have required Government assistance with their housing needs. The problems they face and the fears they have within their housing situation are similar to those of all other citizens. It is unfortunate that because of the previous Government's housing policy, such families have to be housed in accommodation that is easily identifiable by the rest of the community, and therefore open to stigmatization, and in many cases is inappropriate both physically and in a location sense to family needs.

Such physical arrangements will mean that many particular problems become centralized and magnified and have an immediate impact on a greater range of people.

Without dwelling on the matter, it becomes obvious that specific violence, such as the unfortunate murders on a particular high-rise estate recently, will directly affect more people in a specific environment than would be the case in other suburbs and housing situations. This is obvious and concerns about issues such as police presence in the neighbourhood, vandalism and wilful damage, hooliganism, neighbour disputes and so on become the immediate concern of a particular group of people.

This concern can have some very positive ramifications. People will band together in response to a common need and will explore all avenues to seek redress and solutions to that situation. Often in the past this has been manifested in complaints and dissatisfaction with Ministry of Housing operations and services. However, such complaints, when based on legitimate grounds, are a guide to the relevant authority in identifying and resolving problems, inefficiencies or absolute gaps in the service being provided.

The Ministry of Housing has recognized this and in order to be both effective and efficient it has fully supported the development of consultation mechanisms with individual tenants and tenant organizations on different estates throughout Victoria. Housing is providing a most essential service to families, and it is important that their preferences and needs are met as effectively as possible within the necessary budgetary constraints. Without consultation with the clients any service delivery would be ineffective.

Mechanisms developed by the Ministry of Housing vary from basic surveys of tenant requirements to the provision of community welfare workers with the role of actively organizing and assisting tenant organizations, to an experiment in potential tenant self-management that has been under way for some time on the North Richmond estate.

Whatever the arrangement, it enables the tenants to identify their needs, express their concerns and dissatisfaction, and obtain some input and control of their housing and environment. This is totally desirable and will be actively supported by the Government.

It is through these mechanisms that the Ministry has become aware of the security matters and has embarked on a number of programmes aimed at alleviating the concerns. I would therefore like to take this opportunity of giving some detail of the policies currently being undertaken to improve the amenity and environment on Housing Commission estates.

Security matters really come under three headings:

(1) physical arrangements that can reduce potential risk and ensure safety;

(2) preventative measures such as physical protection of life and property; and

(3) social measures to forestall potential problems through education, involvement and personal satisfaction.

Recent developments within the Ministry of Housing policy show that all of these matters are being addressed.

With regard to physical conditions on estates, the Government recognized the need for such a requirement on its announced housing policy prior to the election when it firmly committed additional funds to estate improvement on the high-rise estates. In addition, as much money as possible will be spent on improvements required on low rise and villa estates to ensure that housing remains suitable to families' needs, including their sense of security.

To co-ordinate and ensure that such expenditure is cost-effective and relevant to tenants' needs, an Estate Improvement Committee of senior officers has been established within the Ministry of Housing. This committee will ensure that the priority of all proposed estate improvements works is established by tenant organizations on the relevant estate. Tenant networks are being developed and have been directly supported by the employment of resource personnel on estates. Significant examples of this support are the provision, in conjunction with the Department of Youth, Sport and Recreation, of two youth workers to work with parents and teenagers on a number of inner-city estates; the Ministry of Housing's direct employment of a community development consultant at Hoddle Street, Collingwood; the involvement of community child care at Carlton and the employment of a number of project officers by the Ministry of Housing on estates such as West Heidelberg.

The tenants' groups established under such programmes have all indicated to the Ministry their concerns over security. This coincided with a Ministry review of security arrangements on high-rise estates late last year. This report made very specific recommendations on physical changes needed on high-rise estates to improve security. Examples of the physical works recommended include the reduction of access to an estate by the use of landscape gardening which is impenetrable and fencing which clearly delineates the grounds of the estate as private and not public open spaces.

Other procedures concern night-time problems, and suggestions include the provision of one-way closing fire proof security doors on the ground entrance of all stairwells which will allow egress from the building but will not allow access via these stairwells. Furthermore, it is proposed that doors to the entrance of the foyers of high-rise buildings be replaced so that access to the foyer after a certain hour each night be restricted to one entrance for each building.

Other measures include lockable doors at the top of stairs of walk-up blocks to restrict access to the roof and laundries and a study of the lighting requirements of each estate to determine the need for additional or more powerful lighting.

In order to reduce the risk of tenants being struck by a missile thrown or dropped from the balconies or windows of a high-rise block, a pilot scheme will be tested to fit each window of the blocks with fly-screens which are heavy enough to restrict objects falling through them. As well, balconies will be totally enclosed in a way which prevents objects being thrown over the edges.

These recommendations and others from the report will be costed, documented and returned to the tenant organizations on all the high-rise estates for consideration. The tenant groups involved will assess the recommendations in regard to their particular situation, suggest modifications as required and recommend the implementation of the improvements, if desired. The priorities of the works proposed will be solely determined by the individual estate groups involved.

As an example, I cite the situation with the North Richmond Tenants Council. In due course the council will be considering the Ministry's report, but at the same time it had already formulated its own proposals on specific security matters. The consultation with the tenants council on the Richmond estate goes back further than the recent tragic events on that estate. In August 1981, the tenants council on that estate worked in conjunction with Ministry

officers to draft instructions for security guards employed on that estate. Security at that time was greatly increased. For the first time security guards were working 12-hour all-night shifts. It is hard to measure the effectiveness of this increased security because it is difficult to gauge the deterrent effect of security guards on vandalism and crime rates on estates.

I have attended two meetings with tenants at Richmond in the past six weeks. At the meeting I attended on 26 April a number of proposals were put by the tenants in relation to security. Officers of the Ministry are currently examining the possibility of improving the security of toilet and kitchen windows where these face on to balconies, and of a restricted key profile. A decision on implementation will be made after a costing of these proposals.

At a meeting held with the tenants council on Monday, 31 May 1982, I agreed to the tenants' request to place one-way closing, fireproof security doors on the ground entrance to all stairwells which allow egress from the building but do not allow access to the buildings via these stairwells. This is consistent with the Ministry's general report.

Secondly, all doors will be replaced in the foyers of the five high-rise towers at Richmond. These doors will be lockable and one set will be locked at night. Access will therefore be available to the building at night through only one entrance. To allow the monitoring of persons entering each building a cubicle to house security personnel will be built in the foyer of each high-rise block. The tenants council at Richmond is currently considering the possibility of tenants actually monitoring the foyers themselves. Finally the tenants requested that an intercom system to all flats be considered and costed. That is being done at present.

Through co-operation between the Ministry of Housing and the Victoria Police Force the police at Richmond continue to provide foot patrols through the estate. There are also occasional patrols by mounted police. The Ministry is also delighted with the assistance it has received from the Police Crime Prevention Bureau.

The Ministry has at all stages consulted with the tenants council at Richmond on aspects of security on that estate. There have been many positive results from that consultation and it is hoped that consultation on other estates produces the same results.

Physical works can reduce the risk to tenants and reduce potential violence and vandalism. However, security, particularly the knowledge of feeling secure in one's environment, is more than a physical arrangement. As such, it is necessary for preventative measures to be instituted in support of physical works.

For a number of years the Ministry of Housing has employed private security firms in maintaining a watch and presence on certain high-rise estates. This system has been improved over time, but is far from perfect and, by its very nature, quite costly. Therefore, the Ministry's review of security considered a number of alternatives that may be applicable in terms of manpower support of security programmes.

One such consideration is the employment of the Ministry's own security guardians. This concept is based on operations of the Ontario Housing Corporation in Canada, and is aimed at meeting the specialized security needs of metropolitan estates.

The motto of the Ontario company is "preventative social policing" and its aim is to provide a non-institutional security service to the estates which is also a social service to residents. Many of the guardian staff are involved in helping to organize and run sporting, social and education activities on the estates on which they work.

It is believed that the role of such officers is one of assistance and service to tenants whether it be through their policing role by ensuring the security and amenity of the estates or through their community assistance and support functions which directly assists tenants by improving the social environment of

an estate. Initial consideration suggests that such a scheme may have many benefits in the Victorian situation.

Other similar matters under consideration include greater police involvement with the Ministry and its estates via measures such as the existing "community policing" at Flemington and Kensington. The establishment of permanent links via a Police Department-Ministry of Housing Departmental Committee and the involvement of police advice on all security aspects of high-rise estates are other matters to be actively pursued.

It is possible that a high degree of tenant participation could enable direct tenant involvement in basic security arrangements, although such measures would require some degree of professional support.

The final step in these security developments is probably the most desirable. Work must be done in removing the cause of security problems as well as protecting against the effects. The community development programmes currently under way within the Ministry of Housing estates are ideal examples. Be it a specific organized arrangement of community halls on estates for weekly bingo, or the immediate response of projects such as community guardians, involvement of unemployed youth in construction of drop-in centres or communal coffee shops, such actions involve the Ministry of Housing tenants in their community and will reduce security problems.

The Ministry is involved with tenants in a number of developments that will directly change their environment. On Monday I opened a Youth Drop-in Centre on the Kensington high-rise estate. The Ministry has provided the shell of a building and young people on the estate are helping to put in the finishing touches. The centre is to be run by a committee of parents and teenagers on the estate and the Ministry is employing a youth worker to help with the project.

There are a number of community rooms and flats on high-rise estates which provide centres for tenants to meet together. In some cases these are used for child care—for example, in co-operation with the Melbourne City Council, the community room under a high-rise block in Lygon Street, Carlton, has begun to be used for occasional child care. Laundry upgrading at the five high-rise blocks at Langdon, Park, Richmond, is now nearing completion.

This work was done in response to an assessment of estate improvement priorities carried out by the tenants council. One million dollars will be spent to upgrade the 102 communal laundries. Similar work is included in the complete building upgrading at Hoddle Street, Collingwood, for which the first contract has been let recently, worth nearly $1 million. Future laundry work on other estates will be dependent on tenants' determination of their priorities.

Prevention of security problems lies largely in tenants knowing their neighbours and knowing who should be on the estates. Initiatives such as those described above provide an opportunity for this to happen whilst at the same time providing a useful service to residents.

The Ministry of Housing has committed just over $400 000 to the provision of security guard services on the high-rise estates and more than $2·5 million has been committed to physical improvement involving security and general upgrading works for 1982–83. A further commitment of $1·5 million has already been agreed to and it is estimated that between $15 to $20 million may need to be expended to upgrade the remaining estates listed for improvement.

The previous Government built these estates without regard for people's needs—we are now paying the price of redressing those past mistakes.

There will always be members of the community seeking housing assistance from the Government. It is important that our estate improvement programmes as well as our new purchase and construction programme, provide the most suitable housing for the community's needs.

Security is vital within these needs and the actions currently under way show the Ministry of Housing is dealing with the physical, protective and community development aspects of security problems to ensure client satisfaction.

By leave, I move:

That this House takes note of the Ministerial statement.

Mr KENNETT (Burwood)—In many aspects the Ministerial statement that the Minister has just presented could have been presented by any Minister of Housing regardless of his political affiliation. It is important that much of it makes sense. More importantly, as the Minister indicated throughout the document, much of what is contained in it has been part of an ongoing programme by the Ministry of Housing in trying to meet adequately the needs of the community for Housing Commission estates.

I commence my remarks by referring to the comment by the Minister on the last page of the Ministerial statement, that the previous Government built these estates without regard to people's needs and that the present Government is now paying the price of redressing those past mistakes. When construction of these estates commenced, in the 1950s, the estates replaced a housing situation in Victoria that was much worse. There were incredible slums. In retrospect, I suppose one could say that many people would have been prepared to renovate those slum dwellings if the buildings had survived that period, and this would have produced acceptable housing options. However, in the 1950s and 1960s when there was not access to building materials and so forth, it was not an option. During the period in which I was Minister of Housing I said many times that I accepted that in previous years Governments, and the Government of which I was a party member, did not maintain the units to the degree that they should have been maintained. I have said that in the past and I do not walk away from what I said now.

Unless one is prepared to admit that the estates were not as well maintained as they might have been, obviously it makes it hard to redress the problem honestly and effectively.

One has to remember that there are many countries throughout the world where people are living in accommodation of a similar construction to those high-rise flats.

The opening comments by the Minister of Housing, that there is no difference between people who live in Ministry of Housing accommodation, be it high rise, low rise or whatever, and the rest of the community is correct. Unfortunately, there has arisen a stigmatization surrounding high-rise estates because of the incidence of crime and vandalism that has occurred on these estates. The Minister did not address himself to the way in which those incidents have received considerable media coverage. That always concerns me. I notice the Minister wrote a letter to the *Age* recently—probably dictated by his director but he signed it—in which he indicated that when a crime or an act of vandalism occurs on an estate it is not in the interests of the community on those estates if the media and politicians blow it out of all proportion.

One has to remember that Ministry of Housing estates, such as those in Richmond, where there are four or five large towers, accommodate a community of 5000 people. That is equivalent to, if not larger than most country towns where crime occurs, as it does anywhere in the State where people live together. Crimes that happen outside these estates are rarely given the prominence in the media of those that occur on a high-rise estate.

More importantly, another extension of that example relates to simple things like the *Herald* Blanket Appeal, which I accept as a very good appeal, where night after night the people who are held up to be examples of those in need are people living in high-rise accommodation. The reason for that is simple; it is so much easier for the journalists or photographers involved

to walk into a high-rise tower, knock on a few doors and find an example of a family in need.

The Deputy Leader of the National Party suggests by interjection that I am over sensitive. I am not over sensitive. If one looks at a newspaper, particularly the *Herald*, one will notice an article about perhaps Mr and Mrs Jeff Kennett of the Housing Commission estate. All I say to the Deputy Leader of the National Party is that there should be a greater balance and not a dominance given by the media to the difficulties that occur on those estates because there are also people who are exceedingly proud of their Housing Commission high-rise accommodation. One would have difficulty in moving them out of it.

Over the years we have developed a generalized view within the community that because a person lives in a high-rise estate he is obviously either in desperate need or not what one would commonly term an average citizen. That is not true. In fact, many people who live in these estates quickly establish themselves and become good citizens, not only within the Victorian community but more importantly in accepting leadership roles on the estates through the tenants' councils that the Minister has referred to and which have been operating for some time and in other projects that are not as easily identified as the tenants' councils.

One would be surprised at the amount of goodwill that exists on these estates between one tenant and another. In the majority of cases there is a tremendous amount of goodwill and respect. It is always the odd incident that gets coverage and makes the work of the Ministry so much harder and belittles the community that lives on these estates.

The Ministerial statement on security at the Ministry of Housing has, as the Minister says, been slowly developed over a number of months if not a couple of years because of the consultative programme that has been going on for a long time. All of these things involve money.

I guess it would have been much easier for me to have attacked the Government on the programme outlined in the Ministerial statement. I disagree with some of the points made and I will refer to those later.

I want it generally understood that I in no way intend, in terms of the security of the Ministry of Housing estates, to attack the Government either now or out in the public marketplace for political purposes. Recently I indicated to the Minister of Housing that he should call the media together and have a discussion to see if it is possible to minimize the attention that has apparently been given over recent years to incidents of violence and vandalism on high-rise estates.

The Minister could do a great deal for the Ministry of Housing personnel who work very hard against tremendous odds but who see criticism of their policies and programmes in the press. It is also difficult for the people who live on the estates. The Minister might make it easier for everyone, if on the basis of his Ministerial statement, he arranges to meet with the media at a mutually agreeable time to come to a gentleman's agreement so that the dominance that has been given in the past to these incidents will not continue in future.

Two weeks ago the Minister wrote to the *Age* asking that they lay off incidents that occur in high-rise estates. I regret that so much of his comments prior to the election about those incidents and security were politically motivated.

Mr Cathie—What are you referring to?

Mr KENNETT—To cases involving a death and a boy being pushed off a building in the Carlton estate which were given tremendous coverage by him in the press. Perhaps we have come to a watershed because I do not want that sort of debate to continue.

It certainly will not come from this side of the House. I will give an undertaking that we on this side of the House will not use any incident that occurs on high-rise estates involving security or vandalism for political purposes to try to in any way embarrass the Government of the day.

I will ensure that the Minister of Housing lives up to his and the Government's commitment to meet their obligation with respect to what they offered prior to 3 April and what is offered in this document today. But in terms of using the incidents that occur on Ministry of Housing high-rise estates, the Minister has my assurance and the assurance of the Opposition that we will not use those people who live on those estates for political purposes.

I hope that if the Minister accepts that offer in the way in which it is offered, and if he can arrange a meeting of the media, we may go a long way towards giving the tenants' councils he has spoken of and the tenants on the estates the sort of backing and support they need to sort out many of their problems.

There is no doubt that self-management on these estates is the answer. It is the answer, for many reasons. It first of all involves the community in solving their problems. It does not matter how good the security measures are in any of these estates, it will not always wipe out all incidents of crime and vandalism. The only way to do that is to ensure that individuals living on the estate and outside it and who use the estate respect each other and each other's property. That can only come from developing a community attitude and a community spirit. It will only come from people looking after and directing their own affairs instead of having a Labor Government or a Liberal Government deciding what they believe is a better know-how to meet the needs of the communities.

Another important aspect of the Ministerial statement that has not been addressed in real terms, is the preventative policies of the Government. That is a problem we face now and hopefully some time in the future those problems that exist today will be overcome. The real answer lies in preventive measures. That certainly includes the upgrading of Ministry of Housing estates but, more importantly, preventing people having to require Ministry assistance in the first place. I predict a Government would very rarely, if ever, have sufficient money to be able to meet the total community needs of those who look to the Ministry or the Government for assistance.

Mr Cathie—Where else can they go?

Mr KENNETT—The interjection of the Minister highlights one of the great voids in the thinking capacity of the Minister, and the Government, with respect to creative schemes for housing alternatives. This is one of the areas to which the Minister of Housing and the Premier addressed themselves, leading up to the election of 3 April, and even in the Minister's policy promises there were some answers—there is no doubt about that.

I regret that the Government has not honoured its obligation. If people are to be prevented from coming to the Minister of Housing for accomodation, incentives must be provided for those people to acquire a house of their own, and then obviously the demand on the housing stock of the Ministry of Housing would be greatly reduced. Honourable members have already debated the issue of stamp duty exemptions but here is another way in which young couples could be assisted to work hard and build up a deposit in order to acquire a home that they would be able to pay off. It is with great pride and respect that people like to be able to stand on their own two feet.

That is the sort of thinking we should have in Australia and a tremendous degree of creativity is shown by individual Australians, yet one of the major policies put forward by the Labor Party was the stamp duty exemption.

Mr Cathie—That is right, tied to the home savings grant.

Mr KENNETT—The interjection of the Minister is an indication of how dishonest the Government was and how dishonest the Minister was in their promises. I direct the attention of honourable members to page 3 of the Ministerial statement which refers to preventive measures. Since debate began in the House the Minister of Housing and the Premier have indicated that stamp duty was always tied to the home savings grant and that the community always understood that the stamp duty exemption was tied to the home savings grant. However, if one examines the policy speech of the Premier on the night he delivered it, when discussing the need for a better housing policy and the need to make home ownership affordable, he said:

> We will provide a total exemption of stamp duty for first home buyers up to a value of $50 000, a saving of $1000 on the average home purchase.

Mr CATHIE (Minister of Housing)—On a point of order, Mr Acting Speaker, I made a Ministerial statement dealing with security on Ministry of Housing estates. I made no statement dealing with home ownership or stamp duty concessions.

Mr KENNETT (Burwood)—On the point of order, the Minister of Housing in his statement on page 3 referred to preventative measures. If the Minister is not prepared to be serious about preventing people coming into high-rise estates or being put on the waiting lists of the Housing Commission, then we are in a great deal of difficulty. I also remind the Minister, who has only just concluded his statement, that he states on page 9 of his Ministerial statement:

> It is important that our estate improvement programmes as well as our new purchase and construction programme, provide the most suitable housing for the community's needs.

What I am doing now is addressing myself to the Ministerial statement to make sure that not only is security improved but, more importantly, the human aspects of the Minister's statements and policy on this area of activity are given a full venting in the House.

The ACTING SPEAKER (Mr Kirkwood)—Order! I do not accept the point of order, but I ask the honourable member for Burwood to keep close to the Ministerial statement.

Mr KENNETT (Burwood)—I will continue on that point because it is very close to the Ministerial statement. I do not like the way in which the Government, in trying to meet its promises, whether it be in the upgrading of security provisions or any other way, reneged on its promises. The fact that this reneging has occurred will ensure that more and more young people who require housing assistance will be put on the Housing Commission waiting list.

I suspect that because these people are young—and because the Minister does not like the alternative of having families in high-rise accommodation—there will be more young couples placed in that type of accommodation. If these young people can be prevented by the Parliament from being put on the waiting lists, and if the Minister, who is representing the Government, can initiate programmes to alleviate many of the problems——

Mr Cathie—They cannot get access to finance!

Mr KENNETT—I acknowledge the Minister's interjection, but not only can they not get access to finance, they cannot even get what is promised.

Mr Cathie—It is all tied to the home savings grant!

Mr KENNETT—Everything is tied to the home saving grant! The Premier's policy speech totally puts that plan to rest. The Premier stated:

> We will provide a total exemption.

Mr Cathie—That is right!

Mr KENNETT—What do you mean it is right, because it is not right!

Mr Cathie—A total exemption of stamp duty for first home buyers.

Mr KENNETT—Here we have a conflict which is very important. We have the Minister of Housing interjecting

and stating that it is tied. It is not tied for those young people who look to the Government to provide an opportunity that might prevent them——

Mr Roper—That is a decision of the House.

Mr KENNETT—I am talking about a decision of the Premier to remove from those young people the opportunity of working very hard to purchase their own home. They will be forced into high-rise accommodation.

In the housing policy document of the Government, which was printed and published by the Australian Labor Party, no reference is made to qualifications. No reference whatsoever and it states:

An Australian Labor Party Government——

Mr ROPER (Minister of Health)—On a point of order, Mr Acting Speaker, although I can well understand your decision on the point of order raised by the Minister of Housing, because at that stage the shadow Minister of Housing was just referring in passing to the matter, he is now referring in detail to the over-all housing policy.

I point out that those people on housing estates who are affected by the Ministerial statement do not, for a variety of reasons, ever get near being exempted from stamp duty. The honourable member for Burwood should be brought back to the Ministerial statement not to generally debate housing policy.

Mr KENNETT (Burwood)—On the point of order, there are two sides to security, and two sides to the provision of Government housing. Whether the Minister of Health accepts it or not, I do not know! On the one hand, problems as they exist today should be addressed; and, on the other hand, the Government should provide creative schemes, policies and programmes, as the Government outlined prior to 3 April, to prevent people from coming into that accommodation. If they come into that accommodation, then the problems that it is trying to solve in the Ministerial statement will affect more and more people in the community.

If the Minister of Housing does not address himself to the preventative side and if the Minister and the Government are fearful of what I am saying, simply because they have now been found out to be totally wrong, I suggest that is totally in order and certainly within the bounds of the Ministerial statement because the Minister of Housing spoke about preventative measures.

The ACTING SPEAKER (Mr Kirkwood)—Order! I have given quite a deal of thought to what has been happening and I uphold the point of order. I ask the honourable member for Burwood to keep closer to the subject-matter.

Mr KENNETT (Burwood)—I am not in any way reflecting on your ruling, Mr Acting Speaker, but on the attitude of the Minister of Housing who, in trying to solve the problems, should encourage the widest possible debate so that not only honourable members are better informed but also members of the community are totally aware of what is ahead of them. The other security measure that concerns me in this document is the one affecting stairwells. I know that at this stage it is only a recommendation in one of the reports, but the Minister on page 5 of the Ministerial statement said that he had agreed to the tenants' request to include the provision of one-way closing fireproof security doors on the ground floor. The Minister, in agreeing to the tenants' request, has not pre-empted the report, because the report has been made, but he has pre-empted the final decision of the Ministry on the report. I warn the Minister that he ought to think seriously about these one-way closing doors. Cases have occurred overseas, with all the best advice in the world, where these devices have not opened at the right time, and lives have been placed at risk. This is closing off access, as such.

Mr Cathie—They allow you to get out of the building.

Mr KENNETT—They allow you to get out of the building if everything is all right, but on occasions these doors have jammed. Lifts are meant to go up and down, but they are vandalized from time to time, and if the lifts at Cannon Street are not working and the fire security doors jam, or are even cemented together, then the tenants face a tremendous risk. The idea might sound all right, but as the Minister and I know what happens on estates, it might be putting an undue risk on the security of tenants in housing estates.

I congratulate the Minister on recognizing the important work of the Victoria Police Force on housing estates. The Police Force has done a tremendous job for the Ministry of Housing over many years in assisting with disturbances on the estates. More and more police are now operating in plain clothes on the estates so as not to impose unnecessary authority, as such. However, I am not convinced that security guards are the answer. Even during my time as Minister of Housing, the Ministry cancelled one contract with security guards because, firstly, they are not necessarily trained in their job and, secondly, they impose a tremendous fear on the people on the estates. The answer lies in cooperation between the Victoria Police and the tenants; the tenants being given specific tasks to assist with security. An important concept has operated in Canada in this regard but, again, it has to be ensured that it does not become a guardian angel type situation, as exists in New York, or somewhere overseas, where there are young vigilante groups on trains to assist people. While they do a good job, they develop a fear in the community. It is a matter that has to be weighed carefully in order to arrive at a solution.

I am pleased that the Minister has said that everything in the report is not going to be accepted or rejected, but all is under consideration. The honourable member for St Kilda knows better than most that it takes time to bring tenants together and to educate them—given the multi-lingual problems—to take over more and more of the responsibility. The former Government moved a long way in this direction in one or two housing estates. However, to give tenants too much authority, without fully educating them, will destroy their confidence and put at risk tenants doing more work for Governments generally.

On page 8 of the Ministerial statement, the Minister mentions upgrading laundries. This is a major step forward, and it was a project commenced by the former Government. In one estate the tenants still were using coppers in laundries and, to my surprise, the upgrading of laundries was one of the things that people on the estates wanted most. Now the programme is under way and the high-rise blocks at Langdon Park are having their laundries upgraded, and this is near completion. It will make a tremendous press release with the Minister standing in front of the laundry. I will have to have a Liberal Party sticker put there to remind people that it happened under the previous Government.

The matter of security and the matter of housing alternatives are very important. Today I made an offer to the Minister to meet with the press to try to have a better communicative understanding of the needs of people on housing estates.

Mr Wood—He won't take it up.

Mr KENNETT—He might; it is a reasonable suggestion. I welcome the opportunity of being with the Minister at that meeting, as I am sure the spokesman for the National Party would welcome it. If there is an apolitical approach to violence on housing estates, it will be a step in the right direction.

Under a ruling of your predecessor, I am not able to fully develop, as I wish to develop, the other important aspect of security within housing estates. That is sad, because preventative measures have to be found to stop people ever having the need to come onto housing estates.

The SPEAKER (the Hon. C. T. Edmunds)—I advise the honourable member that he may give notice of a motion, if he so desires, at the appropriate time.

Mr KENNETT—Thank you, Sir. I mention it in passing because the Minister made reference to security on page 3 of the Ministerial statement, but did not explain in any detail the preventative measures that the Government has in mind. He spoke about physical arrangements that can reduce potential risk and ensure safety, and on the last page of the Ministerial statement he said that it is important that the Government's estates improvement programmes, as well as its new purchase and construction programme, should provide the most suitable housing for the community's needs. It is providing the most suitable housing for the community's needs, which is so very important in the long term to ensure that there may never be anything more than the Ministry of Housing to administer rent collection and disposal of its property.

Prior to the election, the community had a range of alternatives for providing suitable housing to meet the community's needs. There is no question about that, but in many areas those most suitable housing options will not be available, and I was trying to highlight where the community has been misled. I shall not take the matter any further because I do not wish the security issue and the interests of the people who live on these estates to become enmeshed in what might become an argument over the total housing policies of the Government. That matter could be dealt with on another day.

The Labor Government is carrying on work started by the former Liberal Government — which the Minister has acknowledged by interjections—and by officers of the Ministry of Housing. That is excellent, but it is unfortunate that the Government has not addressed itself to preventive measures in housing that would be of benefit in the future development of Victoria.

Mr Cathie—We are seeking to provide child care and drop-in centres.

Mr KENNETT—But all of those are dealing with problems that have already arisen on estates that exist today. I am talking about preventive measures so that people are not forced to live on these sorts of estates. That is why Operation Home Buy and programmes of that nature are effective, because they provide alternatives to the sort of accommodation that has been discussed. The Minister has today praised Operation Home Buy and it is one method through which the need for providing security measures can be avoided.

Many of the programmes commenced by the previous Government have been accepted by this Government. The only initiative I know the Minister is reconsidering is the mobile homes programme. I do not know of any programmes the honourable gentleman has actually cancelled.

The security of Ministry of Housing estates is a most important subject and should be treated as such. As I have indicated, as shadow Minister of Housing, I will in no way in the future—as I hope I have not done in the past—attempt to make political mileage out of any incident of violence or vandalism that occurs on a Ministry of Housing estate. I will do my best to ensure, nonetheless, that the Government and the Minister live up to their promises and do indeed spend the funds they have indicated are available to carry out security measures on the estates.

Some of the comments I have just made may not be politically acceptable to some of my colleagues and I hope neither the Minister nor the Government will abuse the offer I have made. It is time the people who live on estates of the Ministry of Housing—be they at Broadmeadows or in the inner city areas in high-rise flats—were given the opportunity of developing their own initiatives. I hope if the Minister calls the meeting with the press, the media will join with us in a concerted effort to place more emphasis on the good things that happen on the estates instead of continually running them down and, by inference, running down the tenants who live on them.

Mr WALLACE (Gippsland South)—The National Party is very concerned about the security on Ministry of Housing estates, as is the Government, and it supports the proposed safety and security programme. There is no doubt that there are many serious problems being faced by the tenants of the estates and the high-rise buildings. Many of those problems are being created because it is necessary for the parents to go to work and to leave their children at home.

The Government must listen to the tenants about the problems that are occurring in individual estates, but the final decision is up to the Government because, of necessity, the programme will be costly. It would be most unfortunate if the cost of the programme meant the loss of Ministry Housing accommodation. The family unit is important to everybody and many families come under pressure at times. Screening of homes will help, but it will not provide the real answers. Problems will always be created when it is necessary to leave children at home unattended. It is vital that the Government should work to assist to provide homes for families in need. The National Party will always work to further that aim.

I hope it is possible, through the Government working with the National Party and the Opposition, to come up with a good programme that will help to solve the security problems faced on Ministry estates. Although it has a few minor objections, which will no doubt be overcome, the National Party supports the thrust of the Ministerial statement. It will certainly co-operate with the Government and the Opposition in an endeavour to overcome the problems.

On the motion of Mr McCUTCHEON (St Kilda), the debate was adjourned.

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

PAPER

The following paper, pursuant to the direction of an Act of Parliament, was laid on the table by the Clerk:

Trade Unions—Report of the Registrar of Friendly Societies on Trade Unions for the year 1980–81.

APPEAL COSTS FUND (AMENDMENT) BILL

For **Mr CAIN** (Attorney-General), Mr Roper (Minister of Health) moved for leave to bring in a Bill to amend the Appeal Costs Fund Act 1964 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

BAXTER TECHNICAL SCHOOL LAND BILL

For **Mr FORDHAM** (Minister of Education), Mr Crabb (Minister of Transport) moved for leave to bring in a Bill to authorize the Minister of Education of the State of Victoria to enter into a lease and licence with the Commonwealth of Australia with respect to the use for defence and other purposes of certain lands in the City of Frankston, to expend moneys on the construction of buildings and the provision of facilities in connection with the lease and licence, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

PARLIAMENTARY COMMITTEES (JOINT INVESTIGATORY COMMITTEES) BILL

Mr CRABB (Minister of Transport) moved for leave to bring in a Bill to make provision with respect to the establishment, powers and functions of certain joint investigatory committees of the Legislative Council and the Legislative Assembly, to repeal the Public Works Committee Act 1958, the State Development Committee Act 1958, the Joint Select Committee (Conservation of Energy Resources) Act 1976 and certain other Acts, to amend the Melbourne and Metropolitan Tramways Act 1958, the Subordinate Legislation Act 1962, the Parliamentary Committees Act 1968, the Constitution Act 1975 and certain other Acts and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

TRANSPORT REGULATION (VEHICLES) BILL

Mr CRABB (Minister of Transport) moved for leave to bring in a Bill to amend the Transport Regulation Act 1958 with respect to the carriage of goods and passengers for certain purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

VICTORIAN ARTS CENTRE (GUARANTEES) BILL

Mr MATHEWS (Minister for the Arts) moved for leave to bring in a Bill to amend section 7 of the Victorian Arts Centre Act 1979.

The motion was agreed to.

The Bill was brought in and read a first time.

ORDER OF BUSINESS

Mr CRABB (Minister of Transport)—I move:

That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

Mr MACLELLAN (Berwick)—As a matter of courtesy, could some explanation be given on the postponement? It may be that the Government Printer may not have the Bill ready, but I do consider the House is entitled to know the reason for the postponement.

Mr CRABB (Minister of Transport) *(By leave)*—I understand the second-reading notes are not yet available from the Government Printer and are expected to be available later.

The motion was agreed to.

COUNCIL OF LAW REPORTING IN VICTORIA BILL

Mr CAIN (Attorney-General)—I move:

That this Bill be now read a second time.

It amends the Council of Law Reporting in Victoria Act 1967 in two respects. Firstly, it enables the Council of Law Reporting in Victoria to grant permission for the inclusion of reports of judicial proceedings in a computerized legal information retrieval system and, secondly, it provides for the appointment of a deputy chairman to the council.

Honourable members may be aware that in December 1981 the Victorian Government and the Council of Law Reporting in Victoria issued an invitation to interested persons to submit proposals for establishing and operating a computerized legal information retrieval system which would include statute and case law of Victoria. A number of proposals have been received and it is anticipated that recommendations will be made to the Government in the near future with a view to an agreement being entered into. This will enable work on establishing the system to begin later this year. It is proposed that, under the agreement, the recommended operator will be licensed to use the copyright material in the system.

At present, the Act enables the council, among other things, to grant licences to persons who wish to publish reports of judicial proceedings. Clause 3 of the Bill expands the definition of "publish" to include material in a computerized data bank. This will enable the council to grant permission for the inclusion of reports of judicial proceedings in a computerized legal information system.

Finally, the Act at present provides only for a chairman of the council who is a judge of the Supreme Court. Difficulties have arisen when the chairman is absent, particularly during periods of extended leave. Clause 2 of the Bill makes provision for the appointment of a deputy chairman to act in the chairman's absence. This amendment should facilitate the working of the council. I commend the Bill to the House.

On the motion of Mr MACLELLAN (Berwick), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, June 23.

ORDER OF BUSINESS

Mr CRABB (Minister of Transport)—I move:

That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

Mr MACLELLAN (Berwick)—Again, an explanation is required. If a particular time were fixed, that would be useful. As honourable members know, it is difficult when diving in and out of this place to be present when an Order of the Day is called on. It would be helpful if the Government indicated when it will be ready to proceed with the matter.

Mr ROSS-EDWARDS (Leader of the National Party)—I am curious to know why the matter cannot be proceeded with forthwith. I thought there was some urgency about the matter. Is there some explanation by the Government?

Mr CRABB (Minister of Transport) (*By leave*)—Firstly, it is the intention of the Government to proceed with the matter immediately after the suspension of the sitting for lunch and, secondly, as the matter is of an unprecedented nature, the item will require mature and considered consideration.

Mr Ross-Edwards—Who by?

Mr CRABB—By the Government.

The motion was agreed to.

ENVIRONMENT PROTECTION (PENALTIES) BILL

Mr CATHIE (Minister of Housing)—I move:

That this Bill be now read a second time.

The Bill before the House is for the purpose of raising maximum penalties in line with stated Government policy, and to offset their erosion by inflation. At the same time, the opportunity has been taken to align them with the penalty unit system established in the Penalties and Sentences Act 1981.

The Penalties and Sentences Act 1981 currently sets the monetary value of one penalty unit at one hundred dollars and this applies to all Acts which prescribe penalty units. The penalty in any such act is calculated by multiplying one hundred dollars by the number of prescribed penalty units. It is intended to regularly adjust the monetary value of the penalty unit according to inflation thus automatically revising penalties in all Acts prescribing penalty units.

Within the Bill, most monetary penalties under the Environment Protection Act have been increased by 100 per cent. There are two exceptions.

The most significant of these exceptions is under section 27(1) which provides a maximum penalty of five hundred dollars for a first offence and a penalty of up to five thousand dollars for a subsequent offence for discharging, emitting or depositing waste without having a licence from the environment protection authority to do so. A discrepancy now exists between the situation where a person obtains a licence and then commits a breach of that licence: and where a person chooses not to obtain a licence and then has an unlicensed discharge of waste.

In the first situation the person breaching the licence is liable to a maximum penalty of five thousands dollars under section 27(2) of the Act, whereas the person who may have deliberately decided to flout the law by discharging waste without a licence is liable to a maximum penalty of only five hundred dollars under section 27(1). This was reasonable when the Act was new, and perhaps not known to discharges. After ten years, however, there is no justification for the lower penalty for an unlicensed discharge of waste to the environment. It is therefore proposed that the penalties provided by section 27(1) for an unlicensed waste discharge, be made consistent with those proposed for section 27(2) for breach of licence by deleting the reference in section 27(1) to a first offence, and increasing the maximum penalty under both these subsections to ten thousand dollars.

The second exception is the increase of penalties in section 55A(4) from two hundred and fifty dollars to eight hundred dollars and two hundred dollars for consistency with sections 48B and 48C so it is not seen to be favoured to fail to appear rather than to present a noisy vehicle or ship for testing.

For the benefit of honourable members the Bill of thirteen clauses incorporates the clause notes. I commend the Bill to the House.

On the motion of Mr MACLELLAN (Berwick), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, June 29.

CONSTITUTION (EXECUTIVE COUNCIL EXPENSES) BILL

For **Mr CAIN** (Premier), Mr Roper (Minister of Health)—I move:

That this Bill be now read a second time.

This Bill provides for amendment of section 94(1)(*a*) of the Constitution Act 1975 to increase the present upper limit on special appropriations for the salary of the clerk and expenses of the Executive Council.

The existing legislation limits these appropriations to $30 000 per annum, and the proposed amendment will increase that amount to $50 000 per annum.

Since the amount was last reviewed in 1978, when it was increased from $20 000 to the present figure, the clerk's salary has risen with general salary movements within the Victorian Public Service. Consequently, his current salary of $31 636 cannot be fully met from the special appropriation for that purpose.

From the same amount prescribed in the legislation, provision must also be made for general expenses of the office of the Executive Council. Last financial year $228 was expended for that purpose. However, it is the usual practice to provide sufficient funds to meet any unforeseen expenses, and for this reason $2000 per annum is usually set aside under a separate special appropriation.

To make up the current shortfall between the provisions of the Act and the present expenditure requirements for the Clerk and expenses of the Executive Council, and to absorb future increases in the clerk's salary without frequently amending the legislation, the amount in the legislation should be raised to $50 000. I commend the Bill to the House.

Mr MACLELLAN (Berwick)—I move:

That the debate be now adjourned.

I suggest that the debate be adjourned until next Tuesday because it does not appear from the face of the Bill or the second-reading notes whether the matter should be dealt with before 30 June. To accommodate that, I suggest the debate be adjourned until next Tuesday with additional time if required.

Mr ROPER (Minister of Health)—The debate will be adjourned until next Tuesday. If additional time is required —although I cannot imagine that it would be—it will be provided.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Tuesday, June 22.

The sitting was suspended at 12.58 *p.m. until* 2.4 *p.m.*

SUPPLY (1982–83, No. 1) BILL

The debate (adjourned from June 2) on the motion of Mr Jolly (Treasurer) for the second reading of this Bill was resumed.

Mr THOMPSON (Leader of the Opposition)—This is the normal Supply Bill introduced in the autumn session of Parliament, which ensures that the activities of Government continue unimpeded at least until the eleventh month of the year; in other words, this guarantees Supply until the end of November and pending the introduction of the Budget. When the Appropriation Bill associated with the Budget is passed by this House, it takes precedence over this temporary Supply Bill, temporary in the sense that it is always temporary. At the outset I indicate that the Opposition will not vote against the Supply Bill and the same action will be taken in the Legislative Council.

I wish to talk about three matters in relation to this Bill, firstly, the manner in which the Bill was introduced. Over the past three years the Treasurer and I have had numerous discussions inside the House and, on the odd occasion, outside the House, on the type of information that should be presented for the Budget. Much criticism was made of the lack of information or the difficulty in understanding the information provided. I made a habit of going through the Supply debates and picking out suggestions by honourable members, some of which were made by the Treasurer. Last year, for example, the Government provided probably more information than was contained in the Budget Papers of any other State. Much more information was given, which I thought was justified, in relation to the capital programmes of the various authorities, where their capital money came from the degree to which it was financed from Loan Council savings, the degree to which it came from internal borrowings, the degree to which it came from contractor finance and the degree to which it came from surplus revenue raised by the authority for the purpose of capital works.

All of those were moves in the right direction, and the manner in which this Bill has been introduced represents a further improvement because of the percentages supplied which indicate the percentage of the total allocation for the financial year as outlined in the Budget. At a glance this means that it is possible to pick up areas where there appears—at least on the surface—to be an excessive allocation without carrying a calculator in one's pocket.

I congratulate the Treasurer on the move. He tells me that he is looking at other ways of presenting budgetary material in an improved and simpler form. I certainly support that general approach.

The Budget forms the basis of Governmental activity for the year. A Government can have all the attractive programmes under the sun, but if there is no money to establish them obviously they have to be abandoned.

From memory, there are only two or three items where the expenditure allocation, percentage-wise, appears to be excessive, but there is a reason for this in each case.

In the allocation for economic development, 75 per cent of the yearly allocation is provided from pay-roll payments—pay-roll tax subsidies—which are largely all paid out in the first five months of the financial year.

Mr Ross-Edwards—I hope that will continue!

Mr THOMPSON—I had intended stressing that point and I thank the Leader of the National Party for his comments because there has been an extraordinary increase in the amount of aid given to country industry over the past decade. This was approximately $200 000 or $300 000 in the early 1970s and this year it would be of the order of $37 million. That is a fantastic increase.

Mr Remington—What does it do?

Mr THOMPSON—It had an effect over the past two census periods of ensuring that country Victoria is growing faster than the metropolitan area. That was something that people dreamed about in the 1940s, 1950s and 1960s but it never happened.

One possible weakness in the method of dispensing the money is that, in assessing company tax payable, there is an equivalent deduction of almost a half of the concession by the Commonwealth Government because of the pay-roll tax refund. Consistent representations were made by the former Government to the Commonwealth Government to gain recognition of the fact that the full deduction should be enjoyed by the firm to whom it is paid by the State. That is the one weakness in the set-up and it would be up to the Commonwealth Government to correct it. It would be very difficult for the State Government to devise a method which would allow the full benefit of the deduction to be enjoyed by the firm.

The other area is the Port Phillip Authority which represents a percentage of about 70 per cent whereas, in nearly every other case, the percentage of money allocated for the first five months of the coming financial year is approximately 40 per cent to 50 per cent of the total year's allocation as judged from the 1981-82 Budget. Educational administration goes as high as 60 per cent because of the payment of three-quarters of capitation grants to schools within that period, namely, the first five months of the new financial year. The Port Phillip Authority has received a 72 per cent increase and provision is made for salaries for additional staff appointed during the 1981–82 financial year.

Generally speaking there is nothing that would raise the eyebrows to a great height by way of the size of the allocation for the first five months of the new financial year. As the Treasurer stressed in his speech, no provision was made for new programmes as that will be handled in the new budgetary allocations that will come into the House in approximately September.

It is interesting to note in passing the nature of change over a decade of financial allocations. I am not reflecting on any particular party or any particular Government in doing this exercise but it is very difficult to pick up trends over a short period of 1, 2 or 3 years. We find that the largest increase, by comparison with the budgetary period from 1972–73, would be in the field of economic development with an increase of 2412 per cent. Youth, sport and recreation has had an increase of 1802 per cent—the department was first formed in 1973, and therefore one would expect a substantial increase. The allocations for arts has shown an increase of 1746 per cent—this department was first formed at the same time as the Department of Youth, Sport and Recreation.

The Parliament, strangely enough, has received an increase of 590 per cent, Health, 559 per cent; the Department of the Premier, 541 per cent; the Lands Department, 506 per cent; social welfare, 492 per cent; police and emergency services, 323 per cent; and education, which one might have thought would have grown tremendously, received an increase of only 309 per cent. Of course, this department had grown tremendously in the previous fifteen years prior to 1972 and we start from a very high base in that respect.

Four departments account for nearly 80 per cent of the budgetary expenditure, namely, health, education, police and emergency services, and community welfare services. The Treasury allocation, which also includes an allocation for the Treasurer's Advance, which is included under Treasury expenditure, but in the following year's Budget Papers it is allocated throughout various departments. If the Treasurer's Advance is included, it is expressed in the financial year 1981–82 as $86 million. One then finds that 82·8 per cent of expenditure is accounted for by five departments—the four I mentioned plus Treasury. Education accounts for 41·3 per cent, health 23·1 per cent, Treasury for 7·4 per cent, police and emergency services for 6·9 per cent and commonwealth welfare services for 4·9 per cent, a total of 82·8 per cent. That is an interesting revelation, that more than 80 per cent of the Budget allocations goes to those areas.

In the case of the allocation to the railways, the amount of money going through the Budget is in excess of $500 million, but that does not allow for revenue coming back. The total budgetry subsidy for the railways was of the order of $230 million last year. One of the major problems confronting Victoria to a greater degree than any other State is the level of money that it receives under the tax reimbursement system. The former Government made the point that it was contributing 29 per cent of the total revenue received by the Commonwealth but it was receiving back a little under 23 per cent. The difference between the two—between what Victoria would receive if it were reimbursed on the basis of the contribution it makes and what it actually receives on the other hand—is approximately $350 million. That is

why the former Government pressed very strongly for the appointment of a special committee of the Grants Commission to examine the method of reimbursement with a view to modernizing the system and rectifying the anomalies —in particular to ensure that Victoria receives a fairer go.

Now, after two years of investigation, what has come to light with the committee's second report—which I believe will be considered at the forthcoming June Premiers Conference—is rather strange and surprising in that the committee recommends the three eastern States should receive $234 million more and the States of Western Australia, South Australia and Tasmania should receive $234 million less. The surprising aspect is that of the States to receive more, $164 million goes to Queensland. $38 million goes to New South Wales, and $31 million comes to Victoria. It will provide a first-class headache for the Commonwealth in particular, and for members of the Premiers Conference, to persuade South Australia, Western Australia and Tasmania that they should receive $234 million less in the coming financial year than they received in the last financial year.

How does this problem arise? It arises from the fact that we, in Victoria, have been subsidizing the development of the other States through the years. It dates back to the uniform tax decision of 1942 when the Commonwealth took over State taxation in order to prosecute more effectively, and said, "We will give you back what you yourselves have been collecting for the two previous financial years". At that time Victoria had a very low tax Government, and Queensland had a high tax Government, and Victoria has been penalized for it indirectly ever since.

I do not want to develop the history of how that developed, but the Grants Commission report of course, is relevant. People are asking why Queensland would be entitled to $164 million more in one year on the Grants Commission recommendation? It is largely because of the rather strange criteria on which their recommendations are based.

For example, if Victoria spends more on education, that will immediately mean that Queensland will be entitled to greater help through the tax reimbursement system, so it can lift its expenditure nearer to the Victorian level. To illustrate the point, in the Grants Commission report, Volume 1, in relation to primary education, Victoria is penalized to a level of $38 million and Queensland benefits, in the calculations, to the level of $30 million, because Victoria is now spending considerably more a head than the average, and Queensland is spending less. For example, the *per capita* expenditure, which is used as a standard is $128 a head. Victoria is $9·9 million above it, and Queensland is $13·3 below it. So Queensland gets a positive mark, which means that it will get so much more in the Grants Commission recommendation and Victoria gets a negative mark, which means it will receive $38 million less.

When it comes to secondary education, it is the same type of picture but not so marked. Victoria is penalized at a level of $19 million or $4·9 per head, whereas Queensland gets a plus of $10·9 million or $4·7 a head. This is a very strange way of working out a method of reimbursement. It means, in effect, that if, as a matter of deliberate Government policy, the Government spends more on a particular area of expenditure it will be penalized under the Grants Commission method of allocating additional assistance, and that is very hard to justify. In the first place it takes no account whatsoever of the contribution made to the pool. It completely ignores the fact that Victoria contributes by far the most per head year after year. There is a strong case for that to be taken into consideration. On top of that, the States that help themselves by raising additional State taxes in areas of important Government activities, in health and education, are also penalized.

The other point that I would like to mention is that considerable weighting is attached to taxable capacity, and Victoria, generally speaking, is penalized here. It is penalized strangely enough, in areas where it has a tax and some of the States do not have taxes. For instance,

Queensland has no statutory corporation tax; it has no licensing tax on tobacco or petroleum, yet when the Grants Commission works out taxable capacity, Queensland receives a bonus in most of these cases, and Victoria receives a negative rating. This is particularly true also in the area of probate duty, which has been retained in Victoria to the present—goodness knows what will happen in the future—but because of that, Victoria has been penalized for having a high taxable capacity in that area. Queensland abolished it, yet gets a plus rating for that tax in the Grants Commission report which is one of the reasons why it receives the extra $164 million recommended. This is an extraordinary method of working out the measure of assistance that the various States should receive.

There is something basically wrong with the criteria used by the Grants Commission—a State which does not have the need to reap taxation from a particular field of taxation gets a plus, and the State that is obliged to tax in that area finishes up with a minus, simply because the taxable capacity of those two States differ.

In the case of probate duty, Queensland gets a plus of $2.25 a head or $5 million, and Victoria gets a minus of $3 million or $0.78 a head. Western Australia gets a big plus of $3·4 million or $2.71 a head. I suggest that when the Treasurer goes to argue Victoria's case in Canberra, that issue should be raised because, if this method of assessing assistance for the future is retained, it generally works most unfairly and adversely against the financial interest of Victoria.

There is no question that Victoria has carried the heat and the burden of the day in financing the development in the smaller States in Australia—smaller in terms of population—for a long period. Now, for a variety of reasons, more particularly the mineral booms and finds of the past decade, Queensland and Western Australia are in a much better position to look after themselves. I believe the time has come for a progressive revision of this formula, and I hope the present report of the Grants Commission is not accepted without qualification, although there is a very strong case of Victoria to receive the $31 million recommended. There is also a very strong case for a continued independent inquiry into the measure of financial assistances which will go to the smaller or financially weaker States of Australia, and a very strong case for criteria which is currently used for dispensing that form of assistance.

The Bill at hand provides for expenditure of about $1·8 billion. It is in accordance with the usual practice. It has been presented in a slightly improved form for which I commend the Treasurer, and the Opposition does not intend to oppose the Bill.

Mr ROSS-EDWARDS (Leader of the National Party)—Supply legislation is traditionally introduced prior to 30 June in each year to finance Government expenditure into the new financial year until the Budget is presented in September or October.

This legislation appropriates Supply of approximately $1·8 billion from 1 July 1982 to 30 November 1982. In the view of the National Party, Supply should always be passed by both Houses expeditiously. I refer to Supply in the generally-accepted sense. I also point out that the Government has an obligation to ensure that adequate time is provided for the debate.

The Government has seen fit to introduce a Bill concerning the passing of Supply by another place. In my view that measure is window dressing. I commend the Treasurer for introducing a monthly financial statement. It is a sensible move and I trust that the opportunity will be given to debate the monthly statement as was done two or three weeks ago.

I also believe the Premier has made a mistake in giving the Treaurer the added portfolio of Labour and Industry. The Treasurership is a most important portfolio and a full-time job. The Treasurer does not have time to attend to duties involved in labour and industry. Many initiatives should be taken by

the Treasurer and this task could be jeopardized by the requirements of a second portfolio.

In the Treasurer's second-reading speech he mentioned that economic indicators were not good for Victoria and he made special mention of the building industry. The economic indicators have not been good in recent months and they do not look good for the immediate future. I feel it would be appropriate at this stage to give some advice to the Government concerning the economy of the State.

I refer firstly to probate duty which, if it were reintroduced into Victoria, would certainly jeopardize the building industry. People would tend to move to New South Wales or Queensland and finance buildings in those States, rather than in Victoria. I refer also to the pay-roll tax concession which for some years has been given to decentralized industries in country Victoria. There are widespread rumours that this concession is about to cease. If this happens it will be disastrous for Victoria. The pay-roll tax concession has enabled the population of country Victoria to increase in comparison with the population growth in Melbourne in recent years. The Government should not judge the success of the pay-roll tax concession by the number of new industries that have gone to the country, but rather by the expansion of many industries already established there.

In his explanatory speech the Treasurer made mention of modern financial management and in particular the establishment of the Office of Management and Budget and also the setting up of the Victorian Development Fund. I was disappointed that he bracketed these two matters together. Naturally I would like to see modern financial management introduced into the Treasury administration in Victoria and I hope that the new Office of Management and Budget will assist in this regard.

However, I have grave reservations about the setting up of the Victorian Development Fund—as have many other people with a greater financial knowledge than me. The question I put to the Treasurer for which, at this stage he has no answer, is: How do you find interest for Government reserve funds of approximately 18 per cent to 20 per cent at today's rates, on non-income producing projects? In fact, not only non-income producing projects but also money-losing projects are involved. An example of this is the replacement of rail carriages in the State. Not only will high interest rates have to be paid but also the loss has to be borne in the particular sphere in which the money is invested. I also point out to the Government that it cannot continue to blame the previous Government and/or the Federal Government for all the problems facing Victoria. People are looking for the new Government to show initiatives and it will be judged on its performance.

I was intrigued by an answer to my question without notice this morning to the Treasurer that he had not taken part in negotiations on pay-roll tax owed by the Victorian Football League clubs and other sporting bodies.

These sporting bodies owe principal, interest and penalties and, despite the statement by the Premier that these sporting clubs would be treated in the same way as everyone else, this will not happen. If these clubs are forced to make immediate payments as would you and I, Mr Speaker, a few of those clubs are likely to become bankrupt. I refer in particular to St Kilda, South Melbourne and Footscray, and no doubt, other sporting clubs with similar problems. I appeal to the Treasurer to become involved in the discussions with the sporting clubs concerned to work out a fair and reasonable method of payment of the money that is outstanding. I emphasize that this is a specific job for the Treasurer and not the Premier. That is the Treasurer's responsibility, and the Treasurer has done nothing about it. He must take the responsibility.

Mr Remington—It was the responsibility of the previous Government.

Mr ROSS-EDWARDS — Honourable members should not start blaming the previous Government. I probably know more about the matter than the Premier, because I have been here longer. The Government must face up to its responsibility, and the Treasurer is not involving himself in this problem.

Mr Cain—I am.

Mr ROSS-EDWARDS—Yes, but every Minister is responsible to the Premier and has to get permission from him. It worked pretty well for the first two months. They all say they have to go and see the master, and at first it worked extraordinarily well. The Premier can carry some of his team only so far. He will have to give them a bit more rope, and some will sink while others will swim. I have said that before and I will say it again, and the Premier knows it only too well.

I regret that the Treasurer has not been present for most of my speech. I hope he will make a point of being present at these times, because when Treasury matters are being debated, I always make a point of being in the Chamber, as that is my responsibility. We all have other commitments; however, when a Bill of which a member is in charge is being debated, it is the member's responsibility to be present in the House.

The Government will receive co-operation from the National Party concerning Supply. However, the National Party has an obligation to carefully ponder financial legislation. Our resolve is to ensure that financial decisions made by the present Government are in the best interests of Victoria.

I assure the Treasurer, through you, Mr Deputy Speaker, that the Government will receive the co-operation of the National Party on Supply. However, the National Party has an obligation to carefully monitor the financial matters of this State, because the decisions that we will make will be made in the best interests of Victoria, and we will not depart from that path.

Mr RICHARDSON (Forest Hill)—It is an extraordinary thing that during the discussion on this Supply Bill introduced by the new Government, there appears to be not one speaker on the Government side of the House who is prepared to support the Government in the debate. I waited politely, looking for somebody to rise from the Government benches, but nothing happened. Why is no Government supporter prepared to speak on the measure?

The Supply Bill is extremely important. It is not a Bill which we intend to oppose. We believe the Government should be granted Supply, and it is the responsibility of a responsible Opposition to enable that to be done. In answer to the rather silly interjections that have come from new members on the Government side of the Chamber, who do not yet understand what it is all about, I point out that it is equally important that the Supply Bill should be exhaustively debated.

It has been a long established tradition in Parliament that the Supply debate shall be unhampered; that every honourable member shall have the opportunity of making a contribution which relates to the electorate that he represents and the things that affect it, to the State as a whole and to the nation as a whole.

Honourable members interjecting.

Mr RICHARDSON—One hears silly interjections coming from the Government side suggesting that this well established and sound tradition in the House is something that ought to be ridiculed. If that is the view of new members of the Labor Government, Heaven help this State. Heaven help freedom of Parliamentary discussion and debate in this place.

The financial measures that have been introduced in the short term during which the Government has been in power have been matters for concern in many quarters in the community. Already indications have appeared that a new and potentially disastrous and divisive course is being set in pursuit of the ideological objectives of the new Government. We can see that there are

new measures, new means of raising funds and new means of distribution of funds which are already coming into the limelight and are being applied.

Mr Remington—They would want to be.

Mr RICHARDSON—There is a whole set of new taxing measures. The honourable member for Melbourne does neither himself nor the House any credit by the sorts of interjections he is making. The Supply Bill is concerned with the provision of funds for the continuation of services by the Government for the period up to and beyond the introduction of the Budget in September, but many programmes which are referred to in the rather sparse schedule which was provided with the Bill are continuations, in the main, of policies and programmes which were established by the previous Government. Some additional funds are required, as one would expect, simply by the process of inflation, but one can also detect a need for additional funds as a result of some measures that have been taken.

In the area of education for which I am responsible for the Opposition, for example, a wage agreement was negotiated separately between the new Government and three of the teacher unions. At present wage increases apply to all the teachers on the State pay-roll, but it is a matter of deep concern to people throughout the community that the new Government has discriminated against non-unionists so early in its term of office. It is clear that it intends to pursue a course which discriminates against some people.

Numerous articles are now appearing in the journals of unions which operate in the public sector indicating that they are taking this discriminatory proposition on board and that it is the clear intention of an increasing number of trade unions to apply for discriminatory clauses in wage settlements. This is contrary to the way in which our community has operated for many years. Our community has been based on equality and fairness, and that has been the objective of successive Governments. That is what the community expects of a Government—a proposition of fairness and lack of discrimination. All of the efforts of successive Liberal Governments have been directed towards breaking down barriers of discrimination, but in the first couple of months of coming to office the Labor Government has rebuilt all the barriers of discrimination and divisiveness in the community. It is deliberately establishing discrimination and divisiveness as part of its philosophy. This is being done through the wage settlements with unions operating in the public sector, and the clear indication is that this phenomena will increase rather than decrease. There will be a policy of dividing the community into those who support the Labor Government and those who fail to support it, and the discrimination will be against the latter people. That sort of proposition is totally abhorrent.

It is clear how the Government is beginning to apply its philosophy of redistribution of income. It is embarking on a policy of discrimination against the country and against the eastern and outer eastern metropolitan area. It should be noted by new honourable members, particularly on the Government side of the House, that they have come to this place with the support of the residents of the outer eastern suburbs of Melbourne in particular——

Mr Remington—You are here on a 2 per cent donkey vote.

Mr RICHARDSON—If I wanted a donkey vote I could not go to anyone better than you to get it. Those new honourable members have come to this place carrying with them the trust of the people of the outer eastern metropolitan area. That is the area that brought the Labor Party to Government. I warn those honourable members that if they betray that trust and allow the Government to betray that trust and to embark on its course of discrimination again the very areas that Government members represent in this Parliament, the Labor flag will be brought crashing from the masthead, as it should, and I promise that I will

continue to expose every devious and sinister action of this Government as each month goes by.

Already in two months these devious and sinister actions are occurring. It is known, for instance, that the Government intends to move funds and facilities away from the outer eastern suburbs of Melbourne and to put them into areas where it is believed there is Labor support. It is known that the Government will discriminate against country areas because that has already been made clear. It is known that the Government will use differential rating, for example, to discriminate against areas in the outer eastern suburbs of Melbourne in favour of areas which the Labor Party decides will be in its best interests. It is known that the Labor Government will use the levy on health insurance as a taxing measure, as a means of raising more money for the coffers of the Labor Government so that it can be redistributed in the areas that the Government decides are in its best interests. It is known that the funds of the State Insurance Office will be diverted in ways that suit the Labor Party. It is known that the superannuation fund of public servants in this State will be diverted through this State Development Fund in a way which suits the Labor Party ideology and that of the men who control it. It is known that this is part of a sinister and devious plan to discriminate against the eastern suburbs of Melbourne and the country areas.

Mr Maclellan—Mr Acting Speaker, I draw your attention to the state of the House.

A quorum was formed.

Mr RICHARDSON—Now that so many members of the Government party have come galloping back into the House, I conclude by saying that I and other members of the Opposition will not allow these discriminatory policies of the Labor Government to go unchallenged and we will continue to expose the Government and its sinister policies at every opportunity.

Mr HANN (Rodney)—As was indicated by the Leader of the National Party, the National Party will support the Supply Bill. The explanatory memorandum attached to the Bill indicates that the *status quo* situation will continue. The measure contains no new initiatives. It enables the Government to continue over the next five month period until the Budget, which will be presented in September of this year.

A number of matters in the Bill interest me, and I shall discuss several additional items during the debate. The first matter relates to stamp duty and was recently brought to my attention; I believe the Treasurer should look at it. At present, if a person applies for a loan of up to $8000 from a banking institution in particular, the bank can purchase a State stamp from the nearest post office and have that attached to the document to cover the stamp duty, but for a loan of more than $8000, and this affects particularly country areas but also some outer metropolitan areas, the bank must transfer the documents to Melbourne to its head office where its security people take the documents to the Stamps Office and have them impressed with the relevant stamp duty. I understand that for a transaction of a loan of over $8000 the banks impose a charge of $30. It has been put to me that the figure of $8000 has not been adjusted in accordance with inflation and should be at least a minimum of $20 000 which is in line with a personal loan, and that a State Bank, whether in the outer metropolitan area or the country, should either obtain a duty stamp or act as an agency for the Stamps Office and impress the loan documents on behalf of the bank for the person seeking the loan.

The advantage would be that this would reduce, if not eliminate, the $30 bank charge which at present applies to the loan and it would bring in the revenue more quickly to the State Government. If the local branches of the State Bank were able to act as agents for the Stamps Office, as soon as the transaction took place the money could go to State Treasury.

It eliminated the time lag in transferring documents to Melbourne and taking them physically to the Stamp Duties Office and back again. This is one of the matters I would like the Treasurer to consider. It is in line with what the Government is doing to speed up the payments of cheques by officers of the Transport Regulation Board. It is interesting to note that these sorts of changes should have been obvious to the former Government, but I suppose that when a Government has been in office for so long it is difficult to accept that there is a need for change and these items are ignored.

I shall deal with a number of allocations in the Supply Bill before the House. I refer to Division 102 which relates to committee salaries, general expenses and other services under Parliament. It is a matter of regret to the National Party and me that six months into the current year Parliamentary committees have not been re-established. I appreciate that a Bill relating to the committees is presently on the Notice Paper and it is not my intention to discuss the reasons for committees not being established. It is a situation that ought to be avoided in the future. A period of four months has been allowed in which the committees have not functioned and, assuming that the committees will be formed before the end of the current sessional period, it will still be another two or three months before they can effectively operate, particularly new committees.

A number of inquiries that the committees have undertaken have been going on for some time. For example, the Public Works Committee has had an inquiry continuing for up to seven years, which is a totally unrealistic time and should not be tolerated in the future. It seems to me that limitations should be placed on time spans for inquiries and members of Parliament can allow extensions of the times if necessary. To allow an inquiry to go on indefinitely weakens the Parliamentary committee system and persons who have given evidence to those committees over the years become disillusioned about it.

In considering select inquiries, I point out that at the Northern Waters Allocation Inquiry and inquiries of a similar nature, persons gave evidence in 1975–76 and are still awaiting the final recommendations from those committees. They have virtually given up in total frustration. The Northern Waters Allocation Inquiry is interesting because it was basically set up to investigate additional allocations from the Dartmouth dam. The dam has been completed for almost four years and it has not overflowed, although it will not be long before it will do so in a wet year. However, a decision has not been made on how the water should be finally allocated. It seems to be an enormous waste of resources because the staff are still functioning for those committees. The resources are sitting idly by while the committees are not functioning.

The Leader of the National Party has expressed concern at inferences by Government Ministers that it is the Government's intention to possibly withdraw the pay-roll tax rebate that has been important to decentralized secondary industries in Victoria. It is a unique programme in Australia and I wish to record that it has been a highly successful scheme. It has resulted in a significant number of industries relocating from the metropolitan area into country Victoria. It also provides a real incentive to industries that presently operate in country areas to continue doing so.

The National Party considers it strange that the Government is actually contemplating withdrawing that rebate. If the Government took that action to any major extent, decentralization would virtually cease to exist in this State because that rebate is the major incentive. Most of the other concessions are minor and of no significant value. The withdrawal of that rebate would have an alarming economic impact on approved decentralized industries. For example, in the area I represent nine major food processing manufacturers presently gain benefit from this provision. It is interesting to note that they employ large numbers of people,

many of whom would support the Government. It is strange to consider that the Government may jeopardize their livelihoods.

The National Party regrets that since the days of the Honourable Murray Byrne decentralization has not been properly promoted. The former Premier, Sir Rupert Hamer, had too much on his plate when he took on the dual responsibility of two portfolios. More recently, the honourable member for Warrnambool was Minister of that portfolio and there have been other Ministers such as the honourable member for Balwyn, who also had dual responsibilities. This matter should be of grave concern to people in Victoria because far too many people are being forced to live in the Melbourne metropolitan area because of an over-all lack of planned development for Victoria. There is a need for positive and continuing direction to encourage planned development. It is ridiculous that in a country like Australia with a sparse population and a huge land mass, about seven out of ten Australians presently live on the eastern seaboard in the two major urban centres of Sydney and Melbourne, including the industrial complexes of Geelong, Newcastle and Wollongong. That ridiculous policy was encouraged by the former Government and if one considers the changes that are currently being permitted by the Government, one realizes that it could accelerate the problem in the future.

The provision of funds for police and emergency services is of concern to the National Party. Over the years it has been anxious to ensure that one-man police stations are retained throughout country Victoria. The Government basically supported that policy while it was in Opposition and I hope it will continue to support it in the future. The presence of a policeman in a small community actually deters crime. The argument that has been advanced in recent years and promoted actively by heads of the Police Department, including the Chief Commissioner of Police, is that it is better to have a mobile Police Force based in centralized locations. The National Party considers that it wrong and I know it is from my personal experience. This has been proved with a development at Bendigo. The police station at Kangaroo Flat was closed down and a smaller police station at White Hills was also closed down with a police service centralized in the inner city area. There are now strong and positive moves to relocate the police station at Kangaroo Flat.

I consider it would be advantageous to re-establish a smaller police station in White Hills. For example, over the years difficulty was experienced with the former Government in ensuring that the police station at Goornong should be retained. Fortunately, it now has been retained and a new police station modular unit and residence is to be substantially upgraded in the township. There is a resident policeman at the station and although it is in the Midlands electorate, the honourable member for Midlands and I share responsibility for the area. A new police residence has been constructed recently and another modular unit has been supplied, which will ensure that the town retains the one-man police station.

In my home town of Lockington there is a part-time police service. It would be desirable to have a permanent police service in that township. It seems logical to place a police residence there so that a policeman can still work at the local police station in Rochester, but actually reside in the Lockington town. At least a part-time service has been retained there despite the hassles presently occurring with the Public Works Department. The Minister is being helpful on that matter and hopefully will come to a suitable arrangement with the local community centre for the use of a room at the hall.

In the area of community welfare services, concern has been expressed in the City of Echuca and surrounding municipalities at the need for a welfare officer employed by the department to be based in Echuca. With the establishment of the Echuca care centre which co-ordinates a number of voluntary organizations that provide advice and assistance to those who need welfare

and help in the City of Echuca, it would be a distinct advantage. I know the Minister has experienced difficulties because of staff ceilings, but I hope that priority can be given to this issue because in the past nine years that I have been in Parliament there has been a significant increase in the number of welfare problems, particularly in country towns. These problems have been related to the increased number of marriage breakups and problems associated with single parent families, and also to the economic difficulties people have in finding suitable housing and accommodation. The problems they experience in coping financially are brought on by unemployment, in some instances, and because their pensions are not adequate to cope with the costs of living. It is a desperate situation. There seems to be an ever-increasing gap between the haves and the have-nots and it is a sad situation that there is in society a middle income group that is relatively prosperous and yet, while this ever-increasing gap exists, those who are less fortunate—especially those on pensions and fixed incomes—are raising families and trying to compete with that other group. The Government needs to concentrate more on that area in the future.

In the education arena, major restructuring activities are occurring, especially in relation to new appointments and promotional positions of principals in the primary division. A number of those new appointments have been notified to schools this week. The result will be a major disruption in many schools in both country and metropolitan areas, but it is more significant in country areas because it is not as easy for those persons who are displaced as a result of the agreement between the Government and the teachers' union to obtain alternative employment in the teaching area. In some instances, they must move many miles to continue teaching or to retain their current positions within the department.

I had hoped that the Minister might be prepared to review the decision to proceed with the restructuring and to take account of the views of school councils to give greater recognition to the years of experience of some senior teachers. Many principals have given dedicated and able service over the years and have not gained promotion because they were prepared to stay in one place. Suddenly, there is an increase in the number of promotional positions within the department and they are forced to vacate their current positions and move to new areas. A number of principals in my area are affected. I understand that, in the Echuca inspectorate, only three schools will not be affected by the restructuring.

It is not only the principals who will be affected. Deputy principals, senior teachers and eventually temporary teachers also will be affected. Taking Echuca as an example, at least two primary schools there have temporary teachers who will have difficulty in obtaining suitable positions in that area. Married women who are committed to living in the area cannot move to other areas to obtain employment and could be forced out of employment as a result of this action.

Significantly, no new teaching positions will be provided. There is merit in the reasoning behind the proposals for providing additional promotional positions for those senior teachers who had nowhere to go, but the move should have been phased in over a period rather than in a single step.

Clerical assistance is another problem area within the school system. It is ridiculous that school principals and teachers should be forced to do their own typing and clerical work. It takes them out of the class-room. There is an urgent need for proper clerical assistance to be provided and I hope that will come with the next Budget.

Under the provision for the Attorney-General, a matter of grave concern throughout all areas of Victoria is the huge time lag being experienced in both civil and criminal jurisdictions. In recent weeks, at least two civil matters have come to my attention. They have been pending hearing for eighteen months

or two years and it could be at least another two years until they come on because, in the County Court country sessions, criminal cases take priority and civil matters must wait. If there is a long, complicated criminal case, the session is concluded and other matters are adjourned until the following session. This causes concern to the people involved. It delays settlement of cases and increases the legal expenses associated with those cases.

In his former role as spokesman for the Opposition, the Premier and Attorney-General was conscious of this and, on a number of occasions, criticized the delays. I will be interested to see what action he takes. To rectify the situation requires either the appointment of additional judges or a review of the current method of fixing court hearings to determine whether additional cases can be heard in country sessions. As I said, additional judges may be necessary to expedite the present backlog in the legal system in Victoria.

The Crown lands issue is another area that has caused me concern. On Grievance Day I expressed alarm at the fact that the Lands Department appeared to be backing off from taking strong action against those who act illegally on Crown land. The matter I mentioned was the question of increasing the height of levee banks. The department has a real responsibility to enforce the law and to ensure that prior authority is obtained for actions taken on Crown land. I hope the Minister can resolve this dispute. In the meantime, he ought to take a long, hard look at the operation of the department.

Under the provision for local government, the Weights and Measures Branch is causing concern. The matter to which I refer relates to problems that irrigators have experienced with flow meters in private diversions, especially those pumping from rivers and streams. The irrigators have used a brand of flow meter known as the Davey Shepherd meter. Over the years, the Water Commission has consistently argued that that meter was accurate. A number of irrigators in the Picola area ultimately proved to the commission, and then the commission proved to itself in independent testing, that these flow meters were as much as 20 per cent out, against the irrigator. I have had at least three instances where the commission has been forced to reimburse the irrigators for the additional charges made to them.

The Weights and Measures Branch should have the power to test all meters operated by Government authorities: that should include not only the Water Commission but also the Board of Works, the Gas and Fuel Corporation and the State Electricity Commission. An independent body ought to assess and test all Government operated meters, similar to the role which is currently carried out by the Weights and Measures Branch in testing bulk milk tanks on farms, scales in retail areas, public weighbridges and so on. It is anomalous and ridiculous to take such strong action against private enterprise and individuals to ensure that their measuring devices are accurate when no similar body ensures the public authorities' meters are accurate. It is to be hoped that that could be extended to the Commonwealth arena as well, because Telecom is probably one of the worst examples of a metering system where the individual user has no say in either checking or ensuring that the meter is accurate.

In the contributions for agriculture contained in the schedule to the Bill, on previous occasions I have pointed out to the House that the Government should place a greater emphasis with the Department of Agriculture on marketing. At present the emphasis is placed on extension to research and little emphasis is placed on the actual marketing of agricultural products, with the consequence that the farmer is encouraged to produce his product to get himself out of financial trouble. The farmer is generally encouraged to grow more produce more efficienttly. However, very little advice is given to the farmer on where he can effectively market that produce. It is to be hoped

that the Government might ultimately be able to give a higher priority to marketing within the Department of Agriculture.

Throughout Victoria there are a significant number of arts activities centres and I refer to the centre in the area I represent. Echuca was one of the first municipalities in Victoria to have an arts activities centre. A previous Premier, Mr Hamer, now Sir Rupert Hamer, in verbal discussions over the years with the members of arts body indicated that the Government would consider providing an ongoing maintenance allowance for the employment of full-time directors for the arts activities centres along similar lines to the grants that are made for the regional arts centres. However, due largely to financial restraints, that promise was not honoured until last year, when the former Minister for the Arts, once again agreed, under enormous pressure from the Echuca City Council, to provide a subsidy to the City of Echuca for the appointment of a community arts officer, who has been responsible for the full-time operation of the arts activities centre in Echuca.

There is no doubt that the appointment of that person to that position has meant increased utilization of that facility and it has ensured that the original theme and purpose of these arts activities centres has been achieved over the past twelve to eighteen months because without a full-time community arts officer it is virtually impossible to co-ordinate the variety of arts activities that are required to make the centres a part of the community to promote art activities.

At present there has been no commitment made by the Government for an ongoing subsidy for permanent community arts officers to operate these centres. There are only two arts activities centres that have received the subsidy, and they are the centres at Ararat and Echuca. However, there is an urgent need for them, and the recently formed Arts Activities Centres Association, has put a proposition to the Government that the Government provide an annual maintenance grant that will take into account not only the costs of operating these centres but also the appointment of full-time arts activities officers for each of these centres to ensure that they function in a proper and correct manner. That is a matter that must be given high priority by the Government because the alternative, in the City of Echuca, was to close the arts activities centres. I am sure neither the Government nor the community would be pleased if that were to occur.

Water resources are vital to the area I represent. The Rodney electorate is probably the most intense irrigation area in Victoria. Despite a number of representations over the years, the former Government was not prepared to put sufficient resources into the drainage works that were required and which would have alleviated many of the salinity problems. It is to be hoped that the new Govenment will recognize the need for these works.

The salinity works require additional manpower and resources. In the long term, irrigation has the potential to provide a substantial and additional economic input into the Victorian economy. It has been estimated that agricultural production in irrigation areas could be increased five-fold over the next decade, but that will depend upon marketing and upon proper emphasis being given to the funding of water distribution throughout those areas. The increase in agricultural production will also depend upon improvements being made to channel systems and to the drainage.

It is to be hoped that the Government is prepared to give a higher priority to irrigation and water supply in the future. That comment applies to the salinity problem, which the Government has a duty to solve.

The National Party supports the Bill and it will be interested to examine the Budget when it presented to the Parliament in the spring sessional period, to determine how far the Gov-

ernment intends to go in implementing the many promises it made prior to the election.

Mr WILLIAMS (Doncaster)—The Cain Labor Government was elected on the election promise that it would be an honest, open and efficient Government. I admit that, although that promise did not make much difference to the electoral outcome in your neck of the woods, Mr Acting Speaker, in the area I represent in the eastern suburbs, that election promise was believed by many of the realistic young middle-class persons who have heavy mortgages. Those persons believed that, if they elected the honourable member for Bundoora as Premier, the honourable member for Dandenong as Treasurer and the honourable member for Knox as Minister of Transport, a magic wand would be suddenly waved and Victoria would live happily ever after.

Those persons have been quickly disillusioned. The Cain Government has reneged on promise after promise. No sooner was the Labor Party elected to office than the community was told a tale of economic woe by the Treasurer. That honourable gentleman reminds me of a famous Chancellor of the Exchequer in the United Kingdom Parliament, Viscount Philip Snowden, who, like the Treasurer, was an abstemious man of puritanical conscience. He was going to solve all of the problems of Great Britain, and no sooner had the Labor Government been elected——

The ACTING SPEAKER (Mr Fogarty)—Order! I ask the honourable member for Doncaster to stray from talking about Great Britain and return to the Bill.

Mr WILLIAMS—It is all very well for Labor Governments to make promises and delude people in order to get elected. However, no sooner do Labor Governments get elected than they renege on every election promise. In the 1930s a Labor Party was elected in England, and, within a year of assuming office, that Government presided over the worst depression the world had ever experienced. Exactly the same situation is occurring in Victoria.

It is all very well for the Treasurer to promise the House that, by employing a few whiz kids and applying some of the academic economics he learned at the university and as a research officer for the Australian Council of Trade Unions, he can claim that some how or other all of that will put Victoria on the right road. However, during the explanatory second-reading speech, the Treasurer is reported as having said:

> I would like to make some brief comments about the state of the Victorian economy. For some time I have been concerned that the Victorian economy has been lagging behind the growth in economic activity for the rest of Australia. Recent economy indicators confirm this view.

I do not understand how the Treasurer could make that statement because it is untrue. I shall never know why anybody would want to denigrate the great State of Victoria. The round up of economic statistics prepared by the Commonwealth Treasury for May 1982 indicates that in the six months to December 1981—during which time Victoria had a Liberal Government—real gross domestic product increased at an annual rate of 6·2 per cent and real non-farm products increased at a rate of 4·1 per cent. Those are the figures for Australia because they are the only aggregate statistics I have at present. Honourable members opposite should note that when the former Thompson Government left office, the Australian economy was improving and real gross domestic product was increasing.

I have heard some sneering remarks from honourable members on the other side of the House. I direct their attention to the latest economic indicators prepared by the Department of the Premier and dated May 1982. If we are to have honest, open government, why are we insulted by the present Treasurer who knows about these matters very well? I have a background in economics; the honourable member for Essendon, who is sitting near the Treasurer, and other

members in the Chamber are also qualified in economics. It is a gross insult to those of us who are qualified in economics and those who would like to become better informed to be confronted with documents like these. They tell us nothing about Government finance and nothing about the state of the Victorian economy. Why is not a condensed version of the document prepared by the Department of the Premier presented to every member of the House?

The ACTING SPEAKER (Mr Fogarty)—I advise the honourable member that he is debating the Supply Bill. It is not a Budget debate. I am letting him get away with murder. He is providing a bit of comedy, but he should restrict his remarks to the Bill. The Bill deals with salaries and administrative services. It is rather narrow, but when one goes through each part of the Bill one sees that it gives quite a wide scope for debate. The honourable member does not need much scope and he should confine himself to the Bill.

Mr WILLIAMS—With due deference, Mr Acting Speaker, I must appeal to you. I am replying to statements made on the introduction of the Bill by the Treasurer, who is at the table. I understood that it was my prerogative as a member of the Opposition to reply to statements made by the Treasurer.

The ACTING SPEAKER—I have given the honourable member the tip; if he sticks to the Bill, he will be doing a good job.

Mr WILLIAMS—Mr Acting Speaker, will you just allow me to elaborate on the statements made by the Treasurer, because I have made an accusation that he was not telling the truth? I think I should be allowed either to elaborate on that statement or stand condemned.

I draw attention to the document published by the Department of the Premier which shows that in the February quarter of 1982 the production of cars and station wagons in Victoria increased by 27 per cent, compared with an increase of only 17 per cent over the whole of Australia since the February quarter of 1981. The production of clay bricks in Victoria increased by 2·4 per cent, but was reduced by 0·6 per cent throughout Australia. Building approvals in Victoria—and we all understand that building is a depressed industry—dropped by only 7 per cent over the twelve months to March 1982 compared with a drop of 15 per cent over the whole of the Australian economy. Where is the gloom and doom, then?

It has been put to us in this very speech by the Treasurer that he has to make all sorts of stamp duty exemptions and do other things to stimulate building activity in Victoria on the argument that this State is lagging behind the rest of Australia. However, the facts show that this is not true. When one looks at the figures for buildings other than dwellings in the March quarter, one sees that 159 per cent——

The ACTING SPEAKER—Order! Again, I ask the honourable member for Doncaster to relate his remarks to the Bill, which deals with Government administrative salaries and services.

Mr WILLIAMS—Mr Acting Speaker, I have a high respect for you.

The ACTING SPEAKER—The way that I am letting the honourable member get away with murder shows that I have a fair respect for him, too, but I still ask him to get back to the Bill.

Mr WILLIAMS—If we are to have honest, open government, this Chamber must be presented with the proper material, not half-baked assertions by people putting a one-sided viewpoint. I emphatically say to you, Mr Acting Speaker, that there is nothing to be ashamed of in the rate of Victoria's economic growth, and it is a travesty of justice that we have to put up with abuse day after day from the Government saying that the former Government let this State down while it was in power.

The Bill does nothing to benefit the eastern suburbs, including the electorate of Doncaster. Enormous amounts of money, running into tens of millions of dollars, are needed to improve the state of schools in that electorate. A school on the border of the Mitcham electorate

—I see the honourable member for Mitcham looking at me—the Beverly Hills State School, is the complete opposite of Beverly Hills, California; it is an absolute disgrace. If the Education Department does not soon spend some money on the school, it will be burnt down.

I am deeply concerned that the schools in the electorate I represent have oversized classes. We were promised that the size of the classes would be reduced. The Bill does nothing to alleviate that situation.

More public transport was promised for the area, and again, no attempt has been made to allocate more buses or to provide more jobs for tramway workers. In spite of that, the Minister of Transport bluntly told the House the other day that the electorate of Doncaster was to be deprived of transport facilities.

Mr Acting Speaker, in view of your stricture that I may not elaborate on matters that are, in my view, important to the people of Victoria, I regret that I must conclude my remarks.

Mr B. J. EVANS (Gippsland East)—It seems strange to me that in a debate of this kind, which is the first occasion on which the new Labor Government is seeking Supply from Parliament to enable it to continue in office, not one member of the Government party seems prepared to join the debate. I should have thought this was an occasion which is historic for the Labor Party, and that if for no other reason than that, members of the Government party would have contributed to the debate.

Theoretically, the Government could govern even if it did not win the vote on any other measure in Parliament, so long as it wins the vote on the Supply Bill, and for that reason alone it is an extremely important debate. I notice the Treasurer nodding his agreement with that comment and that makes it all the more strange to me that members of the Government party are not taking advantage of this important and unique occasion. At least it is unique for the Labor Party after 27 years of Liberal Government.

This is just a Supply debate, and in the main it is designed to provide the necessary finance to allow the Government to continue its operations until the Budget is passed by Parliament in the spring sessional period. During the Budget debate a more definite indication will be given of the trend of Government policies. The Supply Bill simply allows the Government to carry on until the Budget is introduced, and no doubt on that occasion honourable members will have more dramatic matters to talk about than they have on this occasion.

In many respects this measure is just a continuation of the provisions which were made by the previous Liberal Government, and the Labor Party is taking over the operations of the Liberal Party Government from the point they had reached during the 1981–82 financial year.

However, one aspect on which the Labor Party Government has taken over from the Liberal Government disappoints me greatly, and that is that it seems to me that many Labor Party supporters have taken over at the same level of arrogance and contempt for other people's point of view as was evidenced by members of the Liberal Party right up to the time of the Liberal Government's political demise.

This is rather unfortunate particularly for a number of the new Government back-benchers because if they display the same contempt and take every opportunity of ridiculing and deriding the points of view of people with whom they happen to disagree as they do with honourable members in this place, politically they will not survive long.

It is time they understood that honourable members on the other side of the House represent people who share the point of view those honourable members put forward. When Government members ridicule members of the National Party or the Liberal Party they are ridiculing the people in the areas which we represent because those people put us in this place. Naturally the people who elected members of the National Party and the Liberal Party agree with their point of view.

I hope members of the Government back bench will begin to display some consideration for the points of view of other people. After all, that is the purpose of the so-called democratic institution. The answer to democracy is not merely to have an election, elect the Government and allow that Government to go ahead and do what it likes without criticism. The whole function of the Parliament under the Westminster democratic system is to allow people who have different points of view from the Government to express those points of view. It ill behoves honourable members opposite to try to ridicule with continuous interjections the points of view of others. It is high time they showed more tolerance. New honourable members have much to learn in this place.

The issue with which I wish to deal has been the subject of considerable publicity recently and over a number of years. I refer to the decision of the Government not to proceed with the conservation of water on the Mitchell River in east Gippsland. On Friday 11 June the *Bairnsdale Advertiser* featured a letter from Mr Dick Johnson, President of the Victorian National Parks Association. The letter began:

> I feel I must comment on the plethora of news generated by Mr Bruce Evans, M.L.A. in your pages over the issue of a dam on the Mitchell River at Tabberabbera . . .

I assure Mr Johnson that I have had little to do with the generation of news on this matter around the Bairnsdale district; it is well and truly a matter of news whether or not I make any comment on it purely because it is of considerable importance to the district. Mr Johnson's letter continues by trotting out the same old arguments that have been thrown up about the project over the past six or seven years. An investigation carried out by the Australian Bureau of Agricultural Economics in 1975–76 came up with a pessimistic assessment of the project.

I have pointed out before that it has often been said that if one requires two answers to a question one should ask an economist. Having heard the remarks made by the honourable member for Doncaster a few moments ago referring to the special role of economists in this country, I must confess that I have not much confidence in the role of economists, particularly those engaged in the field of agricultural economics.

Agricultural economists are singularly unable to predict the figures or results which will be achieved for agricultural production over very short periods of time. For these economists to have to try to predict the returns for any form of agricultural product 5, 10, or 20 years hence is the height of absurdity. In 1976 the bureau report estimated that the return on additional milk produced in the year 1980—assuming that the project has gone ahead—would have been 2 cents a litre. The actual figures was 300 per cent above that.

This example demonstrates how removed from the truth were the calculations of the Bureau of Agricultural Economics at that time. I venture to say that if a similar survey were carried out now the cost benefit analysis of the Mitchell River project would be vastly different to that projected in 1976. When the officers of the bureau investigate the feasibility of a project such as this they inevitably visit the farmers involved to obtain basic information. There is no other place to go because it is no good asking farmers in the Western District the purpose to which they will put the water.

As I mentioned previously, in 1976 the outlook for agriculture was at rock bottom. At that time the Government was paying dairy farmers to shoot dairy cows. Never in the history of this country—before or since—has agriculture reached such a low ebb.

However, the Government has based its decision on a survey that was carried out at that time. Officers of the bureau interviewed farmers and asked them what they would produce when the water was made available in fifteen years' time. At that time farmers were worried about whether or not they would have their farms in

twelve or eighteen months' time. How could they be optimistic to any interviewer at that time? Simply because of the times, the subsequent report was obviously pessimistic. However, the scheme has been hung by that report ever since. If a similar investigation were carried out today it would be shown to be a profitable venture, so far as any irrigation proposition is concerned.

The ironic part about the letter from the President of the Victorian National Parks Association, Mr Johnson, is that he states that the whole project is a total contradiction of the user-pays principle. I ask honourable members to give thought to the comment made by the President of the Victorian National Parks Association, who is asking for hundreds of thousands of square kilometres of Victoria to be tied up in national parks so that he and a few cronies can go bush walking. He is throwing up the allegation that people interested in conservation of water should be concerned about the user-pays principle. It is time the Government examined the cost of national parks. For example, the last report of the National Parks Service illustrates that the service was involved in the expenditure of approximately $9 million.

It is also pointed out that the level of expenditure has remained static for three years, despite the fact that the area managed has increased threefold. That situation is emphasized in the last report of the director of the National Parks Service and illustrates the serious situation that I see developing in much of our forests areas if the Labor Government continues with the same sort of policy that was pursued by the Liberal Government in the past. I am afraid that the Labor Government will attempt to outdo the Liberal Government in trying to set aside more areas for national parks without providing the necessary finance so that they can be properly managed.

Over the years, I have perhaps gained the reputation of being opposed to the creation of national parks. My opposition is not so much to their creation as such but to the declaration of additional national parks and the tying up of large areas which will not be properly managed. It has been the policy of the party to which I belong, ever since I have been a member of this House, that no additional national parks should be created until those that are already established are being properly managed. In other words, sufficient funds are being provided for the necessary fire protection and other works to be carried out.

It is apparent from the latest report of the National Parks Service that not nearly enough money is being provided for the necessary management techniques. I believe that trend will continue and become worse under the present Government.

When additional pressures are applied to the Government for additional funds for the various community services, it will take the path of least resistance by reducing the funds being made available for the care and maintenance of national parks. That measure will create the least objection and concern in the community because nobody lives in national parks. The Labor Government is concerned only about people. They have said time and again that their only concern is for people. They are not concerned about the area in which they live.

This is a cause for grave concern in the area I represent. At present, we have difficulty in trying to get that point of view across to bodies instituted by the Government. I refer to the Land Conservation Council which is inquiring into the use of public land in the Gippsland Lakes hinterland area. The recommendations made by the council will very much affect the lives of the people who live in that area. It is deplorable that those people have little say about what affects them. In fact I believe they get a great deal less say about what the Land Conservation Council may recommend than anyone else in the State. These are aspects of Government which I am sure country members like myself will watch with

great interest as the Government gets time to develop its policies more effectively.

My final point relates to an issue that disturbs me very much. Yesterday I heard that the Minister of Forests has ordered the Forests Commission to withdraw a number of its publications from distribution. I do not know what those publications are, so at this stage I cannot be accused of having a particular interest in the publications. It now seems that a Minister of the Crown in Victoria is taking upon himself the role of censor and is censoring the information that is to be distributed by his department. I take it that any publications distributed by the Forests Commission would be objective in their nature. If they contain matters which are partly political in nature, the Minister should state that clearly and indicate why he has ordered the withdrawal of the publications. The Minister of Forests is entering into a very dangerous area if he is stepping in to act as a censor of the material put out by his department.

I agree with my colleagues in their support of the Bill.

Mr EBERY (Midlands)—The Supply Bill provides an opportunity for members of Parliament to bring forward problems associated with the electorates they represent. It is very interesting that members of the Opposition have pointed out that Government back-bencher members have not contributed to this debate. Prior to the election one could have been excused if one thought that the majority of the Labor Party candidates were Rhodes Scholars but now they are in Parliament they are mute. Apparently they have no problems in the electorates they represent, although one wonders why they have decided not to make any comments.

My remarks are based on a problem which is evident in the electorate I represent. The final recommendations of the Land Conservation Council have created enormous problems because of the limitation of firewood, post and timber products in the area.

At the moment in the Castlemaine forest district, only 20 per cent of the area is available for firewood production and timber production. No doubt this will create many problems within the Forests Commission office in Castlemaine. In the north-central area the final recommendations are that 12 per cent to 14 per cent of Crown land in the area will be denied to the users. In fact, on Monday a constituent of mine wanted the opportunity of cutting timber in an uncommitted area of forest, but the standard of timber he is allowed to cut is sub-standard because only 20 per cent of the area is available for firewood production. This will create enormous problems for the Forests Commission to ensure that areas reserved for firewood collection are not over-cut to the detriment of providing a balanced development in the use of the area for future generations.

If the Castlemaine district office does close, which is possible if the final recommendations of the Land Conservation Council are implemented by the Government, there could be drastic consequences because there would naturally be a loss of jobs, but at the same time the Forests Commission would still be responsible for fire prevention in the area. Legally the Forests Commission is responsible for fire suppression and prevention in all forest areas of the State.

When the Land Conservation Council was established in 1970, it was necessary as it provided the Government with an opportunity of determining the use of Crown land in Victoria and also enabled the Government to determine what future development should take place.

During its twelve years of operation, the cost to the taxpayer has been about $10 million and the composition of the council has been amended from time to time. Approximately eighteen months ago a person possessing experience in industry and commerce was added to the membership and that was a change in the right direction. However, even now the composition of the

council does not allow it to give consideration to employment opportunities and the social and welfare values in the study area. There is no provision to enable full information to be given to the Land Conservation Council on the needs of the local community.

The needs of the local community are most important in allowing the Land Conservation Council to obtain a far better view of the area to enable it to make recommendations to the Government. Members of the council are actually not domiciled in the area being studied and in the circumstances I have outlined, it would be an advantage to have a representative from local government included on the Land Conservation Council.

At the moment the Land Conservation Council does not consider all the land in Victoria. Once all the land in Victoria has been considered seriously by the Land Conservation Council, its operations should be taken over by the Ministry for Conservation. After the Land Conservation Council completes its final studies into land use in Victoria, instead of continuing to further consider land which has already been considered and about which it has made a final recommendation, its operations should be taken over by the Ministry for Conservation.

In making its decision, the Land Conservation Council takes no account of the financial requirements or the implications of its decisions, particularly with respect to employment opportunities and socio-economic factors or other disadvantages to the area. More importantly, it does not take into consideration future expenditure by the Government.

One of the areas about which there has been considerable dissatisfaction with the final recommendations is the Whipstick area to the north of Bendigo. There is no doubt that that is a unique area and for a number of years the committee of management consisted of a wide-ranging membership including field naturalists, representatives from the Forests Commission and representatives from the three municipalities which abut the area.

I had an interesting conversation with one of the field naturalists, who informed me that they know very little about the Whipstick area in terms of usage of the forest and the maintenance of the ecology at a satisfactory level. I was informed that probably 30 years ago portion of the Whipstick area was fenced with a view to keeping out animals which could destroy the vegetation, but this allowed the area to develop in its natural state. What was found was that the area was taken over by the dominant trees in that area and in turn that stopped the sunlight reaching the floor of the forest and before long the natural vegetation disappeared. We know so little about life generally in these areas and I am certain that even conservationists know little.

In the Mount Kosciusko area in New South Wales a national park was established about twelve to fourteen years ago. At that time leasing of land or the granting of grazing rights was withdrawn. What has happened is that the dominant species of trees has grown at such a rate that the sunlight never reaches the ground and, in turn, this stops the wildflowers from blooming because the growth of small herbage is stunted and in many cases is prevented from growing. Therefore, in an area where wildflowers used to bloom profusely, it is now very hard to find any wildflowers at all.

Fires are a natural phenomenon and control the growth of forests. Because of the extra amount of fuel, it has been found that in many forests the fires become very hot and the heat cracks the Acacia seed and now the forest areas are becoming overgrown with wattles and this could lead to a changing environment which may not be for the better.

There is an urgent need to promote a balanced type of environment but in the long term there are many aspects which could damage the environment. One of these is the growth of a significant fungus commonly known as die-back. It is prevalent in Western Australia but there is a little in Victoria. It has been found in Western

Australia that forests are being destroyed by this die-back. What happens is that many of the smaller, poorer quality trees have the die-back fungus on the roots and from there the fungus is transmitted to the roots of the mighty Jarrah trees. Die-back is having a tremendous effect on those trees. However, it has been discovered that if a hot enough burn occurs in the forest, in the process the fungus is destroyed. However, it is necessary to have a hot burn and when this occurs the die-back is no problem. However, there is still a lot to learn about having a balanced ecology.

Those are one or two matters about which the Land Conservation Council should know a little in trying to develop a balanced ecology. However, the point I was making with respect to the Whipstick area and the recommendations of the Land Conservation Council was that it was a very interesting area which has been managed by a committee of management comprising the membersip I mentioned before, a membership having various backgrounds.

The final recommendations of the north central study area are that it be managed by three different authorities, the Forests Commission, the Lands Department and the National Parks Service. The committee of management is right in maintaining that the area should be managed by one authority. When there are various managing authorities. there is no clear identifiable line between any of the areas in question. A national park has a multi-purpose use, and there can be detrimental effects on the use of the forests when there is more than one managing authority.

Another example I could give is in the Maldon area, where the recommendations of the committee are that an area of 2520 hectares should be managed in consultation with the Shire of Maldon and the Town and Country Planning Board because of Maldon's historical significance. That will make it difficult because the Town and Country Planning Board, the Shire of Maldon, the Lands Department and the Forests Commission will be involved in the management of that area.

As I said before, the Land Conservation Council has made these recommendations but it has not considered the implications of Government expenditure, and all other associated economical problems.

There is an area of forest in the Castlemaine area which is also to be managed by the National Parks Service, but again, the Forests Commission is responsible for fire prevention and the carrying out of fire fighting. Because of the recommendations of the Land Conservation Council, the Castlemaine area is concerned about what happens during the winter period when there is no fire problem in the area. No doubt the Forests Commission will retain the fire-fighting equipment, keep it in a reasonable condition, and ensure during the summer period that it has people fully trained and qualified to fight fires and to carry out controlled burning. The Forests Commission cannot run away from its responsibilties, for which the taxpayer pays.

This Government is always talking about sound economic policies and efficient economic management. I hope the case I have put to the House today will convince the Government, when decisions are made on the final recommendations of the north central study area, that these matters should be taken into consideration.

Mr McNAMARA (Benalla)—There are a number of matters I would like to bring to the attention of the House on the Appropriation Bill. During the election period, many matters were brought forward which the now Government said needed remedying in this State and many areas had to be changed. The Appropriation Bill sets out only Supply provisions, and includes no new policy initiatives. Obviously members of the Government are very happy with the initiatives of the previous Government, because not a word has been heard from them. Possibly something might be heard later.

An important matter to north-east Victoria is the amount set aside for conservation. This work is carried on by the Soil Conservation Authority. The Governor in his Speech said there is to be an inquiry into salinity in north-east Victoria. I am glad to hear that, because salinity has been a problem for a number of years, and in recent years it has been brought to the attention of many members of the community. Individuals and councils have taken initiatives to do something about it. I hope the Government recognizes the contribution that the community is making and increases the funding of the Soil Conservation Authority so that this worth-while organization can expand its role.

In the Benalla electorate the area affected by dry land salting stretches from just north of Seymour, along the foothills of the Strathbogie Ranges, to an area north of Benella. There are areas away from the foothills in the Dookie area, and also in the Caniambo area. The real cause of dry land salting it still not known. To some degree the problem of salinity in irrigation areas has been identified, and drainage has alleviated it to a great extent; also more trees have helped the situation.

Deforestation has had a major effect on dry land salting, and those who have had the opportunity of inspecting the north east of Victoria would know that deforestation has occurred. At the base of these foothills, the dry salt areas are rising. It will be only by additional work, and by increasing the staff of the Soil Conservation Authority, that this problem will be remedied. Only replacing trees does not solve the problem of dry land salting.

The Government, as a priority, should give an impetus by allocating funds for something to be done immediately in this area, because thousands of acres of productive land are being put out of production. Australia has been a major food producer, and Victoria has to make its contribution to the world at large. It is only by the Government's funding professionals in the area that the problem will be alleviated.

One of the municipalities in the electorate that I represent funded a post-graduate student to undertake a survey of its area, and he identified the problem as being much worse than anticipated. When a municipality is prepared to put in several thousands of dollars, it should not only be congratulated, but the Government should also be made aware of the gravity of the problem and the degree of concern felt by the local community. More municipalities are becoming involved. The Euroa municipality, and many others, are also aware of this problem. It is a problem that should not be foisted onto local government. The State Government has the responsibility and it is the body that is in a position to examine the problem overall. I agree that the Federal Government also has some responsibility, but the Soil Conservation Authority has been set up at the State level and it is the organization that should be studying the situation. Encouragement should be given to those very worthy professionals so that they can continue their work.

I now turn to the area of tourism, which is obviously important. There has been major tourist development in the Benalla electorate, particularly in the snowfields. The Minister of Forests visited Mount Buller last week-end to open a lodge. The lodge is an example of the continuation of the enormous development that has occurred in the area in the past twenty years. There has, in fact, been enormous development throughout the Benalla electorate during the 60 years that that electorate has had National Party representation. I have no doubt that has provided a major impetus!

The snowfields are probably one of the fastest growing areas in the State. The figures reveal an annual growth rate of approximately 12–15 per cent in the number of people participating in snow sports. Many areas of industry might be finding it hard to progress, but this is an area in which private development and investment are certainly reaping returns. Nonetheless, it is also an industry that is racked with

problems. Its season is limited to something like fifteen weeks a year and the expansion of a snowfield involves major capital expenditure, which has to be provided by private investment. Through the Forests Commission, the Government also has to provide large sums of infrastructure and for officers to supervise the huge influx of tourists. Some days there are 14 000 people visiting Mount Buller at one time.

There is a proposal to create another development, similar to the Mount Buller development, at Mount Stirling, which is only several miles away. That would not only increase development in the immediate area but there would also be increased use of the road system through all the shires that lead to the area. Those sorts of considerations ought to be borne in mind by the Government when it encourages tourist activity that is a little off the beaten track. Attention should be given to the complete infrastructure that must be provided along with the tourist facilities. Although the communities involved might receive commercial benefits, it should be remembered that the municipalities are forced to undertake major works to ensure that the roads and other services are adequate to service the huge population increases that take place.

A similar situation exists with the major aquatic sports area of Lake Eildon, which stretches for miles and is a major attraction during the summer. In fact, the entire area attracts tourists for twelve months of the year. I compliment the various Government departments, particularly the Forests Commission, that have overseen developments in these areas.

When decisions are being made about the development at Mount Stirling, every effort should be made to ensure that some of the mistakes that occurred with the development of Mount Buller are not repeated. A number of sites for the proposed alpine village have been suggested. I understand five possible sites have been suggested above the snowline, one on the snowline and one below the snowline. Deciding exactly where the village is to be located will be a long and involved process and when it is over I have no doubt the development will enjoy the same sort of success that has been enjoyed by the Mount Buller development over the past twenty years.

Country Roads Board funding is also a matter on which I shall comment. It is an area of major concern, particularly because of the great distances that must be covered. Officers of the Country Roads Board provide municipalities with great assistance, and I hope those services will continue to be available.

I now turn to the matter of State Electricity Commission rural extensions. That authority is funded under the Minerals and Energy Division. People are at present forced to pay huge sums for rural electricity extensions. I should like to make a suggestion that might lead, in future years, to the possibility of reduced appropriations for the State Electricity Commission and might also be of benefit to the people who need these sorts of extensions. If, for example, a person decided to build a house, he would not go along to a building surveyor and ask that building surveyor to build the house; he would ask a builder to carry out its construction. To ensure that the Uniform Building Regulations are complied with, the building surveyor inspects the house at various stages. I believe a person who wants an extension of rural electricity services should have the opportunity of employing a professional to carry out the task. I can see no reason why certain electricians could not be listed as approved electrical contractors, who would be able to tender for works for electricity extensions. That would introduce an element of competition into the area of these extensions and might do something towards reducing their present phenomenal cost.

The DEPUTY SPEAKER (Mr Wilton) —Order! I point out to the honourable member that the Bill in no way deals with capital works. It is restricted to the provision of funds to enable various Government departments to provide

services. During the spring sessional period there will be ample opportunity for the honourable member to go into detail on the Government's capital works programme, but at this time he must confine his remarks to the services provided by the various Government departments.

Mr McNAMARA—Thank you for your guidance, Mr Deputy Speaker. I was referring to the funding for the salaries of staff involved in this area. All honourable members would realize that the cost of poles, transformers and other items of equipment needed for the extension of electricity services would not vary, no matter whether they were supplied by a private contractor or the commission.

The DEPUTY SPEAKER—Order! I apologize to the honourable member for not also directing his attention to the fact that the State Electricity Commission, being a statutory authority, is not covered by the Bill. It is an autonomous body that operates under its own statute. The Bill deals only with Government departments and services provided by them.

Mr BROWN (Westernport)—On a point of order, Mr Deputy Speaker, I direct your attention to the fact that the Bill would contain an allocation for funding of staff of the State Electricity Commission. Accordingly, I would submit that the honourable member for Benalla is in order.

The DEPUTY SPEAKER—Order! To which particular items is the honourable member referring?

Mr BROWN—For a start, the Department of the Premier. The Premier, as Premier of this State, has jurisdiction over the control of the State Electricity Commission and, accordingly, the allocation of some $46 000 for the staff of the Department of the Premier would be relevant because of the control exercised over the functions of the commission.

The DEPUTY SPEAKER—Order! There is no point of order. The staff of the State Electricity Commission who would be involved in a capital works programme are not covered by the Bill. The Bill makes provision for the administrative staff of the departments listed. Capital works expenditure is not involved.

Mr HANN (Rodney)—On a point of order——

The DEPUTY SPEAKER—Order! The Deputy Leader of the National Party is out of order. I have already ruled that there is no point of order.

Mr McNAMARA (Benalla)—Perhaps under Division 540 I could address the remarks I have already made to the Minister for Minerals and Energy on the staff funded by the Ministry. This is more than just a minor regional matter; it goes more to a matter of the whole departmental staff and a major change in policy. Therefore, I ask the Ministry and its policy advisers to consider the matters I have raised in future discussions.

There are a number of examples where private contractors have been used to extend State Electricity Commission facilities. Firstly, when the State was first electrified the Government brought in a number of private contractors to assist with the work.

Mr CATHIE (Minister of Housing)—On a point of order, a ruling has been made already that the capital works programme of the State Electricity Commission is outside the scope of the Bill. In continuing with that subject, the honourable member is flouting the ruling of the Chair.

Mr HANN (Rodney)—On the point of order, I submit that the Minister for Minerals and Energy, through his department, has instigated an inquiry into the cost of these State Electricity Commission extensions and that it is valid for the honourable member to comment on the nature of the inquiry relating to the cost of State Electricity Commission extensions.

Mr MACLELLAN (Berwick)—On the point of order, I do not think the Deputy Leader of the National Party has listened to the honourable member, who was speaking of the salaries of

the Ministerial staff and the advice the staff has given the Minister on State Electricity Commission matters. I suggest that if the honourable member continues to refer to that advice in his remarks on the Bill, he is in fact in order.

The DEPUTY SPEAKER (Mr Wilton)—Order! I uphold the point of order on the principle that the subject of the capital works programme of the State Electricity Commission involving extensions of power supply to rural properties does not come within the ambit of the Bill. Division 540 refers to items covering expenses incurred by the Ministry in its operation of those staff and their responsibilities to the Ministry and not to the capital works programme of the State Electricity Commission. It is not in order for the honourable member to refer to the capital works programme.

Mr McNAMARA (Benalla)—The next matter to which I refer concerns rural rail services and those services that have suffered a reduction in staffing. Some stations in the Benalla electorate are no longer staffed. The services that were provided in the past should be fully staffed and extended. Trains continue to run on those lines but towns such as Violet Town, Glenrowan, Longwood and Avenel do not have staffed stations. I urge the Government to consider re-appointing staff to those stations.

As honourable members are aware, country people place great reliance on rail services and there are very little other public transport services in those areas.

For people in Violet Town and other similar towns, the situation is ridiculous. If anyone in Violet Town wishes to commute to Benalla, the only way to do so by rail is to catch the train at Violet Town station going to Euroa and then to travel from Euroa to Benalla, repeating the same exercise to return to Violet Town. In fact, Violet Town residents are fortunate compared with people living at Longwood and Avenel because those stations are unmanned and the residents are offered no rail services. Longwood is particularly affected.

It would cost the Government very little to properly staff the stations at Avenel, Longwood, Violet Town and Glenrowan, perhaps on a rotational basis of one day a week to allow country people to travel by train in either direction on the same day so that they are given the opportunity of travelling to a major centre in the region or to Melbourne if they wish to do shopping, use the many services provided by the Government, visit their doctors and so on. Country people in these areas, especially those who are old and frail, are virtually isolated in their communities and it is beyond their financial means to use taxis. Many small communities do not have bus services and their only option in the past was a rail service which has since been removed.

I refer to funding of education facilities and the need to expand special services for small country schools. Many of these schools are perhaps one-teacher schools. They offer a limited curriculum and the only way in which to widen the curriculum is for specialist teachers to work at these schools on a rotational basis, contributing half a day a fortnight at various schools to provide the students with specialist services of which they are now deprived.

Assistance is required in the form of sports teachers, art teachers, and facilities. Although the service of the arts van is provided to some country schools, the smaller schools are not catered for. The service should be extended to include all rural schools whether large, medium or small.

The provision of police services is also of great interest to country communities. I refer to two matters: Firstly, the actions of the Motor Boat Squad and, secondly, the lack of police services in small country towns.

The Benalla electorate has a number of aquatic areas because the Goulburn River straddles the electorate on

two sides and includes two major weirs, the Eildon and Goulburn weirs, and the Broken River is on the north side of the electorate and offers the facilities of lake Nillahcootie. Because the large lakes created by the construction of major water storages are used also for various recreational purposes including fishing and tourism. While most persons go about their pursuits sensibly, which is appreciated, a number of people need police supervision to ensure that they abide by the laws and regulations of the State.

I draw the attention of the House to the poor state of the Motor Boat Squad in Victoria. It has little more than a dozen members, and the National Party believes its numbers should be greatly increased. Those members are required to cover the whole of the Port Phillip Bay area and all the inland waterways of this State. The number of members allocated is insufficient to service the aquatic areas of Victoria. Perhaps consideration should be given to the appointment of boating officers who perhaps may not be members of the Police Force but who can work on a part-time basis to enforce the boating regulations applying to our waterways.

The other point of concern is the numbers of towns in country Victoria which now have no police service. I urge the continuation and expansion of the one-man police station system. Not many years ago any small community had its policeman who became an integral part of that community, blending in with it. There was never a need to run 10, 20, or 40 miles to enlist the services of a police officer when needed. In many instances this police service has been lost, and the police are grouped into large inspectorate areas on a divisional basis. Not only have the services been lost but also the contact between the people and the Police Force has been lost. It is important for people to have a good relationship with the police. In the small towns young people grew up to recognize the policeman as just another member of the community and a trust was formed which resulted in many young people avoiding later problems that arise when youth lacks initial supervision in the formative years. I urge the Government to expand the provision of one-man police stations.

The other night the honourable member for Murray Valley raised the matter of recreation officers who were appointed to various municipalities. He suggested that the money set aside for the funding of those officers could perhaps be more properly directly allocated to every municipality in this State, whether or not it had a recreation officer, and that municipality could determine how it would spend the $8500 involved. In that way not only would the shires that had recreation officers benefit by the appointment but also every municipality would benefit and could use the money as it saw fit to benefit the community. That is perhaps a delegation of responsibility that should be considered.

I now refer to the charge for engineering supervision, under the item of transport. I understand VicRail sets a fee for supervision charges for various works it undertakes. Recently I received a complaint from a number of people who were involved in setting up an irrigation scheme based on underground power. They had to upgrade to three phase power, and in doing so they had to cross a railway line. VicRail suggested that they pay and easement fee of $700. The justification for that was that is was a charge for engineering, supervision and checking the plans and specifications of the State Electricity Commission. It appears that one authority provides power to upgrade and create an industry that will provide additional employment in a small community of about 25 to 30 people—eight or ten farms are involved and it is therefore a sizeable influx and will be of much benefit to the area—and another department puts constraints on that by the charge of a supervision fee. I ask the Government to consider the matter.

The other point concerns the Lands Department. All honourable members, especially those who represent country areas, are aware of the growth of noxious weeds on Crown land. Members of the National Party urge the Government to extend the staff of the Lands

Department because it is not coping with the task of dealing with the noxious weeds. The weed growth has become a serious problem and something must be done about it immediately.

Mr BROWN (Westernport)—At the outset I say that it is a disgrace that no member of the Government party has seen fit to contribute to this debate. It is the Government's Bill, and when the Liberal Party was in office it was mandatory that most members of the party contributed to the debate. New back-bench members of the Government party have failed to contribute for one of three reasons. Firstly, they may not have the capacity; secondly, they may not have the interest; and thirdly, they may not be allowed to contribute to the debate. I challenge them to do so. On occasions the tail must wag the dog.

This Bill covers the salaries of all Ministers and I firstly comment on that provided for economic development. People in rural Victoria are incensed at the announcement by the Government that it will look at the existing rebate and incentive structure for approved decentralized industries. I know that a small number of Government members represent rural areas and it is to their detriment that they have not publicly denounced what their Government is planning.

Mr Cathie—What is it proposing to do?

Mr BROWN—One would have thought that a Minister of the Crown would know what the Government is proposing. One of the things it proposes is to axe the rebate of pay-roll tax that presently exists. In this State there are many instances of country businesses that are dependent on this major source of rebate—5 per cent of their pay-roll. The honourable member for Morwell interjects that it is protection.

Miss Callister—I said "and protection".

Mr BROWN—The honourable member for Morwell represents one of the largest developing areas in this State, and her interjection shows the thinking of the Government. It is not just a matter of protection. It is a matter of jobs in this State. There is a real downturn in employment in Victoria, particularly since the election of the Labor Party. Members of the Opposition are concerned that steps should be taken and they will encourage the Minister of Housing, in particular, to do some of the things he claimed prior to the election he would do.

In relation to the tourism budget of approximately $2·5 million, I wish to highlight two areas in the electorate of Westernport. One is the historical park at Coal Creek at Korumburra, which is attracting a large number of tourists a year. They are concerned at many aspects of the Government's policy. The new Government seems apprehensive about what its new policies will be. I have assured these people that, although the Government is a Melbourne-based Government and is not interested in country Victoria, it must nevertheless continue to support major tourist attractions, as the former Government did. One area of concern to people in that area is that they do not have an educational adviser at Coal Creek. Historical parks such as Coal Creek at Korumburra are visited by large numbers of school students. I would encourage and support the appointment of an educational officer to Coal Creek.

Phillip Island has the largest tourist attraction in Victoria and the third largest in Australia, namely, its magnificent penguin parade. I am concerned that the penguins have a high mortality rate at present. Research into this matter is needed, which will cost money. Expenditure by tourists could be used to provide money for research to establish what is killing the penguins in Victoria. If the colony of penguins were substantially depleted, the largest tourist attraction in Victoria would be threatened. The Government should be well aware of the matter.

Under the heading, "Police and Emergency Services", I note that a lage provision has been made in the Supply Bill. Opposition members are mindful of the absolute cast-iron promise of the

Government to provide the State with an extra 1000 policemen, which the Police Force considered to be an excellent undertaking. The Liberal Party, now in Opposition, has since learned that the ice is thin and the Government has slipped on it. The Government has said it will conduct an inquiry into the issue, which is becoming typical of so many promises of the new Government. The promises are being construed as not necessarily firm promises, but intentions to initiate inquiries.

Consumer affairs receives a large allocation of expenditure under this Bill. I have heard many examples indicating that the Ministry of Consumer Affairs needs more teeth than it presently has to be able to operate effectively. The new Minister is powerless to act on the rip-off prices being charged at some sporting fixtures for food and beverages. If a hotline could be set up on this matter, the Minister could encourage the caterers involved to do the right thing by everyone involved. No doubt he was sincere in his comments, but the new Government must realize that the Ministry must be given more teeth.

For example, in the electorate that I represent a licensed motor dealer sold a vehicle that could best be described as a heap of rubbish. It was advertised as a new vehicle, but the individual who bought it subsequently found out that it had been submerged in salt water, had been full of rust and had been patched up for sale. After considerable bickering, the Ministry of Consumer Affairs told the licensed motor trader to take back the vehicle and after more negotiations the dealer undertook to repay my constituent the $7500 in full that he had originally outlaid.

Mrs Patrick—That was good.

Mr BROWN—No, the cheque bounced! My constituent was faced with a grave problem as he no longer had the vehicle and no longer had $7500. One month after the vehicle had been returned and the cheque originally written out, from the motor trader's account, it was found that the Ministry was powerless to act and was operating on the good faith of the dealer in keeping to the agreement. Obviously, the Ministry needs more teeth; the legislation needs to be tightened up to control the situation.

I shall turn to education in the Supply Bill and raise the issue of the Wonthaggi Technical School. When the Government was in Opposition it made overtures that it would take significant action for that school and that it would be part of its programme including expenditure of $100 million. I highlight that the people concerned are waiting for that promise to be honoured.

Under the public works I note that the major part of the salaries expended in that Ministry and department were involved in the Westernport region. I trust that the Minister of Public Works is prepared to take a different attitude from the attitude he displayed last week in the House in relation to Lysaghts. He put Lysaghts on notice that the Government is unhappy that the Act of Parliament relating to the company was extended by three years' duration. That disgraceful situation concerns me greatly as the honourable member for Westernport. The Minister grandstands and says that although it was allowed by Act of Parliament, the Premier of the day could extend the time in which Lysaght in Westernport has to put in fully integrated steel works. He took exception to the former Premier extending it. He took the former Premier, Sir Rupert Hamer, to task on the matter. That signals that Lysaght, which is a subsidiary of BHP Co. Ltd, will have trouble dealing with the Labor Government at some time in the future. The 1700 permanent employees in the industry, at Westernport, are incensed at the statement of the Minister. The company is the major employer in the region. No other industrialist equals the number of permanent employees that company employs. This House should take note that the Labor Government signalled that it will make it hard for that company in the future. I hope I will have the support of the honourable

members for Frankston and Dromana in the future to ensure that the Labor Government nurtures the Lysaght company to ensure that the proposed fully integrated steel works are provided at a future time. Like me, the honourable members for Dromana and Frankston have hundreds of constituents who are employed in that industry with families dependent on them.

Under planning I note in the announcement of the policy by the Government that it will reintroduce the Western Port Regional Planning Authority in some form. That is excellent for me politically, but I am more interested in the future of my electors. The reintroduction of the Western Port Regional Planning Authority will be a retrograde step of major proportions. The situation that now exists and is working extremely well is that the Westernport committee that was set up under the former Government and control handed back to the local people regarding the majority of planning issue. Those local people are the elected representatives of the municipal councils and the items of major significance are handled by the Westernport committee on recommendation to the Minister, if required. If the Labor Party continues with its proposal to reintroduce the Western Port Regional Planning Authority in another form, it will be buying into an issue at Westernport into which it had no foresight and which will adversely react against the Government.

I also note a large sum allocated under Treasury in the Bill. The Treasurer is a young man and I suggest that he has read it all, but never done it all. He has become known for statements like, "modern management techniques", "programme priority budgeting" and "centralized borrowing". I attended a function last week at which one of the Treasurer's staff members was present. I asked how some of these new programmes were being implemented and was informed that the major one to date was the replacement of Biros with felt tip pens. There is obviously a long way to go in introducing major modern management techniques.

Mr Cathie—Who was that?

Mr BROWN—I have indicated that it was an officer of the department. I do not intend to name him. I would not like to have him dismissed from his position. The Treasurer has recently realized that his policies require major sums of finance and not merely the replacement of Biros with felt-tipped pens. He has come up against the problem of where to raise the finance. I understand that he is great for considering lease agreements, one of the most expensive forms of raising finance, and the Opposition will watch closely the announcements of the Government in relation to how it will implement many of its policies, considering that major funds will be required.

Most Government undertakings are not profit-making; they run at a loss, and that is natural, especially for such services as public transport. Nevertheless, they must be provided by every Government. It is all very well to say that the Government will be spending thousands of millions of dollars, but if the Government has to pay 18 per cent interest on borrowed funds, that will be the beginning of the end financially for it and the taxpayers.

As the next Minister for Youth, Sport and Recreation in this State, I have a personal interest in the welfare of that Ministry, and I note with interest the vote for that department. Much is happening in sport at this time as a result of announcements by the Government. The racing industry is in a quandary and has suffered upheavals as a result of announcements by the new Minister. Country race clubs do not know what their future is. I have called for clarification on that point and I keep being told that it will not be long in coming, but I understand that, weekly, sponsorships are being lost by country race clubs because it is not known which racecourses will be closed. It is known that some will close but it is not clear which ones.

The policy on fractions was clearly enunciated in the Labor Party's policy prior to the election when it said that it would use the revenue raised from

after-race pay-outs to honour its promise. Indeed, that Bill was before the House last week yet the Government rejected out of hand the opportunity of going on and fulfilling its commitment to use that money to pay out to the nearest 5 cents. The Opposition will pursue that matter. As the former Opposition spokesman on the matter, the new Minister said it was scandalous that punters were being ripped off to the tune of more than $100 000 a week. As the new shadow Minister, I agree with him and will support him to ensure that he now ends that rip-off about which he was so outspoken.

The White Paper on sport outlined many initiatives, and the Opposition is concerned, as is the sporting fraternity in Victoria, as to what the new Government will do about implementing the recommendations. The former Government proposed to provide an additional $1 million annually in this State for sport and, also said that it would provide $150 000 for the State's Sports Council and $150 000 for the establishment of a sports house in Victoria. To the concern of the Opposition, the Minister has announced that that programme is under review. I highlight the fact that the Opposition will watch that matter.

The Minister has stated that the Opposition is opposed to his proposal to implement an independent tribunal. That is not correct. I am the shadow Minister and I have never opposed such an undertaking; I have checked with my colleagues and they have not been outspoken without my knowledge, so it is not true to claim that the Opposition has been outspoken on that matter.

Honourable members interjecting.

Mr BROWN—In fairness, the point I am making is that I am now in this position which I did not hold prior to the State election, and I will not be bound by any policies of the department at a time when I was not its head. In the main, I saw eye to eye with the former Minister for Youth, Sport and Recreation. I acknowledge that he was the best Minister of Youth, Sport and Recreation this State has had and probably the best it will ever have —although that may change when I come to that position! I make the point that there will be changes in the Opposition's past policies. This is only the second matter now being considered and the Opposition's policy has been changed at my instigation in relation to the outlawing of scalping in this State, a matter which will require legislation. The Minister has always said he would initiate such legislation and, upon coming to power, he saw that that was the only way scalping could be stopped. The Opposition and the Government are now in agreement on that matter and there will be no hindrance by the Opposition when the Minister presents that Bill to the House.

The Bill allocates money for staff to advise the Minister in relation to policy. On the matter of racing policy, funds are allocated towards other sports and it is stated that Labor will not rely on the Totalizator Agency Board to continually provide the bulk of funds to the Department of Youth, Sport and Recreation for financing non-racing sports and that, in future, the department will be funded from Treasury allocations in the same manner as all other Government departments. That is a major undertaking which throws to the wind the reliance of the Department of Youth, Sport and Recreation on its traditional funding source. I have no argument with that provided that the matter is clearly spelt out by the Government, that is, that there will be no detriment suffered by sport in this State as a result of that policy being implemented. The Opposition has no argument with that policy provided there is an absolute guarantee that sport will receive more funds than under the present method of funding, and that there is a guaranteed allowance each year to keep pace with inflation.

Many other items of policy are covered in the Bill in relation to the department and I should like to refer to one or two of them. Under racing policy, item 13, the Labor Party says

that it would set aside all unclaimed dividends in a special municipal recreation fund to be distributed amongst municipalities on a recreation needs basis, the dispersal of such funds to be determined by a creation review committee.

That policy is excellent and I commend the Minister on it. However, nothing has been done to implement it. The Minister has been in that position for only ten weeks and I am sure he will move on the matter soon. The Opposition sees that as a good policy which will benefit sport in this State and that is another area where the Opposition and the Government are in unison and in which there will be total co-operation from myself and the Opposition.

I also note that, in consultation with local government Labor will set aside beach and inland areas for nude bathing. I have received one item of correspondence from a person concerned as to where the inland areas are that Labor is planning to set aside for nude bathing. I am unable to inform the correspondent on which inland areas will be designated for nude bathing. I urge the Minister for Youth, Sport and Recreation to inform the House on which other areas of Victoria will be designated for nude bathing. Not everyone in Victoria would welcome the attraction of an area designated for nude bathing, especially if a designated area abutted private homes.

It is the policy of the Government to establish a youth officer training school, which, if established, would be an excellent undertaking. I assure the Minister that the Opposition will ensure that the Government policy on that matter is implemented.

Unfortunately, the Minister has shown no interest in youth problems. Young persons in Victoria, of course, comprise a high percentage of the population. There is real community concern about teenage unemployment. That is a matter that Governments have traditionally tried hard to do something about, but have not been greatly successful. Teenage prostitution is rife and the matter needs the attention of the Government.

Mr Trezise—Would you blame the Labor Party for that?

Mr BROWN—I would not in any way blame the Labor Party for the problems of teenage prostitution. However, the Labor Party is now in Government and it has a Department of Youth, Sport and Recreation, which should deal with a problem that is rife.

The proliferation of drug abuse amongst the youth community is of disturbing concern. The Minister must give his attention to this matter at an early date.

Youth homelessness is a massive problem. There are organizations like the Salvation Army that are attempting to combat the problem. Surely the Government could allocate more money to combat the problem of youth homelessness. Although the Government has made a move in the right direction, if honourable members opposite took the time to visit the Queen Victoria Market on any night of the week those honourable members would see many youths sleeping in the market because those youths do not have anywhere else to go.

Very little research is being done into the problem of cot deaths. When I was first elected a member of the Parliament, I read an article in one of the daily newspapers by a woman who had just lost her baby due to a cot death. The woman made the point in the article that, if a member of Parliament lost either his or her baby son or daughter as a result of a cot death, the Parliament would take a much closer interest in the subject. I praise the Lord that I have not lost any of my three children to cot deaths. My family has been spared from that tragedy. However, statistics show that there is at least one cot death a week in Victoria. There must be a reason for cot deaths. I do not know what the reason is, but one of the answers to the problem would be for the Government to allocate more money for research into the matter. It is to be hoped that the Minister of Health will examine the financial allocation for the

Health Commission to determine whether more money can be allocated for research into cot deaths.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I advise the House that the precedents that have been set by the Chair in the past in respect to who speaks on behalf of the Opposition from the table have been well established—they were certainly pointed out to the Government when it was the Opposition. I advise the honourable member for Westernport, who sits in the middle row of Opposition benches, that, unless he is in charge of a Bill, he will not get the call from the table as the spokesperson for the Opposition. The person in charge of a Bill is either the Leader of the Opposition or a deputed member of the Opposition. I had to advise another honourable member last week on the same matter.

Mr BROWN—On a point of clarification, Mr Speaker, I was at the table on behalf of the Opposition at the time because the Leader and Deputy Leader of the Opposition were absent from the Chamber. Should the honourable member speaking on the Bill therefore return to either his or her position on the Opposition benches?

The SPEAKER—The answer is, "Yes".

Mr McGRATH (Lowan)—The purpose of the Bill is to make an interim provision for the appropriation of moneys to meet the salaries and running costs of the numerous State instrumentalities.

I refer to Division 155 and the allocation of $2·46 million for the Ministry for Tourism. A previous Premier of Victoria, Mr Hamer, now Sir Rupert Hamer, said that tourism would be the biggest industry in Victoria by the year 2000. Tourism is playing a significant role in the economic viability of Victoria. Many tourists visit different areas of attraction throughout Victoria, and that activity generates much income and many job opportunities for those persons who operate hotels, motels and other service industries.

The area I represent covers parts of the Wimmera, and the person in charge of the Wimmera Regional Tourist Authority at Horsham is Mr Allan Berry, whose actions justify his salary. Mr Berry has established many tourist programmes that have attracted tourists to the Wimmera. Those tourists have appreciated the attractions the Wimmera has to offer.

I refer honourable members to Division 160 and the allocation for the Minister for Police and Emergency Services. On many occasions in the House, members of the National Party have expressed concern about the abolition of one-man police stations in country areas. I urge the Minister for Police and Emergency Services to ensure that one-man police stations are retained in the small rural communities. Those one-man police stations play an important role in rural communities. Any attempt by the Labor Government to phase out one-man police stations would be met with strong opposition by both the National Party and the community.

Police have a considerable impact in small communities. I come from a small community where the policeman has been able to bring about law and order, not so much through his approach to enforcement of it but through his communication with the community which has built up respect for him, and accordingly, people naturally uphold the law.

However, most of the policemen who operate these one-man police stations take an extremely sensible approach to law and order in small communities. They mix well and participate in various community activities; they belong to sporting clubs and promote good public relations between the community and the Police Force, and for these reasons it is necessary to maintain the one-man police stations.

Earlier, when referring to the allocation to Youth, Sport and Recreation, the honourable member for Westernport spoke at length on youth homelessness. Everyone views with concern the fact that many young people in

difficulty cannot successfully participate in the family unit. This is a great pity. We are trying to cure the problem by providing extra hostel accommodation and temporary living quarters for boys and girls who have insufficient shelter.

Instead of trying to cure the problem, we should be trying to prevent it by strengthening the family unit. Undoubtfully, in many cases economic and other pressures cause family breakdowns, and when that happens young people go into the streets and find themselves in trouble. The Government will find it difficult to come to terms with the social problems that are occurring in this period of history.

The Department of Youth, Sport and Recreation, the Department of Community Welfare Services and the Ministry for Police and Emergency Services all have a role to play, together with the Government, in trying to strengthen the family unit as the basis of society, and if that is successful, many social welfare problems will not arise. As I said, it is up to the Government to take the lead on this aspect in conjunction with the Federal Government and to try to prevent the problem from occurring.

There is no better place to start than with the family, and if we can build strength into the family unit and make it much more solid, the children of unhappy homes will find it easier to stay in the home situation until they are older and better able to cope. Young people in this category may have already tried to find jobs but many of them leave home at the ridiculously young ages of from twelve to fifteen years, and while that is happening, all sorts of welfare problems will occur. The police will be called in to protect them; social welfare authorities will have to pick up the wrecks and provide the finance to rehabilitate them. But if the Government can join with the Federal Government in strengthening the family unit, many social welfare problems can be overcome.

The honourable member for Murray Valley raised the point this morning with a question to the Minister for Youth, Sport and Recreation on providing councils with a payment of $9000 in lieu of the appointment of a municipal recreation officer. I also support that proposal. I raised the matter with the former Minister eighteen months or two years ago, and both answers sounded like a departmental reply. If one compares the two answers in *Hansard*, one sees that they are similar. The effect of the answer was, "Yes, it is an idea, but we cannot provide the money".

Some municipalities have utilized municipal recreation officers; others have taken it on themselves to share the services of an officer, and others again are not prepared to take up the $9000 from Government funds as part payment towards the employment of an officer. Those municipalities should be given the right to claim the $9000 for other aspects of sport and recreational facilities within their areas.

Division 301 deals with education. In sparsely populated areas there is an urgent need for shared teachers. Recently people in the Navarre area—that is a little district outside Stawell in the electorate represented by the honourable member for Ripon—proposed a pilot programme to the Education Department seeking a shared teacher scheme for art, craft, physical education and music. These are the types of projects needed in country areas, and a similar programme could be adopted in Minyip, which is my home town.

The Education Department could provide teachers to move around various districts on a shared basis to provide instruction in extra-curricular activities such as art, craft, music and physical education. If country children receive the opportunity of being instructed in these areas, they can compete equally with children from more densely populated areas and receive equal opportunity throughout their lives.

Another aspect to which I refer that has been mentioned in the House many times is the reorganization of regional boundaries in the western half of Victoria. It was decided that the regional director at Horsham would be trans-

ferred to Ballarat, which would incorporate the Horsham region, and an assistant director would be placed in the regional office at Horsham.

Already many school principals, school councils and municipalities are finding that the service that was previously provided through the regional director from Horsham, who was closer to the school and the pupils, is falling down because of the vastness that has been created by extending the regional boundaries.

The Minister of Education has replied to my letter indicating that he is prepared to review the situation in twelve months. I hope the Minister will consider the strong evidence put forward by the Wimmera community in support of a regional director at the regional office in Horsham.

On the subject of conservation, one of the difficulties facing many farmers in the Wimmera is the cockatoo and corella problem. From media reports I understand the problem is not just isolated to the western part of Victoria. Apparently areas in the central districts, the north-east, and areas in the Western District are experiencing this problem. The birds attack newly-sown crops as well as mature crops, which causes farmers considerable anxiety.

Recently a farmer in the Horsham area told me that he spends two hours at sunrise and sunset with a shotgun safeguarding his crop. Legislation provides for an open season on cockatoos and corellas in some Wimmera shires. This farmer spends approximately four hours a day travelling 90 kilometres from one end of the paddock to the other to keep the cockatoos away from his sunflower crop.

These activities involve farmers in considerable inconvenience and expense. The former Minister for Conservation instituted a research programme into the cockatoo and corella problem in the Wimmera which cost $7500.

The funding is due to continue until the end of June this year and I stress the importance of continuing the funding for the research programme. I realize it is not the complete answer to the problem, but it may provide information so that the officers of the Fisheries and Wildlife Division can implement positive programmes to reduce bird numbers. The farmers do not want to eradicate all birds; they merely wish to restrict the bird numbers so that crops and harvests can be collected without the inconvenience caused by these creatures. The officers of the Fisheries and Wildlife Division have already ascertained that the number of birds is increasing. If that is so the hardship suffered by individual farmers will increase as time goes by.

A further aspect concerning conservation is the recent final recommendation of the Land Conservation Council that the Grampians be declared a national park area. In declaring the Grampians a national park one has to consider the wages and salaries of the people who are responsible for the administration of the area. When the interim recommendations were released, many meetings were held in the Wimmera. The interim recommendations suggested that approximately half of the Grampians—I think 116 hectares —should be declared a national park area. Some 114 000 hectares come under the umbrella of the Forests Commission.

After the presentation of the report many meetings were held throughout the Wimmera district at places such as Laharum—on the fringe of the Grampians—Douglas in the Western District, Horsham and Stawell. Public opinion was strongly supportive of the idea that the major control of the Grampians should be retained by the Forests Commission. The final recommendation advocated that almost all the Grampians area should be set aside for control by the National Parks Service. Many people from prominent places in the Western District have already asserted that the reason the Land Conservation Council made its final recommendation in that way was its belief that the Australian Labor Party was in Government and that members of the Government and the Australian Labor

Party were more conservation oriented than the people who adopt the philosophy of the Liberal and National parties.

One must remember that for approximately 90 years the Forests Commission has controlled the Grampians satisfactorily. I am one of those people who believe that when something is successful, the *status quo* should remain. I cannot see how the recommendation advocating that the Grampians become a national park will bring about better management.

As any honourable members who have visited the area will know, the Grampians are a beautiful asset for Victoria and contain lakes, interesting walks and pleasant views for tourists, forest areas and some grazing areas. For many years the Forests Commission has satisfactorily controlled the greatest threat to the Grampian, namely, the outbreak of fire. Over the years the Forests Commission and the fringe area farmers have prevented serious fire outbreaks in the Grampians. Now that the area is to be controlled by the National Parks Service, questions are quite rightly being asked by the people who live in close proximity whether fire prevention and suppression methods will be adequately carried out.

In conclusion, the passing of the Supply Bill is paramount so that the State can continue to run. Victoria is a wonderful State and if everyone makes an effort to improve our society and bring about a better standard of living, we will make a better contribution as we endeavour to serve the Parliament of Victoria.

Mr HARROWFIELD (Mitcham)—I am pleased to have received such a warm welcome from my friends opposite! The Bill issues $1·8 billion to the Consolidated Fund. This represents a significant amount of money and it is an appropriate time to reflect—in managing the Victorian economy—on the importance of proper accountability and of presenting economic material in a form which is both informative and comprehensive.

I, therefore, commend the Treasurer, in presenting the Supply Bill, for the manner in which he has prepared the explanatory memorandum. It is very useful to be able to go through each of the divisional allocations and see at a glance the percentage of the 1981–82 Budget that has been allocated in the Supply Bill.

I also commend the Treasurer, in line with our policy of open Government, for providing monthly economic statements on the progress of the Victorian economy. One of the fundamental responsibilities of this House is to attend to the proper financial management of Victoria. To do so effectively honourable members need to have information before them in a concise and informative form.

Similarly, I welcome the indication by the Treasurer that he will be examining methods of making Budget documents and other economic documents more concise and informative to honourable members. This is in contrast with the former Government which was not prepared to be totally open with the people of Victoria. That was demonstrated by the current account deficit this Government inherited on taking office. It was, of course, a matter that was known to the former Government and to the former Treasurer in December last year.

It is important to enable honourable members to be informed that this sort of information is available.

The Supply Bill is a very important piece of legislation, for a number of reasons. Firstly, as a member opposite said earlier, it is the first Supply Bill to be introduced by a Labor Government in Victoria for 27 years. Secondly, it comes at a time when there are very worrying signs of continuing economic decline in the State. The Treasurer made reference to that fact in his second-reading speech. It is a matter that is reinforced by recent statistics put out by the Australian Bureau of Statistics showing a further increase in the level of unemployment in Victoria, which stands at 6·4 per cent of the Victorian work force.

Mr MACLELLAN (Berwick)—On a point of order, I am placed in a some what embarrassing position. Previously when this matter was mentioned by the honourable member for Doncaster, the Acting Speaker ruled the honourable member for Doncaster out of order on the ground that this is not a Budget debate and that he should not refer to matters which were in the second-reading speech of the Treasurer in introducing the Supply Bill.

Either the rule is now to be overturned and the honourable member is correct in raising these matters, in which case you, Mr Speaker, would rule accordingly and say there is no point of order. In that case we have the difficulty that the honourable member for Doncaster was ruled out of order.

I ask that some serious consideration be given to a clear ruling on whether members of the Government, the National Party and the Opposition might refer to those matters mentioned in the Minister's second-reading speech, which was attempted by the honourable member for Doncaster who might be accommodated on the floor during the Committee stage to produce a more even situation. There is the difficulty of the earlier ruling. In my view, Mr Speaker, it would be proper for you to say there is no point of order and to allow the direction of the debate to be drawn that way, which I believe would be appropriate.

The SPEAKER (the Hon. C. T. Edmunds)—I thank the honourable member for Berwick for assisting me in deciding which way I should rule. I uphold the point of order and I uphold the point of order of whoever was in the chair at the time earlier tonight. I ask the honourable member for Mitcham to come back to the Bill.

Mr HARROWFIELD (Mitcham)—I wish to move on to a specific reference to Division 400 which is the Treasury allocation—salaries general expenses, and other services and to make some comments about the allocation for the establishment of the Office of Management and Budget Task Force. This is one of the most important steps taken by a State Government in many years in this country because it recognizes the need to bring modern economic management into the public sector.

While I agree with many of the comments made by the Leader of the Opposition in referring to the need for the Federal Government to come to the party to a much greater extent in assisting the Victorian economy, I get back to the point that was given recognition in the Governor's Speech—that is, the fact that the State does have an economy in its own right. The allocation in the Supply Bill for the Office of Management and Budget Task Force gives recognition to that very important point.

When introducing the Bill, the Treasurer also referred to one of the important functions of that office, namely, the establishment of programme priority budgeting which moves us into the realms of providing a much more meaningful set of economic documents, certainly to Parliament and to the public of Victoria.

In the past, there has been a tendency to concentrate far too much on the inputs of wages and salaries, general expenses and so on. In that regard I recognize the contributions made by the former Treasurer in making the Budget documents of this State a bit more meaningful, although there is a great deal of progress still to be made in that area.

The introduction of programme budgeting will place much greater emphasis on talking about the outputs of expenditure and not just the inputs. That will enable honourable members to more meaningfully access the performance of the public sector. A great deal of lip service is given, particularly by some members of the Opposition, to claims that they support sound business principle, but it seems ironic that those principles have never been adequately applied to the management of the public sector in Victoria.

A further task of the Office of Management and Budget Task Force will be to establish the Victorian Development Fund. The establishment of that fund

will have wide-ranging ramifications for meeting the needs of electorates, such as the one I represent in Mitcham, and those of my colleagues in the eastern suburbs.

It it pleasing to note that legislation is starting to filter through in this area. Once again the task force within Treasury is paying attention to the need to reorganize and restructure the finances of the public sector to ensure that the State's financial assets are being managed efficiently and for the benefit of Victoria. It is to be regretted that so many of the assets of this State are being invested in other parts of Australia so that other States are receiving the benefits. Those resources should be kept within the State and should be used for the benefit of the people of the State. I welcome the work of the task force in that respect.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I have allowed the honourable member for Mitcham some liberty in his remarks today. I now draw him back to the Bill which deals specifically with wages and salaries of Government departments.

Mr HARROWFIELD—The final point I make is that in looking at a document like a Supply Bill we ought not to see it just as a book-keeping exercise. If one examines the various items of expenditure for salaries they constitute a very substantial amount. It is important to recognize the potential that lies within those expenditures to generate activity within the Victorian economy. More attention should be paid to considering the economic implications of decisions which are inherent in the Supply Bill.

Like my colleagues from the eastern suburbs, I came into the Government representing an electorate that has many needs in areas such as transport, health and education. I welcome the sensible economic approach being taken by the Treasurer providing financial resources that will enable the Government to meet those needs. I commend the Bill to the House.

Mr BURGIN (Polwarth)—On the surface, the Bill may appear not to be a very important Bill because it does not handle a great deal of money but it is, from a monetary point of view, continuing Supply for a period until the main provisions in the Budget come into effect.

It is interesting to note that honourable members have heard so much about open government from the new Government but yet the format of the Supply Bill—to my way of thinking—is much the same as the format used by the former Government. The Bill does not offer any more information to honourable members than that which was available in the past; in fact, it does appear to me that some of the departments are lumped together in a general way which has not happened before.

If honourable members are to have a more detailed account of finances, we should start to see this coming through and I would expect, by the time the Budget is introduced, after all that has been said by the Government, that honourable members will be receiving the information that is required so that honourable members will be able to assess the directions to be taken in the future.

It was pleasing, after sitting here for so long, to hear a member of the Government speak on the Supply Bill and I congratulate the honourable member for Mitcham for his courage in rising and defying his Leader in breaking the silence of the Government. It is pleasing because I have been sitting here, waiting to say a few words, and debating whether I should take up with the Government some of the problems with the Bill on behalf of my colleagues, the honourable member for Ballarat South, Bendigo and Geelong West, who are not in the House at present.

The SPEAKER (the Hon. C. T. Edmunds)—Order! Problems associated with the Bill that deals with salaries and wages, I hope!

Mr BURGIN—Yes, Mr Speaker. The problems my colleagues face with many of the items covered by the Bill are

probably exactly the same as the ones I face. That is the conclusion I came to. Division No. 150 of the Bill—economic development—has had over $37 million appropriated; that is a sizeable sum in comparison with other divisions in the table. Yet, from a country point of view, that money is being spent on salaries, general expenses and other services. The dogs are barking out in the bush that the whole structure of offering incentives to country industries will be taken away from them.

It seems to me from what the dogs are barking that certain growth centres will be promoted on the whim of the Minister for Economic Development. I wonder whether the forcing of growth in country areas is always productive. The former Government spent substantial amounts of money in areas such as Geelong and I wonder whether unemployment in Geelong would have been more or less today if the money had been spent in other ways. I have reservations about forced growth in growth centres and I hope that what I hear around country areas are rumours and are not matters that will be debated and passed through the Parliament. Some of the matters which are being put forward seem to be detrimental to country areas and certainly detrimental to many of the companies and small businesses in many parts of Victoria.

Another sizeable amount of money is being voted to conservation, once again for salaries and general expenses, and part of another section of the conservation vote is to be allocated to the Soil Conservation Authority. This authority does a magnificent job throughout country areas in matters involving Crown land for which the Government is responsible — beaches, cliffs and coastal areas.

I have a tremendous admiration for the work the field officers perform and I certainly wish to see the payment of their salaries continue. It is not much good the officers advising the farming community, for instance, if the money is not there to help the farmers do the work required. At present this seems to be the case; the farming community is not able to obtain the necessary loans to undertake the work. Returning to the Bill, the salaries paid to those excellent officers are wasted, to some extent, because the backup is not there to complete the work that is necessary to be carried out.

Division No. 443 covers the Land Conservation Council, which once again, has carried out a tremendous amount of work throughout the country assessing Crown Land in Victoria. On the whole, its determinations have been well accepted by all people in the community. Some recommendations which have been made—I heard a murmur from members of the National Party on my left—have been well reasoned and accepted by a large majority of the population.

On the matter of supplying money to the Land Conservation Council, I find only a short time elapsed before the same Ministry, under which the Land Conservation Council was set up, was disputing its recommendations. I instance the situation in the Otway Ranges where people, whose salaries are provided for in the Bill, made the recommendation that the timber industry was extremely important to the ranges and that the area being utilized was somewhat under-used. It was found that waste was created from the saw milling industry and it was recommended that that waste be gathered and used.

The council researched all the other matters that needed to be researched, such as tourist potential and water supply, and it came up with the recommendations that the forest areas be multi-used and the waste, that was created from the forest industry, be collected. Of course, the Government did not take notice of those recommendations and insisted that further inquiries be made to find out whether that waste created by the forest industry could be used.

To come in line with the Bill, I point out that salaries are being paid by the Ministry for Conservation to have a job done, and that function should be carried out by the Land Conservation Council. That seems to be a waste of money

unless the newly-appointed Government intends going further than what it has stated in the past about the collection of waste. Of course, if it became a big operation, there would be a need to have further investigation as that is a new ball game. It seems that the decision to conduct a further inquiry, coming so soon after the Land Conservation Council determination, is a complete waste of salaries by that Ministry. I turn now to forestry. Once again I have a tremendous respect for the Forests Commission, and particularly for the foresters who work in the forests of this State. They have tremendous ability and knowledge. They are conservationists as well as foresters, because they know that to keep the forests alive, conservation is also required. They know how to manage the forests efficiently. That has been proven over a number of years.

I believed I should move an amendment to this section, because while these forest officers, who are drawing salaries, are giving advice to the Minister on a forest situation which they know thoroughly—and I do not think anybody has ever disputed that—the Minister seems to be taking more notice of the Ministry for Conservation on some of these matters. I wonder whether the officers of the Ministry for Conservation should not be seconded to the Forests Commission, or vice versa, to cut costs. These officers are being paid salaries, and if the expert advice which they are giving is not accepted by the Minister, then there is a waste of salaries and a waste of money, and I have heard this Government say many times that its aim is to cut down on wasteful expenditure. It seems wrong that a Minister is not taking the advice of his departmental officers on matters of this nature and is bringing in policies that are diametrically opposed to the good advice being given to him.

Mrs Toner—He was elected on that policy.

The SPEAKER (the Hon. C. T. Edmunds)—Order! The interjection was disorderly.

Mr BURGIN—I agree. Through you, Mr Speaker——

The SPEAKER—Order! The honourable member for Polwarth should address the Chair, and not put his remarks through me to somebody else.

Mr BURGIN—Thank you, Mr Speaker. This Government has stated that it intends to cut down on financial waste, that it is not going to increase taxes, and that it will achieve all this by saving the waste that is supposedly taking place. I say that, because of advice that is coming through other Ministries, the excellent officers who know their conservation job are having their advice overruled, and the Government is wasting salaries on these officers if it does not accept their advice.

Mr SALTMARSH (Wantirna)—I again observe that Government members have said very little on this Bill, especially those members representing the eastern suburbs, in terms of the services that are provided and the services that are lacking in that area. I wish to address a number of points in relation to the general provision of services in the eastern suburbs of Melbourne, and to firstly raise the issue of economic development and the advice that has been given in regard to encouraging economic development, development of new industry and new resources for the employment of personnel within the communities of the eastern suburbs. It is a great pity that more emphasis is not being placed on the development of infrastructure that will attract industry—the infrastructure of roads, water supply, sewerage, and so on, and those systems which then would link into the broader systems of communications across the metropolitan area. I speak in particular of the lack of efficient roads and freeway linkages.

The SPEAKER (the Hon. C. T. Edmunds)—I direct the attention of the honourable members to the fact that during the course of this debate on Supply, the Chair has ruled that the matter before the Chair is the Supply Bill. Services such as roads and other matters would come under another Bill entirely.

Mr SALTMARSH—Thank you, Mr Speaker. Division 160 is "Police and Emergency Serivces". Under that heading I direct the attention of the House to the serious lack of an effective provision of police services in the eastern suburban area. For example, in the City of Knox, which now comprises nearly 100 000 people, there are only 50 police. On the basis of the general statistics applying to the population, that is a ratio of one policeman to 570 people. There should be at least three times that number of police servicing the municapility of Knox.

At a recent meeting held in the Knox City Council Chambers to promote a "Speak Up" Campaign, the dramatic increase in crime was outlined, especially juvenile crime, and this is of major concern to all thinking people in that great city. If the police services in this area are not drastically upgraded, there will be a further breaking down of social standards and social institutions to the point where the Government will have to spend vastly increased resources on welfare and educational programmes, as other honourable members have indicated. It is important that this area have an effective policing system which becomes a crime prevention service as well as a crime detection service. There is an urgent need for the Government to consider more resources in this area.

The great City of Waverley, which is larger than the City of Knox, also needs increased resources and effective police services.

I move to family and adolescent services. Other members have spoken about this briefly. There is a sad, but very real increase in youth homelessness in our community. More officers are needed as councillors to assist young people and their families to understand how to cope with the various problems being faced by them in modern society. Youth accommodation and youth services is an area that needs increased allocation of resources by the Government.

Division 285, comes within the purview of the Ministry of Consumer Affairs. Additional resources are needed for a rearrangement of existing resources, and the Ministry should ensure that effective legislation is enacted against some of the more pernicious types of franchizing in our society, so that this can be effectively policed and hopefully eliminated. In the past few weeks I have become painfully aware of a great deal of suffering imposed on many people in the Wantirna area because of fraudulent franchising involving the sale of so-called egg retail distribution agencies. One young couple, in particular, face the possibility of losing their home because of that fraud. The case is now being investigated by the Fraud Squad of the Victoria Police, but the police are unhappy because there is insufficient legislation to allow them to take appropriate action in this field. I hope the Minister of Consumer Affairs will take note of this point, because it is a matter of urgency.

Unfortunately, there are also defects in the legislation dealing with house builders' liability. During the past twelve months, I have seen a number of homes that were newly built and could be described only as having been jerry-built. It is a tragedy that a young couple should be faced, having bought their first home, with a situation in which, after it has been raining, they find on waking in the morning that water has seeped through and soaked the carpet in their living-room, despite the fact that the house was built on a concrete slab. It ought to be possible effectively to prosecute the people responsible for that sort of shoddy workmanship, and that could perhaps be achieved by more efficent inspectorial services from the Ministry of Consumer Affairs.

I now turn to education. I am concerned that, so soon after the coming into office of the new Government, it appears that effective information is not being provided to the Minister so that he can make appropriate decisions following reviews into the intended expenditure on Government services.

In one case in Wantirna where a particular project has been suspended and a group of concerned local citizens have carried out a household survey. In doing so, they found that the information provided by the regional office of the Education Department was not as accurate as it ought to have been. If there is to be a rational planning of services, it is vital that effective information should be provided on which the planning can be based. There should be a more efficient utilization of available services within the department to enable effective and rational planning to take place.

A number of school principals have complained to me about the cessation of the limited tenure system and the provision of emergency teachers. It seems that some of the programmes in particular schools are being disadvantaged because they have to rely on emergency teachers who may not be capable or qualified in the particular areas needed by the schools. It appears that much of the allocation provided for in the Bill will go to meet increased salaries and wages for teachers. It would be a shame if that meant that other educational services would have to be reduced.

I have been a little disturbed about a number of the reactions that have already occurred in the Wantirna electorate following some recent Government actions. I received a number of phone calls today from people who are worried about the stamp duty exemptions and rebates available for first home buyers through the new measure. Taxation has been described as the art of so plucking the goose as to obtain the maximum of feathers with the minimum of hissing. Because of a whole range of activities in which the Government has engaged, it is plucking many feathers from the wrong geese and there will be a great deal of hissing. Perhaps members of the Opposition should encourage that hissing, because it will lead to a redress in the balance of Parliamentary representation at the next election.

Another matter of grave concern in the eastern suburbs is the provision of health services. Residents of that area were confident that increased services would be available, but it now appears that services are to be severely limited because of a review that is being conducted at present. It is also possible that there will be a reduction in the base from which medical services will be provided by the William Angliss Hospital. Members of the Opposition are most anxious to have widely spread preventive health services. Those sorts of services cost less and are more effective than curative services. Members of the Opposition will press strongly to ensure that the Government increases health services, rather than decreasing them, as it appears now to be planning to do.

The people of Victoria, and certainly those of the outer eastern metropolitan area, deserve effective and proper planning for a whole range of communal services. To that end I shall certainly be hoping that the geese that are plucked are very aware of what is happening. The Government will find some of the geese to be tough and they will kick back and tear down the facade of discrimination and ineffectiveness the Government is now building.

Mr IHLEIN (Sandringham)—I have no desire to be provocative during this debate, because in debating a Bill of this nature we, as members of Parliament, have an important role to play in a process that started off with an exercise in which I was involved between 1974 and 1976—the Royal Commission on Australian Government Administration. That commission commenced a process of creating awareness of the importance of the fine detail of implementing Government policies, not just of the actual formulation of those policies.

Through the Supply Bill and the documents attached to it, the Government is continuing existing services. It is not expanding the Government's programme into new services. Some of the comments made by the honourable member for Westernport dealt with new

services he believed should be introduced, but they are not within the purview of this Bill.

I commend the Treasurer on the method of presentation of the Bill. This method of presentation is part of the process the Government is going through to try to have the accounts and public sector information presented to Parliament and the public put into a form on which decisions can properly be made and which the public can understand.

I now turn to the importance of the Supply Bill, which must be seen not only in the context of the role it plays in what is spent on Government wages and salaries and associated matters, but also in the light of its impact on the economy. Division 142 refers to the Audit Office of the Department of the Premier and I indicate the very great importance the Government places on implementing the kinds of reforms set out in the work of the Public Bodies Review Committee. The Audit Office has an import- and role in implementing effectiveness reviews and not only the old accounting audits but also effectiveness audits. I welcome the determination of the Government to set objectives and functions for bodies and performance standards, the meeting of which can then be tested by effectiveness and efficiency audits.

I welcome the introduction of programme priority budgeting. It is not a term described by the honourable member for Westernport as "buzz" words. It has been well accepted in private industry over a long period and in the Australian public sector that there should be programme priority budgeting. It is not merely jargon that comes and goes—it has a substantial body of material to back it up. I refer also to the report by Touche Ross Services Pty.

Mr WILLIAMS (Doncaster)—On a point of order, I do not believe the honourable member is keeping to the very narrow confines of the Bill. He is talking of academic subjects that honourable members should hear but his comments are against the rulings given by the Deputy Speaker earlier in the debate.

Mr RICHARDSON (Forest Hill)—On the point of order, I support the point raised by the honourable member for Doncaster. I do not wish to make the task of the Speaker difficult and my objective in supporting the point raised is to make it easier and to establish clarification.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I hope the honourable member for Forest Hill will get to the point.

Mr RICHARDSON—The point of order is one of relevance and of consistency. If the rulings are to be consistent, it must be ruled that the introduction of the Touche Ross report by the honourable member, the references to programme priority budgeting and other expressions are beyond the purview of the Bill. I would regret if it were found not to be relevant because I believe they are relevant, but the fact is that, to be consistent with previous rulings during the debate, there is no option but to rule the honourable member out of order.

The SPEAKER—Order! I shall rule on the point of order. I do not uphold the point of order. The honourable member for Sandringham has barely touched on the subject to which he wished to refer. I am watching and listening carefully to ensure that his remarks do not infringe on the previous rulings given during the debate on the Bill. I call the honourable member for Sandringham on the Bill before the House.

Mr IHLEIN (Sandringham)—I shall make two references to the Touche Ross report to indicate that it is directly within the purview, to use the words of the honourable member for Forest Hill, of the Audit Office of the Department of the Premier. At page 3 of the report, it is stated:

> Parliamentarians have a duty to ensure that public funds are utilized effectively, efficiently and for the public good. The managers of public bodies must therefore be held accountable to Parliament for the performance of the

body which they manage. The Study Team does not believe that the necessary environment for the level of accountability which is needed can be created by modifying the existing organizational structures nor by amending the existing legislation.

At page 1 of the report, the study team summarizes its conclusion and states:

The Parliament of the State has over the years . . .

failed to update the role and responsibilities of public body auditors so as to provide advice to Government, Parliament and public body management.

The report also makes telling comments on the inability of the former Government to provide effective and efficient management of public bodies in the State and says the Parliament has:

permitted the creation of so many public bodies that the task of managing them effectively is beyond the capacity of the Victorian Government

I do not care which Government is in power in this State. If I had a Supply Bill before me that presented material in such a manner that one could not even start looking at efficient management of that public sector, I would not be happy. It is important to get the public sector into good shape for efficient management.

Divisions 680 and 686 refer to the building and construction industry. It is critical that the Government achieves a major boost to that industry, as the Treasurer referred to it in the second-reading speech.

The SPEAKER—Order! The honourable member will be able to refer to that matter in more detail when the Works and Services Bill is before the House. At present the debate centres on the Supply Bill and I ask the honourable member to return to the Bill.

Mr IHLEIN—I refer to Division 350, which relates to the Law Department and the provision for legal aid. Before entering Parliament, I took great interest in legal aid and I remember having discussions with the former Attorney-General in another place in 1975 when the Australian Legal Aid Office was being dismantled and State legal aid Commissions were taking on various functions. I had discussions with both Mr Storey and Mr Ellicott, the Federal Minister at the time, on assurances that funding would be maintained for those State bodies. The assurances were not forthcoming and the level of funding has not been continued. During the time I am a member of Parliament, I hope that increased funding for legal aid will be achieved at both State and Federal levels.

Divisions 435, 437, 439, 450, 462 and 490 refer to environment protection. Honourable members will recognize immediately that the subject of environment protection is covered by many departments. In the electorate of Sandringham, control of foreshore matters comes under the Ministry for Conservation, the Lands Department, which also has control of the Port Phillip Authority, the Public Works Department through its Ports and Harbors Division and the Environment Protection Authority as well as local committees of management and bodies such as the Board of Works for waste discharges. That is an administrative mess inherited by the present Government which it will endeavour to overcome. The problems caused by this mess are similar to the matter raised by the honourable member for Polwarth on the Forests Commission and the Soil Conservation Authority.

These sorts of matters should have been attended to. They are basic administrative practice that any Government should have implemented.

I now turn to Division 187 concerning the police. In the electorate that I represent there has been a spate of police problems involving vandalism, particularly related to the use of air rifles. In the past two weeks my house was shot at by an air rifle and a light was shattered. The front doors of the Beaumaris police station were blasted by an air rifle, as were garbage tins. The local schools and the Highett shopping centre have similar problems. I welcome the fact that the new Govment is allocating resources to overcome these problems.

I also welcome Division 301, which relates to the education budget and the payment of substantial funds to inde-

pendent schools. During the election campaign I assured the schools in the electorate that I represent that they would continue to receive funds and I am thankful that this will occur.

Finally, I refer to Divisions 270 and 273—Youth, Sport and Recreation. The honourable member for Westernport seemed to speak in glowing terms about the White Paper produced by the former Government. In the Sandringham electorate during the election campaign that paper was something of a lead balloon. When referring to the areas in which substantial new major incentives may have been introduced, the honourable member omitted to refer to cuts for ordinary sporting clubs and organizations that went with them. I welcome the fact that the Government is reviewing that matter.

I also welcome the need for rationalization of racing clubs in this State, not only gallops clubs but also harness racing clubs in which I have an interest. I welcome the need for control of the administration and I indicate for the benefit of the honourable member for Westernport that the Minister for Youth, Sport and Recreation has an interest in youth matters. If the honourable member had read the newspapers, he would know that in the past two weeks two major youth grants have been advertised.

The sitting was suspended at 6.35 *p.m. until* 8.4 *p.m.*

Mrs PATRICK (Brighton)—I refer to Division 285—consumer affairs—which covers the salaries, general expenses and other services provided by the Ministry of Consumer Affairs.

Firstly, I pay tribute to the staff of the Consumer Affairs Bureau whom I have found to be extremely helpful at all times. I was a member of the Consumer Affairs Council prior to my entry to this august place and at that time was impressed with the efficiency of the bureau. Also, as a local solicitor, I found them extremely helpful in the kinds of circumstances referred to by the honourable member for Westernport of people buying used cars which turn out to be lemons. I have found them to be incredibly helpful.

The honourable member for Westernport suggested that more teeth should be given to the Consumer Affairs Bureau. In the circumstances he described, it is a very difficult problem. Unfortunately, there are still some used car dealers who try to palm off to an unsuspecting member of the public a car which is not of merchantable quality.

Mr Jasper—Not in country areas.

Mrs PATRICK—I welcome the interjection.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I did not welcome the interjection. I ask the honourable member for Brighton to ignore the interjection.

Mrs PATRICK—A used car dealer would not last long in a small town if he did that, but in the metropolitan area it is not quite so easy for the Motor Car Traders Committee to supervise all dealers.

It is timely to refer the public to the old adage *caveat emptor* which means, "Let the buyer beware". Within their limits, the Consumer Affairs Bureau and the Consumer Affairs Council, under the expert leadership of Professor Maureen Brunt, do their best to warn the community at large about possible problems facing them.

I have been interested to observe the performance of the new Minister of Consumer Affairs. I am particularly interested in the fact that he told us he was having an inquiry conducted into the price of victuals and provender at the football. We heard no more about that matter. When asked a question in the House, the Minister went to some lengths about the inquiry. I am particularly interested because, as I understand it, the Consumer Affairs Bureau and the Consumer Affairs Council have no jurisdiction with respect to prices.

The Minister also talked on the radio about the price of beer. One wondered what he was going to do in the circumstances. He said he was having a hotline installed and people were to ring in about beer prices. I would like the Minister to come back to this place and tell honourable members what happened as a result of his inquiry into the price of victuals or food and drink at the football and the result of the hotline on the price of beer.

The SPEAKER—Order! But not on this Bill, I remind the honourable member for Brighton.

Mrs PATRICK—The amount mentioned in Division 285 relates to the salaries of the officers who do the work at the Consumer Affairs Bureau. I am very interested in that fact because there are many areas on which I would like the staff to advise the Minister about what he should be doing. If those research officers are not able to advise the Minister, or if he is not listening to that advice, I suggest that those salaries are being paid unnecessarily.

The matters upon which I would like the research staff, those excellent officers like Mr Andrew Lackowicz and Mr John Miller, the Director of Consumer Affairs, to advise the Minister of Consumer Affairs include fireworks. I have not heard what has happened about the banning of the sale of fireworks, There have been many horrifying accidents resulting from the use of fireworks.

An article appeared in the newspaper recently saying that the biggest fireworks dealer in Victoria was still selling fireworks and was doing a roaring trade. I should like the Minister to seek advice from those fairly highly salaried officers as to what he should do about fireworks.

The next matters on which the Ministers of Consumer Affairs and Health should seek advice relates to the sale of mineral water. *Choice* magazine put out an article indicating that imported varieties of mineral water contained unacceptable arsenic levels and claimed that the price did not warrant those varieties being bought. The article stated that people would be better off drinking tap water. I understand that mineral water is more attractive than tap water, but the Minister has said nothing about the *Choice* article, so far as I am aware.

Another matter that research officers within the Health Commission ought to be considering and seeking assistance on is reports about the level of carcinogens in all sorts of products such as aerosol containers and cosmetics. This worry is world wide. Considerable research has been carried out in the United States of America and the Minister of Health should give the public warning about what is contained in those products.

The pre-election policy of the Government stated that advertising by solicitors would be examined. I wonder which member of the research staff of the Consumer Affairs Bureau is examining this matter and what attitude the Minister will have following representations and advice given to him by his staff. The issue of shopping hours is still a matter of controversy in Victoria. Who is better than the consumer to tell the party in Government what is needed? It is still a vexed question that is of vital importance to many people, particularly women who work and want to shop with their families. The Minister of Consumer Affairs has not informed honourable members what advice has been given to him on this matter. The situation that applies in Victoria also applies in England.

Another matter is the growth of the mail order cataloguing business. Radio broadcasts have warned people to be careful when their names are put on lists, because mailed material may be sent in an unsolicited way. They were told to be careful of what they were buying from mail order catalogues, which is a helpful service for many people who cannot leave their homes to shop or who find it more convenient to shop by the mail catalogue order system or by telephoning a store that advertises in the paper.

Mr IHLEIN (Sandringham)—On a point of order, apart from the fact that the Minister of Consumer Affairs and

I will be meeting with the direct selling association tomorrow, the remarks of the honourable member have little to do with wages and salaries in the Supply Bill.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I uphold the point of order. I know what the honourable member for Brighton is saying, with great clarity, but I ask her to relate her comments to the Bill, rather than continuing in the way she has been.

Mrs PATRICK (Brighton)—I know that the staff, who are being paid salaries, are conducting an inquiry into misleading advertising. I congratulate them and the Government. I have no doubt that the Minister has had a hand in the matter. I would be interested to see the results of the misleading advertising inquiry. I have been interested in advertising for some years, and I would like the inquiry to consider the matter of females being used for advertising. The situation has gone a little past the naked lady draped over the truck but encroachments are being made in that area of advertising and I notice that advertisers are slipping again on television and in other media. I suggest to the Minister that the inquiry should be extended to cover that matter. It should also look at setting up trust funds for home renovators, and so on.

I shall deal with "Correctional Services—Salaries, General Expenses and Other Services". I was interested today to read a small newspaper put out by the Victorian Association for the Care and Re-settlement of Offenders. It deals with the history of women in English prisons and contains an article on women being transferred from Fairlea Female Prison to Pentridge Prison. The Minister for Community Welfare Services may allow women prisoners to progress to other penal establishments. I was pleased to be at the opening last year of the Yarra-Brae Unit at Fairlea Female Prison, which was opened by the former excellent Minister. It means that eighteen females will be housed in better conditions. I would like that trend to continue. Although the fire at Fairlea prison was unfortunate, it has allowed an opportunity for prisoners to be better housed and I am sure the Minister for Community Welfare Services will keep an eye on this matter. The article also indicates that in the English system babies are being allowed to be kept in the prison and this has happened at Fairlea. However, I have found that perhaps some salaried officers of the Department of Community Welfare Services have not been as helpful as they may have been. Page 3 of the magazine deals with the remand subcommittee, which is of vital importance to prisons in Victoria. It states:

> Our Remand sub-committee is busily preparing remand alternatives for submission to the Government but seems unable to secure to date certain documents from the Department of Community Welfare Service which are very necessary to its deliberations.

It seems strange that the remand subcommittee of the Victorian Association for the Care and Re-settlement of Offenders is not able to obtain the information it seeks. I wonder whether officers are being unnecessarily obstructive, whether an instruction has not been given by the Minister that this material ought to be made available, or whether no material is available. Perhaps the salaries paid will be better used in other areas if the staff are unable to ask the Minister for authority to hand over the documents or whatever the committee wants to look at.

I shall deal with Division 240. I am concerned that more money should be allocated for staff to research the matter of homeless youth. I visited England recently, as I was lucky enough to receive a Commonwealth Parliamentary Association trip, for which I am grateful to the association and its members. I was interested in the problem of homeless youth. I visited Brixton and walked around the area where the riots had occurred. Most of the housing had been burnt to the ground. I talked to the race relations officer and other officers in the area about homeless youth. I also visited the Borough of Camden and the Borough of Westminster. So far as I could gather, England has few homeless youths under the age of fifteen years.

The problem seems to be peculiar to Melbourne. From what I could ascertain from other cities in the world, there were not significant numbers of young children homeless at night. It is difficult to know why it happens here and the matter is of grave concern. Much work has been done in this field by the Department of Community Welfare Services and I should like to see more money going into that area. In London, a variety of remedies operate. The authorities there work hard at foster care programmes in which even a single person can take a young homeless person into his or her home, be paid a subsidy and look after that homeless person until he or she is ready to move on. There are various gradations of housing so that finally homeless persons can return to the community and be resettled.

Obviously, people who are homeless are homeless for a reason. Other problems have caused them to be homeless in the first instance. I am sure the Minister has this matter well in mind but I am anxious that more research be done to solve the problem of why so many young people are homeless in Melbourne at night. Accurate figures would be helpful. In talking to people in England I was conscious that in Melbourne we were not sure whether the number was 200 or 600 a night. It is difficult to know what the number is because those people who take in young homeless people are trying to help them, not to count them.

The SPEAKER—Order! It is interesting to know what is occurring, but I ask the honourable member to return to the Bill.

Mrs PATRICK—Once again, I urge that more research be undertaken into the problem of homeless youth.

Mr JASPER (Murray Valley)—This debate on the Supply Bill has extended for a long period. The first thing that strikes me in reading the second-reading notes and in investigating the explanatory memorandum is that one needs to ask the question: Does the Supply Bill break new ground? We need to ask ourselves that question because we are constantly reminded of that when we look at the second-reading notes.

On page 3 of those notes the Minister states:

> Honourable members will have noted that this practice has been discontinued . . .
>
> . . . for the current Supply Bill now before the House. Rather, a separate explanatory memorandum to the Bill has been prepared. This lists for each division the estimated amount to be required for each of the broad sub-divisional classifications of expenditure together with the percentage that the total provision in the Supply Bill represents of the amount provided for that division in the 1981/82 Budget.

I ask again: Does the Supply Bill break new ground? The Minister states that it is a new approach to the financial and economical management of Victoria. However, on the first page of the explanatory memorandum he states that these amounts have been calculated as being required to cover the ongoing operating costs of departments during the first five months of the 1982–83 financial year. The explanatory memorandum then goes on to state:

> In calculating the Supply provisions no new policy initiatives involving additional expenditure have been included. The amounts included have been calculated on the basis of on-going activities including the operating costs of new programmes introduced in the 1981–82 financial year which will be on-going in the 1982–83 Supply period.

On page 6 of the second-reading notes, the Minister states that the formal establishment of the Victorian Development Fund will take place in 1982. He goes on further:

> The effect of this new approach to financial management will be felt early in the financial year.

The only additional information with which honourable members have been supplied, apart from a further breakdown of the figures for expenditure by each of the departments over the first five months of the coming financial year, is a percentage, the percentage that that figure represents of the amount provided in the 1981–82 Budget.

Again using the second-reading notes provided by the Minister, one finds that he deals with wage determinations in the following terms:

> The definition of determination contained in clause 2(3) of the Bill has been amended to provide for the situation where a Minister has

the legislative power to determine salaries or wages. This situation arises in the Education Service Act 1981, where the Minister has authority to determine the salaries and wages for officers and employees in the Education Service. To ensure that any determination made by the Minister in this situation is covered the word "person" has been inserted in the definition of determination.

Surely that is a contradiction of what the Premier said in reply to a question without notice in this House today. He talked of a return to a system of wage fixation through the Conciliation and Arbitration Commission. The National Party supports and applauds that suggestion. The Premier's answer to the question without notice highlighted that there had been a bigger increase in salaries over the twelve months to the end of March 1982 than in the previous comparable financial year, and it was suggested that that was because there was not a true operation of the Conciliation and Arbitration Commission as there had been in the past, yet this Bill contains a clause empowering the Minister to determine salaries and wages. Which way does the Government want it? Does it want collective bargaining? That may be the answer to some of the problems of wage determination in Victoria today, but it is in direct contradiction to what the Premier stated today.

The figures contained in the Bill need clarification by the Premier and the Treasurer. I ask again: Does the Supply Bill break new ground? I suggest that it certainly does not.

I mention some areas in the explanatory memorandum which details the funds that have been provided to many Government departments. The Department of Community Welfare Services is dealt with in Divisions 240 to 255. I ask the Treasurer, and perhaps direct the matter to the Minister for Community Welfare Services, how far the Government is going in the development of attendance centres in Victoria? I hope finance is provided in the Community Welfare Services allocation to provide for the development of attendance centres in country Victoria.

The SPEAKER (the Hon. C. T. Edmunds)—Order! That matter would be better canvassed in the debate on the Works and Services Bill.

Mr JASPER—I am talking about the salaries provided by this Bill.

The SPEAKER—The honourable member is in order.

Mr JASPER—There is no provision for capital works in this allocation. It is purely the funding provision for the people who would handle attendance centres throughout Victoria. I remind honourable members that there are only five attendance centres in Victoria, four situated in the Melbourne metropolitan area and one in Geelong. The former Minister stated that two would be developed in the 1981–82 financial year, and the new Minister indicated in reply to my questioning last week that an attendance centre would be provided at Bendigo. I hope that will come to fruition in the near future. It was indicated that two centres would be developed in country Victoria during the current financial year. I ask the Minister when the second attendance centre will be provided and whether funding is provided in the Bill for the first five months of the next financial year to extend the attendance centre scheme so that equal justice can be obtained right throughout Victoria.

I remind the House that, in the present situation, a magistrate in country areas can fine a person only for a misdemeanour, or sentence that person to a gaol sentence whereas, in metropolitan Melbourne, magistrates have the opportunity of sentencing an offender to an attendance centre. It is to be hoped that the Minister for Community Welfare Services will explain to the House how much money has been allocated for the first five months of the next financial year to develop the attendance centre programme and achieve equality of justice. On many occasions honourable members opposite have spoken about equality of justice, but it appears that if one lives in a rural area one will not receive equality of justice.

In 1978 a report was presented to Parliament on the future of social welfare in Victoria. Since that time there have been three different Ministers for Community Welfare Services, and each Minister has given a commitment to develop attendance centres and a work order scheme. The former Minister for Community Welfare Services indicated that the work order scheme was proceeding. It is to be hoped that the present Minister for Community Welfare Services will ensure that the necessary money is provided to develop the work order scheme.

I refer to Division 150 and the allocations for the Ministry for Economic Development. It is interesting to note that there is a separate financial allocation for the Ministry for Tourism. It is to be hoped that the Ministry for Tourism will receive the same concentration of effort that the former Government gave. There was a separate Ministry for Tourism under the former Government, which ensured that the necessary funds were provided for the development of tourism. It may well be that the Minister for Economic Development will find that the issues affecting that Ministry will cause the Ministry for Tourism to take second place. The honourable member for Lowan said that tourism offers the greatest scope for expansion and stimulation of the Victorian economy. It should be noted that the north-eastern area of Victoria offers enormous potential for the tourist industry. There is no indication of a financial commitment under Division 155 for ski resorts.

The SPEAKER (the Hon. C. T. Edmunds)—Order! That matter would come under capital works.

Mr JASPER—I appreciate your comment, Mr Speaker.

The SPEAKER—Order! It was not a comment; it was a direction to the honourable member for Murray Valley to return to the Bill.

Mr JASPER—The former Government made a commitment that funds would be provided until 1985 for the development of ski resorts under the Ministry for Tourism. However, there is no indication in the Bill that a similar commitment has been adopted by the new Government.

The former Government made a commitment to develop ski resorts. I should be interested to learn whether that commitment has been adopted by the Government and, if so, whether it is under the heading of "Other Services" in Division 155, which would ensure the promotion of ski resorts in north-eastern Victoria. However, it is to be hoped that tourism will not take second place under the Ministry for Economic Development.

Another area of concern is that of the development of small business. Although there is a financial allocation for the Ministry for Economic Development, there is no mention in the Bill of any financial allocation for small business. Prior to 3 April one of the policies of the Labor Party was the appointment of a Minister with special responsibility for small business—"a first ever in the State of Victoria". One assumes that that policy will be put forward again at the next State election.

During the recent election campaign the Government said that a separate Ministry should be established to handle small business, but it appears that the Government is not prepared to stand by that election promise. More money should have been allocated in the Bill to provide an additional $10 million for the Small Business Development Corporation to assist small businesses. It is to be hoped that a large proportion of the funds will be used to assist decentralized industries, and that the Government continues the dedicated work performed for decentralized industries by a previous Minister for State Development and Decentralization, the Honourable Murray Byrne.

The National Party is concerned that the Government may not be too keen to ensure, for obvious reasons, the development of decentralized industries in country areas. If that were so, there would obviously be a reduction in

the funds allocated for pay-roll tax concessions and the development of decentralized industries.

Surely if the Government is going to promote decentralization and economic development right across the State, it will need to maintain the flow of funds to decentralized industries by that subsidy or repayment of pay-roll tax. Decentralization and economic development go hand in hand. It is disappointing to see the change in name of the Ministry of Economic Development which was undertaken by the previous Government.

The National Party will be reminding the Government of its commitment and the commitment it should have to maintaining and extending decentralization and promoting development across the State of Victoria.

Other matters could be mentioned in the area of funding, but it is disappointing that in his second-reading speech the Treasurer stated that greater detail and additional information will be provided for honourable members so that they could see where funds are being used, yet the explanatory notes tell us very little of what the Government intends to do in the next five months. Prior to the election, the Labor Party gave the State of Victoria a commitment that once it came into government funds would be spent immediately. It was said that in the first twelve months large sums would be spent, for instance, on housing and in many other areas which could be named. The Government has been in office for almost three months; surely it could have provided funds in the areas where it gave commitments.

The Supply papers presented with the Bill show that there are no extensions of funding to Government departments over and above normal wage increases. I trust that in future more explanation will be given and additional explanatory notes provided, as indicated by the Treasurer, and that open government, as has been so often stated by the Labor Party, will take place. We look forward to receiving more information in the future and being able to debate this type of legislation better and more fully.

Mrs SIBREE (Kew)—In joining in the debate on the Bill to provide Supply to the end of November, I again look at the speech made by the Treasurer who referred to the proposed introduction of modern financial management techniques. Honourable members have heard this stated so many times that it has become jargon and almost old fashioned. It has become the *Kama Sutra* of the Treasury to talk about a number of techniques, few of which we have seen or are likely to see.

The way in which the Supply Bill has been presented to the House is disappointing and the points raised by the honourable member for Murray Valley reflected my thinking on this aspect. We looked for a more meaningful presentation of the Bill to the House, but nothing new has happened. The measure does not do anything new; it retains the *status quo* and will be disappointing to the public, who could have expected much more from the new Government in its first six months of office for which Supply is being sought.

I refer to Divisions 102 and 106 in the table attached to the Bill, and these refer to allocations made to the Parliament of Victoria. I raise a number of matters in which the Minister of Transport and the rest of the House should be interested in addressing themselves to improving the status of Parliament, such as improving the ability of honourable members to carry out their jobs and improving research facilities which should be made available to honourable members.

The allocation for the Parliamentary Library—Salaries and General Expenses, is $160 000, and that for the Legislative Council and Legislative Assembly House Committee, which have some research facilities attached to them, is $1·6 million.

Much better research facilities are available in the Commonwealth Parliamentary sphere. We are behind the

times, and the Government and all parties in the Victorian Parliament should examine the facilities available to honourable members. Honourable members are all aware how difficult it is to obtain up-to-date financial details from time to time. These include statistics on members' electorates, the quantity of resources available in electorates and things that honourable members need to know to enable them to make proper decisions in Parliament about the future of the State.

I draw the attention of the House to this matter, which has not been talked about or talked to during the debate on the Supply Bill, and it is most important for all parties and for Parliament to consider. In the United Kingdom Parliament the facilities for individual research assistance to members, and particularly the library, are much more up to date than those of the Victorian Parliament. We could have modern data based retrieval systems in our Library to provide ready access to information on a daily basis to help not only members of the Government but also back-benchers.

I refer to the allocation for community welfare services, particularly Division 241, Research and Social Policy, and Division 246, Family and Adolescent Services. Nobody in the House has raised the questions that come close to the heart of many people in the community, such as child care, resources available and research being carried out into child care needs. I do not wish to be an advocate in this House only for women's affairs, but point out that very little has been said during the debate on matters that are important for many people. I hope that in the allocation for research and social policy of $188 000 some commitment will be made to examine the needs of the community. The Government cannot just duckshove it and say it is the Federal Government's responsibility. It is up to all of us to make decisions, go into the community and find out what the real needs are.

I do not regard child care as being of concern only to mothers, working mothers and others; I talk about it as a necessity for many families, including all sole parent families. I think of it in terms of the requirement for families from time to time to obtain part-time child care and relief from parental duties.

In the research and social policy area we should also be looking to the question of parenting leave. I am sure the Minister for Community Welfare Services will be interested in this area. I do not believe the granting of purely maternity leave where it is assumed that the woman has the sole responsibility for parenting children is the answer. Parenting leave should be examined in the research and social policy area of the Department of Community Welfare Services. I hope the Minister will take these ideas on board and that some of this small allocation may be used in that direction. I am mindful of community needs and the requirement for further details in these areas to be provided.

I refer next to Division 285 dealing with consumer affairs. A good deal of the allocation for salaries and general expenses under this division goes towards research and community response but I draw attention to the need for a careful look at the provisions of the Local Government (House Builders' Liability) Act dealing with home building insurance. Research is needed into the arbitration system to ensure that it is independent and that home renovations fall into the house building liability area, which is not now the case. I hope the allocation for the coming months will take that matter into account. I am mindful that the Consumer Affairs Council has completed a considerable amount of work on the question of conveyancing and solicitors' fees. I hope the council and the officers will be able to pursue many of the excellent ideas presented in the report of the Consumer Affairs Council. I was a member of the council which produced the original report. I am not a favourite person of the legal profession, but there is a need to examine the structure and services provided by the legal profession. An examination of the fixing of solicitors' fees needs to be made.

I know the Government gave a commitment to examine these fees and the public requires such a measure. More work should be undertaken by the Consumer Affairs Council in conjunction with the Law Department.

The area of employment and training is perhaps one of the most disappointing areas. Some of the decisions made in priorities in the employment and training areas are dangerous. I am conscious of the changes in direction of the New Opportunities for Work programme. The Minister of Public works, who is at the table, will be aware that people have been removed from the programme. The people who have been removed have been trained to go out into the community and develop new jobs and new skills, and to spread an awareness of the potential for taking up new job occupations and develop creative opportunities.

The field staff have been dragooned back into the Ministry of Employment and Training. They are no longer in the community; they are part of a bureaucratic structure. The salaries and expenses in this area—nearly $8 million—should not be spent on bureaucrats. The funds should be spent on salaries for people with knowledge of business management who can go out into the community and teach young people to stand on their own two feet to help them find creative jobs or start a business of their own in areas of need.

Job opportunities are available in the craft area as well as in the area of care for the aged. For instance, in the electorate I represent a number of young people could be gainfully employed in patching up fences for elderly people if only someone could guide them and provide a little nous to incite them to get their money together and work out an advertising campaign and so on.

Money has been spent on dragooning people back into the bureaucratic system instead of allowing them to flow into the community and respond to the needs of young people. I am mindful of the problems of a group in Hawthorn known as the "WORCO" programme which is based on good will and has found work for young people in Hawthorn. The group has been denied any assistance from the Government in creating new job opportunities for young people in the area.

The Government stands condemned for its bureaucratic attitude to employment and training. Job opportunities cannot be provided when the necessary people are cloistered in Exhibition Street. Job opportunities can only flourish when people work out in the community responding to the needs of youth and helping them to respond to the needs of the community. The Government has not listened to any representation and has not listened to a submission of mine on behalf of the WORCO group in Hawthorn.

I am concerned particularly with Division 231 under the heading of education concerning the Teachers Registration Tribunal. Although the allocation is rather small, involving $86 000, one must recognize that the tribunal has real powers over people's lives and their income-producing ability. I am mindful of a particular constituent who applied to the registration board for registration as a teacher. It was suggested by the powers that be that she should take a course in the early 1970s which would qualify her to become a teacher. My constituent undertook a course and entered the private school system. On reapplying into the State school system approximately six years later—with six years' teaching experience—she was advised that she would have to go back to scratch and undertake another course because her qualifications were not recognized. The whole area of teacher registration should be examined to provide more flexibility so that if people move from the State school system to the private school system their needs are taken into account. With the Government's policy, more teachers will have to move out of the private school system. The Government has undermined the whole area and their needs to be greater flexibility and recognition of the problems.

The honourable member for Ringwood might laugh about the problem but she would not do so if she were a private school teacher seeking acceptance in the State school system.

The SPEAKER (the Hon. C. T. Edmunds)—Order! The Bill has nothing to do with the private educational system.

Mrs SIBREE—It does with respect to the registration of teachers in the private school system who are seeking registration to teach in the State school system which will be the only alternative if the Government has its way!

I refer particularly to Division 503 of the property and services appropriation. My comments refer to the Public Records Office which is a busy office in which many people have an interest. It seems that public records and freedom of information have been spoken about a great deal in recent times as well as public access to information. I am mindful that the Public Records Office closes between 12.45 p.m. and 2.00 p.m. The records office should be open during the lunch hour period because that is the only chance many people have of seeking information without requesting time off from work. The sum of $277 000 allocated by the Government in this area could be stretched to allow some flexibility in working hours so that the public would have more access to public records.

Since the Minister of Public Works is at the table, I point out that people have experienced difficulty in gaining access to records located at Laverton, which is many miles away. Perhaps that problem could be addressed. I draw attention to the matter because if such vast amounts of money are provided for public services, those services should be available. I trust the Minister will take up that point.

Finally, I refer to the salaries and expenses in the health area. I hope that the Minister of Health, who is in the House, will be mindful of the real need to make the most of existing services and take heed of areas where propositions are put to him and whereby, spending fairly small amounts of money on change and reorganization, he will be able to achieve a salary reduction.

I refer particularly to the Canterbury family centre. A submission has been made to the Minister for a small amount of money to reorganize the buildings at that centre. The main point is that in undertaking that reorganization and spending more money on works in that area the Minister could look forward to a salary reduction of $100 000 a year at that centre.

I trust that in the many areas of health expenditure the Minister is mindful of the series of submissions and makes careful examinations instead of merely giving submissions a cursory glance and saying that many submissions are received which do not always involve a salary reduction. I hope the Minister will give careful consideration to the problem.

I conclude by saying that the manner of presentation of the Supply Bill does not leave honourable members any more in the picture than before. It is a carry on of the previous situation with nothing new added. I am disappointed that the document is not more interesting as might have been expected and I trust my comments will be of value in guiding the Government in the future.

Mr REYNOLDS (Gisborne)—This Bill grants Supply to the Government for the next five months. I congratulate the Treasurer on his preparatory memorandum. It is a good initiative, but the information he has provided in the document could go much further. More information is required than just a brief explanation on the reason for part of the increase. The other matter that surprises and even disgusts me, is the lack of support for the Bill from honourable members, particularly new honourable members of the Government party. They have entered this place claiming that they represent electorates that are badly in need of assistance, but only about two of them have bothered to present their cases to the House. Perhaps those Government supporters have another way of approaching the Government that Opposition members do not know about, such as underhand methods. In any case, as the honour-

able member for Hawthorn says by way of interjection, there is no help in this Bill anyway.

In the three years that I have been in this place, I have heard members of the present Government talking about the waste, mismanagement and dereliction of duty of the former Government. There are various catch phrases that the Labor Party issues from time to time indicating that the Liberal Party does not care about small people, does not show compassion and, when in Government, was a tired and stagnant Government. However, this Bill does not solve any of the problems.

Since the Labor Party came to power, it has said that it will solve all the problems with the Victorian Development Fund and will get the State moving again. I have not noted any moves in the Bill that will get this State moving again. The amount of $1·88 billion will not go very far. Honourable members have heard phrases such as, "modern financial management techniques", which sound good on paper but do not mean very much when it comes to action in the market place.

I shall mention three or four items in the Bill. Firstly, I mention the funding of salaries in community health centres. A rationalization of community health centres should take place in those sorts of fields funded by the Government because there is an overlap in some services, particularly those provided by the Early Childhood Development Programme and community health centres. There have been moves to expand this area. I do not doubt that that may be a good idea, but expansion must be justified before allowed to continue and take over like a growing octopus. Providing services, particularly specialist services, needs controlling and should be provided on a more regional basis.

I shall deal with Divisions 301 to 325 in the education field. I have received representations from schools that are concerned with the new promotional structure that is causing significant disruption in the school system. The disruption is exacerbating problems caused by confinement leave and study leave. Some schools have been left without a principal or have had many principals over a year and one particular school may have five principals over five years. That does not allow for continuity of administration and teaching and does not allow children to settle down, particularly in smaller rural schools where a teacher has four or five grades to cover.

The honourable member for Kew mentioned that a few months ago Education Department officers in Russell Street closed the office for a lunch hour. They not only close the office, but the switchboard is also closed so that one cannot make a phone call to the office during a lunch hour. It seems that it will not be long, with a 38-hour week and flexitime, before people will have only 1 hour in the morning and 1 hour in the afternoon in which to contact that office. If the State is to pay significant amounts of money in the education field, the public is at least entitled to receive a better service than it is now receiving from the switchboard staff.

The Police and Emergency Services Division provides significant amounts of money for salaries, general expenses and other services. I wonder whether this provides for the upgrading of community welfare services in the system. I would like a 24-hour police station to be provided at Sunbury. Existing buildings in the area could be utilized so that only staff needs to be provided. It concerns me that a town of about 13 000 people is controlled by one sergeant and five policemen, and several other towns in the electorate that I represent, with about one-quarter of the population, have police numbers of the same strength. The Government should consider upgrading the Sunbury police station and providing more staff to cover the number of residents in the area.

The final point I raise relates to the Parliamentary appropriation. It has often been mentioned in this House since the election that the Public Bodies Review Committee, with all its staff, equipment and office space, has

no work to do because the Government has not appointed the Parliamentary committees. I am even more concerned that the Road Safety Committee has not met for four months. Late last year the Road Safety Committee advertised for submissions from the public to solicit suggestions on how the public considered the Government could further control the road toll. As honourable members will recall, the number of deaths on the roads increased last year, whereas in previous years it had been decreasing. The committee received about 250 submissions that have been laid on the table of the committee room since late last year.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I am giving the honourable member some licence with this matter, but I am requesting that he return to the Bill as quickly as possible.

Mr REYNOLDS—The point I make is that officers of Parliament who service those committees are not doing so. The committees should be reformed so that the salaries provided in the Bill will be properly directed. Significant amounts of money have been expended by organizations and the public who considered that the submissions they made would be acted upon. They considered that the staff of this place would be able to carry on and act on some of their recommendations, but nothing has happened. The Government claims that it has been in office for only ten and a half weeks and states that it needs time. How much time does it need? The committees could have been reformed and given a lifetime in which to exist so that they could be taken over by the new structure at the end of the year. The Government chose not to do that.

Honourable members interjecting.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I ask the House to come to order and I direct to the attention of the honourable member for Gisborne that the matter he is addressing is listed on the Notice Paper. Therefore, his remarks would be more appropriately addressed on that other matter.

Mr REYNOLDS—Thank you for your direction, Mr Speaker. In that event, I have concluded the points I wished to raise.

Mr DELZOPPO (Narracan)—I am concerned with Division 437 which appropriates funds under the Environment Protection Act to be paid to the Environment Protection Authority over the next five months. The amount allocated is $3·245 million to pay the authority's wages, salaries and general expenses and for other services.

Under section 68 of the Environment Protection Act, the authority may delegate powers to various organizations throughout the State. I draw the attention of the House to the delegated powers that have flowed to the Latrobe Valley Water and Sewerage Board, which is responsible not only for air but also for land and water licences and their policing over a large area of Victoria covering the electorates of Narracan, Morwell, South Gippsland and Gippsland East. The Latrobe Valley Water and Sewerage Board has enjoyed that delegated agency over the past eight years and has established expertise in various branches of science dealing with the environment. The board has its own inspectorial staff and runs its own laboratory, doing tests to determine whether discharges comply with their licences.

As a consequence of the delegated authority, the board has a staff of 21 additional persons, both graduates and non-graduates. It also has three persons seconded from the Environment Protection Authority in Melbourne to assist in the servicing and monitoring of stations throughout the Latrobe Valley area. In addition, it has a full-time student from the Swinburne college and two young people employed under the Special Youth Employment Training programme.

In 1980–81 the board had a vote of $573 000 and actual expenditure of $632 000 on its environment protection activities. One concern being expressed in Gippsland at the moment—and I understand that the Minister in another place has received several

letters from municipalities on the matter —is the threat that the delegated authority of the Latrobe Valley Water and Sewerage Board will be rescinded. That would mean that a branch of the Environment Protection Authority would have to be established in the greater part of Gippsland or that some other body would be given the delegated agency.

I believe considerable savings are to be made by the Government if the delegated authority stays with the water and sewerage board. I do not believe that such savings would result from a change to another body. The body of information and expertise that has been built up over the past eight years would be lost. There would also be loss of employment in a local area where jobs are difficult to obtain. The other concern of Gippslanders is that a metropolitan point of view rather than a local point of view may prevail in matters of environment protection.

I mentioned that the board had built up a considerable amount of expertise over the years. It has experts in the field of limnology, bacteriology and the like and has been able to put together certain base data on the streams of east Gippsland and other streams within its delegated authority area. Because it had the initiative to purchase a computer with assistance from Government funds, much of its information is available when asessing licences and applications for licences. Should that delegation be withdrawn, I believe the Government would be up for extra funds. Further, that expertise and many job opportunities in Gippsland would be lost.

Mr TANNER (Caulfield)—The Bill is concerned with the wages and salaries to enable the Government of this State to continue until the end of this financial year. I have been disappointed that only three Government members have spoken on the Bill. One can only assume that they are not interested in this Parliament or that they are not interested in their electorates.

I note the statement of the Treasurer in his second-reading speech that the severe disadvantage suffered by Victoria under the Federal Government's revenue sharing arrangements and the restrictive economic policies pursued by the Federal Government provide a difficult background against which the Victorian Government's initiatives are set. That very argument was raised by the former Government prior to the April election, but it was greeted with cries of derision. One must assume that the Labor Party was crying wolf because it agrees with the former Government, now that it is convenient to do so.

As most honourable members would be aware, Victorians constitute 27 per cent of the population of Australia and provide 29 per cent of Australia's income tax contributions but Victoria receives back approximately 22 per cent of the 38 to 39 per cent of income tax contributions which are returned to the States. Nevertheless, the Government now finds it convenient to agree that the former Government was right in pointing out the difficulties that were met in framing budgets. Now, according to the Treasurer, through modern financial management techniques, the Government will stimulate the Victorian economy.

I note that, in his second-reading speech, the Treasurer stated that honourable members can be assured that the use of those techniques, which will ultimately fall under the auspices of the Victorian Development Fund, is under way. Presumably that is to be the panacea to revive the economy of this State. As I have previously pointed out, even if the Victorian Development Fund gets under way, it will not provide any panacea or any improvement in the Victorian economy.

Even if it is feasible and practical to raid the superannuation funds of various statutory authorities, even if it is practicable to remove the competitiveness of the State Insurance Office, the Victorian Development Fund itself will not be practical.

Mr Roper—How is this relevant?

Mr TANNER—It is relevant because I am referring to the Treasurer's second-reading speech. Even if the establishment of the Victorian Development Fund

is practical, public expenditure costs in Victoria will double, because one-third of Commonwealth Loan Council funds to Victoria are non-repayable and bear no interest and the other two-thirds bear only low interest rates, whereas the Labor Government will have to pay full commercial interest rates on all of the funds transferred to the Victorian Development Fund.

Certainly Victoria deserves a better deal from the rest of Australia because of its financial contribution to the well-being of the whole of this country, but I am surprised, after the crocodile tears that the Labor Party shed during the life of the last Parliament that the State Government is now claiming that Victoria is suffering some disadvantage.

Turning to the Bill itself, other matters claim my attention. Most important, so far as the electors of Caulfield are concerned, is the matter of crime. Victoria is experiencing a crime wave, especially in the area of housebreaking. Honourable members are aware of the increase in drug addiction in Victoria, and many drug addicts support their habit on the proceeds of housebreaking. In Caulfield and surrounding suburbs, insurance rates have escalated dramatically as a reflection of this type of crime. Over the past decade, the ratio of police to population has risen from 1:732 to 1:490, but the Victoria Police have been unable to stem the tide. Other means are obviously necessary to assist them, and I recommend to the Minister for Police and Emergency Services that a publicity anti-crime campaign ought to be waged. I am pleased to know that the honourable gentleman is investigating the feasibility of such a campaign. There are other methods by which this crime wave can be combated, one is the detention of offenders. That relates, of course, to the Correctional Services Division allocation in this Bill.

A few days ago in this House I was very disappointed to hear the Minister for Community Welfare Services indicate that this Government's priority in saving money in her field would be to grant various bonds, and so forth, to alleged offenders. I would much prefer that these offenders be brought to court as quickly as possible and their guilt ascertained and, if they are guilty, that they be detained; not so much as punishment—although there is nothing unlaudable about that—but to provide protection to the community. If these people are drug addicts, then perhaps the only way they can receive treatment is through forcible detention, and the only way they can be helped to break their habits and stop housebreakings is through some sort of corrective detention.

Under the Police and Emergency Services division of this Bill I note the reference to the State Emergency Service. This is from where payments are made for the Metropolitan Fire Brigades Board. I am disappointed that this State still finances the fire brigade through contributions from insurance companies. Insurance companies fund their contributions from insurance policy premiums, and that is totally unfair. Those citizens who are conscientious enough to take out insurance on their homes should not be penalized by having to pay for the upkeep of the Melbourne fire brigade, whereas those citizens who have no such community spirit are able to escape scot-free.

Another matter under Police and Emergency Services which is of grave concern to the community is road safety. I noted the other day in a publication of the Royal Australasian College of Surgeons that Victoria, over the past ten years, has one of the best records in the world for reducing road deaths, and certainly in Australia it has the best record for reducing road deaths and road trauma. Nevertheless, it is important that attention is paid to pedal cycle accidents and pedestrian accidents. In attacking the problem of drunken motorists, great success has been achieved, but it is obvious that attention must be given to drunken pedestrians and young, careless, pedal cyclists.

The police not only have an important role to play in this field through detection of such offenders, but their manner

of carrying out their role is also important. If the police were perceived to be prosecuting the public on a revenue-raising binge, the public would lose faith and would not believe they were there to help in reducing the road toll.

I was pleased the other day to be host to two State members of Parliament from Queensland. They were investigating the various measures that Victoria has taken, and I pointed out to them that one of the important features of the road safety measures in this State was the attitude of the police, and their efforts in joining the public in the fight against the road toll.

I turn to the division relating to consumer affairs. It is time that the Minister of Consumer Affairs came to a decision in regard to the computer code pricing of goods in supermarkets, and I trust that before the end of this financial year he will be able to take into account the advice of the Consumer Affairs Council, which recommended that computer code pricing in supermarkets should proceed but with prices marked on the dockets of the goods that the customers receive, rather than on the individual goods, which would defeat the mechanization.

There are many other matters I would like to mention. In regard to education, there are three Government schools in the Caulfield electorate, the Ripponlea Primary School, the Caulfield North Central School, and the Caulfield Primary School, which have made excellent progress over the past three years. I trust that in the south-central region their progress will not only continue but will be speeded up.

The other major feature of this Bill concerns economic development. It is important that this Labor Government be concerned not only with the redistribution of wealth but also with the creation of wealth. If it is solely concerned with such a narrow confine, it will chase wealth out of this State through its various tax measures. I note that the Treasurer has instituted an inquiry into the various taxing methods of this State and one hopes that it will not turn into a "bash the rich" programme. One hopes when the Premier said he wishes to tax the super rich, that it was only a slip of the tongue and not part of the philosophy of the Government. If it is, it will lead to class divisions in society which have not existed before.

In the division concerning housing, I note that assistance for co-operative societies is to continue. Fortunately, Victoria has the highest rate of home ownership in the world. Approximately 75 per cent of all people in Victoria are either in the process of owning, or do own, their homes. It is something of which we are very proud and one would not like the State to slip back to what it was 20 or 30 years ago when the home ownership rate was 50 per cent. One of the greatest achievements of the Liberal Government between 1955 and 1982 was this increase in home ownership in our society.

In closing, I refer to health services, in Caulfield in particular. Kindergartens are continuing to develop in Caulfield and I am pleased to note that adequate funds are provided in this Bill to continue that supervision from the Government until at least the end of this financial year.

One particular matter I would like to take up with the Minister of Health concerns the ingredient marking of various foods. I am thinking of the coeliac people who suffer from an intolerance to gluten. Those people going into supermarkets wishing to buy food, find that when they look around the shelves it is difficult to ascertain whether gluten is an ingredient. This is one particular segment of the community. The Government ought to pay particular attention to this matter so that when people purchase food they are able to know quite confidently that the food does not contain gluten. Gluten is a protein, and if the food which they purchase does contain gluten, it could ultimately cause their death. Therefore, it is a matter of life and death and I trust that the Minister of Health will turn his attention to this matter during the course of this Parliament.

I refer now to the Pain Clinic at the Royal Southern Memorial Hospital. It is operating at present, and in the past there have been recommendations to expand its service. I stress upon the Minister of Health the importance of this clinic. Its name is really a misnomer, because it is actually an anti-pain clinic. It has a great deal of success and achieves great benefits for the people who attend it, as well as for the taxpayers of this country. It enables many people who are the recipients of invalid pensions and who suffer great pain to rid themselves of that pain and resume productive lives, thereby removing themselves from the social welfare lists. I hope the Minister is fully aware of the great work done by the clinic and that he will enable it at least to continue, if not expand, in the future.

As I said earlier, this is an important Bill and I call for the passing of the measure as soon as possible, so that the government of the State can continue.

Mr JOLLY (Treasurer)—I shall reply briefly to some of the comments made on the Bill. I point out to members of the Opposition that they seem to have confused the Supply Bill with the Budget Bill. The Supply Bill is passed to enable the normal administration of government to continue and it does not introduce new initiatives. However, as the Leader of the Opposition has noted, this year, there has been a significant improvement in the format of the Supply Bill, the explanatory second-reading speech and the explanatory memorandum. On this occasion, an explanatory memorandum has been provided, which will enable honourable members to discover, at a glance, substantial changes made in expenditures compared with those of 1981–82 Budget. That is of vital importance to anyone who studies closely the performance of the public sector.

I also point out that, as part of its policy to expand the information provided to honourable members and to the public, the Government has made a decision to release monthly statements on the course of the State Budget. This information is now available automatically to the Leaders of the Opposition and the National Party and to other honourable members on request. Once again, the information will enable honourable members who are interested in financial matters to assess whether the Budget is on track. Of course, that is most important when making judgments that are necessary for the forthcoming Budget.

I refer briefly to a point raised by the Leader of the Opposition concerning the Premiers Conference. When the Leader of the Opposition was Premier, he was certainly on the record as saying that the Federal Government, a Liberal–National Party Government, was not giving Victoria a fair deal. The present State Government also takes that view. The new federalism has been a disaster for Victoria. There have been two recommendations from the Commonwealth Grants Commission, both of which recognized that Victoria has not been receiving a fair share of Federal taxation revenue, but the Federal Government has, at this stage, rejected the findings of the Grants Commission. I was greatly disturbed when the Prime Minister, in an off-hand statement, wrote off the Grants Commission report because that report once again recognized that Victoria should have an increasing share of Federal taxation revenue.

The Leader of the Opposition can rest assured that the present Government, when it goes to the Premiers Conference, will be putting the strongest possible case not only for Victoria to gain a fair share of Federal taxation revenue but also to ensure that this State's Australian Loan Council programme is not cut to pieces by the policies of the Federal Government. The Government regards that as being vitally important to the future of Victoria, and it will certainly have a profound influence on the framing of the 1982–83 State Budget.

The Leader of the National Party noted that the Government was in the process of introducing a number of important financial reforms. He referred to the establishment of the Victorian Development Fund. Although the honourable member has some queries about the fund, he recognizes the need for the introduction of modern financial man-

agement into the public sector in Victoria. Indeed, since the Labor Party has been in Government, it has made a number of decisions that have improved the financial performance of Victoria. One was simply to make sure that staff ceilings were not restricting revenue collection areas so that there would no longer be absurdities such as unopened mail bags lying on the floor of the premises of the Transport Regulation Board, which meant having about $25 million literally lying idle simply as a result of inaction on the part of the previous Administration.

The Government has already made those necessary decisions to streamline and modernize financial management in Victoria. These steps will be taken further with the work of the Office of Management and Budget. The work of the task force is already having an impact on economic decision making by the Government and it will have an important influence on the 1982–83 Budget, when the Government will be given the opportunity of introducing its programme of economic and social reform.

The Deputy Leader of the National Party raised another matter relating to the administration of government in the revenue collecting area, namely the Stamp Duties Office. The honourable member directed my attention to the fact that in country areas, when loans of more than $8000 are made, it is necessary for the persons involved to travel to Melbourne to take the documents so that they can be stamped for the appropriate amounts of stamp duty. That is absurd. I shall take up the matter with the Comptroller of Stamps because that sort of system should be streamlined. We must make sure that we are operating at peak efficiency. There is a scarcity of funds in the public sector and the State cannot afford to waste any funds. I shall take up the suggestion of the Deputy Leader of the National Party because, as the Government has indicated through proposed legislation, it intends to establish a cash management account in the public sector so that there can be central financial management. It is, therefore, imperative to have the funds paid into the public sector placed into that account as soon as possible. I thank the honourable member for his suggestion.

The Supply Bill is the first stage in the Government's programme of economic reform. The amount of information available to Parliamentarians and to the public has been improved, but the House will not appreciate the extent of the Government's programme of reform until the 1982–83 Budget is introduced in September. Honourable members can rest assured that it will be a Budget worth waiting for.

The motion was agreed to.

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

SUPERANNUATION (AMENDMENT) BILL

Mr MATHEWS (Minister for Police and Emergency Services)—I move:

That this Bill be now read a second time.

Its main purpose is to place police officers in a similar position to other contributors to the State Superannuation Fund in relation to the revised superannuation scheme introduced on 1 July 1975.

Before the Superannuation Act was amended in 1975, a contributor to the fund could elect to contribute to retire at age 60 years, but such a contributor was required to pay contributions at a rate higher than those payable for retirement at age 65 years in order to receive the same benefits.

From 1 July 1975 the pension payable on retirement on or after attaining age 60 years by a contributor who had paid contributions based on retirement at age 65 was increased to a level of 2/3rds final salary compared with 70 per cent at age 65. Accordingly little benefit was gained by payment of the higher contributions. Provision was made in 1975 to refund to all members of the fund the excess contributions made on the retirement age 60 schedule which were higher than the age 65 schedule. This applied to all contributors

other than to members of the Police Force. Police were required to contribute for the age 60 schedule but this was optional for other contributors.

Following representations by the Police Association the Government has now decided that it is desirable for the Act to be amended to refund the excess contributions by members of the Police Force so that they are in the same position as other contributors.

In the case of current contributors the refund will be made by reducing contributions payable from 1 July 1982, to the date of their retirement. In the case of officers who have retired since 1 July 1975, the benefit may be provided either through an adjustment to the pension and/or lump sum entitlement or the pensioner will receive a refund of excess contributions. In the case of contributors now deceased appropriate payment will be made to the estate. Nevertheless any person affected by the legislation may elect to receive or continue to receive benefits based on the age 60 contribution rates.

The Bill has the concurrence of the Treasurer's consultative committee on superannuation. There will be no cost to the Consolidated Fund and the total amount to be refunded by the State Superannuation Fund will be in the vicinity of $2·5 million.

The opportunity has been taken by the Government to reduce from five to three years the period of time a spouse must have been married to a pensioner, where the marriage took place after retirement, to be eligible to receive benefits upon the death of the pensioner. I commend the Bill to the House.

On the motion of Mr THOMPSON (Leader of the Opposition), the debate was adjourned.

Mr MATHEWS (Minister for Police and Emergency Services)—I move:

That the debate be adjourned until Wednesday, June 23.

Mr THOMPSON (Leader of the Opposition)—That is acceptable to the Opposition, providing additional time will be provided if it is required.

The motion was agreed to, and the debate was adjourned until Wednesday, June 23.

ORDER OF BUSINESS

Mr ROPER (Minister of Health)—I move:

That Order of the Day, Government Business, No. 8, be postponed until later this day.

In explanation, I point out that both the National Party and the Opposition have amendments that are not yet finalized, and the postponement will give them the opportunity of finalizing the amendments so that the matter can be debated properly.

The motion was agreed to.

LOCAL GOVERNMENT (PECUNIARY INTERESTS OF COUNCILLORS) BILL

The debate (adjourned from June 8) on the motion of Mr Wilkes (Minister for Local Government) for the second reading of this Bill was resumed.

Mrs PATRICK (Brighton)—This measure gives effect to a large extent to the report of the Statute Law Revision Committee on the pecuniary interests of municipal councillors, and it provides for the establishment of a register of interests of councillors. The main difference between the Bill introduced by the Liberal Government in 1981 and the Bill before the House is that the establishment of the register of interests by councillors is now to be mandatory.

Although the Opposition does not wish to obstruct the passage of this Bill, it believes it necessary to point out that local government has come of age; it consists of big people. Local government is looking for general competence powers and it does not wish to be dictated to by State Government or by any authority. It is therefore rather curious that the provision has been made mandatory in this Bill. The Bill introduced by the former Government allowed councils, in their wisdom or otherwise, to decide whether they would have a register. It also did not lay down what should be on the register, and it is interesting to note the details contained in the present Bill relating to the actual contents of the register. I direct the attention of the House to them because they are specific.

They state:

(*a*) Where he has held an office whether as director or otherwise in any company or body, corporate or unincorporate—the name of such company or body;

(*b*) The name or description of any company, partnership, association or other body in which he holds a beneficial interest which exceeds in value $500;

(*c*) The address or description of any land in which he has any beneficial interest other than by way of security for any debt;

(*d*) A concise description of any trust in which he holds a beneficial interest or of which he is a trustee and a member of his family holds a beneficial interest;

(*e*) Particulars of any gift of or above the amount or value of $500 received by him from a person other than a person related to him by blood or marriage; and

(*f*) Any other substantial interest whether of a precuniary nature or not of his or of a member of his family of which he is aware and which he considers might appear to raise a material conflict between his private interest and his public duty as a councillor or nominated officer.

The Bill contains a provision that the council may decide that its senior officers also should keep a register of their interests.

This Bill should not be allowed to pass through the House without the Opposition recording its admiration for the work of the Statute Law Revision Committee. It is an extremely difficult area and I know that you, Mr Deputy Speaker, were connected with that committee which looked at the problem. Having been a local councillor for three years and having practised as a suburban solicitor in one of the main streets in the ward that I represented, I well know the difficulties experienced on the matter of pecuniary interest, so much so that I found myself in and out of the chamber much like a yo-yo, having been advised that one should be sure rather than sorry. Therefore, if a car park was to be constructed in a street even some distance from my legal office, which would have no obvious benefit to me or to my clients visiting me, I was advised to remove myself from the room. Also, when the Nepean Highway was being widened, I remember that one of the most experienced councillors with a great knowledge and a good local knowledge was unable to take part in the discussion on the widening and the possible parking restrictions because he had a business on the highway which was a pecuniary interest. By and large, councillors find themselves in a considerable dilemma working out whether or not a pecuniary interest is involved.

I remember one committee meeting where almost everyone walked out of the chamber on a topic because they were all members of the Royal Brighton Yacht Club. This general situation caused confusion and hampered the work of the council.

The Opposition is pleased to see the Bill go through the House, even though it does not believe the keeping of the register should be mandatory or that the contents should be spelt out in such detail. The contents being spelt out changes things considerably. A system of declaring interests at the time might have been adopted. There might have been some compromise in that regard.

The Opposition welcomes the introduction of the Bill and hopes it will assist councils to properly perform their function in local government.

Mr McNAMARA (Benalla)—The National Party believes that the area of pecuniary interest is one that needs a great deal of clarification and, as such, commends the work of the Statute Law Revision Committee that put so much work and effort into preparing recommendations upon which I understand the Bill is based.

A couple of points arise from the measure. The most obvious change is the provision of the register of councillors' interests and the change whereby a councillor is entitled to remain in the chamber and speak on a matter in which he has a pecuniary interest so long as he leaves before the vote is taken. A couple of matters arise from that point.

Firstly, clause 2 provides that a councillor can remain in the room while a matter is being discussed. The honourable member for Brighton raised the very relevant point that there are people

who have a pecuniary interest in a matter that arises and might have specialist knowledge in that field. If that knowledge would be of great benefit to the council, this measure allows them to remain in the room and perhaps give a general understanding to the council of what the matter involves. The National Party agrees with and supports that provision.

The National Party believes the provision relating to the register is perhaps a little detailed in the requirements of calls for. It seems to include almost everything—even the shoe size and blood group of the person involved. Obviously if the provision is the result of recommendations of the Statute Law Revision Committee it has been well thought out. However, the National Party has a reservation about that provision.

I now refer to the provision covering nominated officers where a council may determine that nominated officers are also required to include the same detail, in the register of interests as a councillor.

My party believes that perhaps the expression "nominated officer" could be a little more specific. Perhaps it should detail senior officers or even mention by name, councillor, shire secretary, engineer, planning officer, and so on. As it stands, the provision could perhaps leave the option open to a council that wanted to find out what the gardener had, and declare him a nominated officer and require him to furnish details of his interests.

The Bill mentions declaring the associations that a person is a member of as well as his interests in various companies, financial interests and ownership of property. Perhaps the Minister could outline what he means by "association". Would, for instance, it include an acknowledgement that a certain councillor or nominated officer was a member of a political party? That provision could perhaps be misused where a council of a particular political persuasion may ask various members of the staff, by designating them as nominated officers, to declare all their interests including any association they may have. If that included a political party of a different flavour to the existing council, it could mean the abrupt termination of a promising career in local government for that officer.

In general, the Bill clarifies a number of matters that obviously need clarification. Another question I ask the Minister is, if a councillor is a member of a club and was, for instance, the president of the club and the club had a loan guaranteed by the council, would he be required to declare that interest? Or, is it limited to the involvement of, say, an ordinary member of a club? Is there a cut-off point between being an ordinary member of a club and an office-bearer?

In general, the National Party supports the Bill and commends the work done by the Statute Law Revision Committee. I ask the Minister to consider the matters on which I have expressed concern.

Mr ROPER (Minister of Health)—A number of matters were raised during the course of the debate. I agree—and it is the policy of the Government in relation to local government—that the general powers of competency of councils should be increased. A number of legislative measures have been and are being considered in this regard.

If good proposed legislation has been prepared by the previous Government, it is being carried forward by the present Government. However, where changes are required, because of our policy, they are being made.

The Government takes the view in relation to the suggestion about the mandatory matter and the detailed content that it removes an area of doubt and will in fact be a protection to councils and councillors rather than being a hindrance.

It is the result of a detailed study of the types of interests that are important and need to be declared and it sets out that this will be the situation in every council. If that were not the case, the situation might arise that council A, where they have a limited

group of interests, can be attacked by council B of the neighbouring municipality as though they were hiding something, when that was not their intention, if the registers kept do not meet the same requirements. This provision enables councils to know where they stand.

If a councillor or potential councillor reads the Act he or she immediately knows where he or she stands.

The Government has consulted with the Municipal Association of Victoria and I am informed that that association does not object to the mandatory requirement for a register of interests. The Government certainly supports consultation with the Municipal Association of Victoria on these matters. I know that in my own portfolio I am certainly involved in such consultation.

The honourable member for Benalla mentioned the nominated officers and they are spelt out at some length in the definition section on page 7 of the Bill. It is suggested—and the Government suggests to the House—that that will vary from municipality to municipality but the Bill basically concerns those with a statutory role, such as town clerks, city managers and the like. There may well be matters in which city valuers and shire valuers will also have some necessity in that area.

On the question raised about associations, raised by the honourable member for Benalla, the Bill does not provide for nominated officers to supply information on their political affiliations. The Bill provides that membership of associations by a councillor will not be considered to be a pecuniary interest.

The Government understands the difficulties that have occurred from time to time and Brighton seems to be the area in which these difficulties occur in local government—I also understand there are many other areas in which these difficulties occur.

The Bill provides that membership of associations by a councillor will not be considered to be a pecuniary interest but it seems that if one is a member of a club and that club is receiving benefits, one should declare one's interest. It is on one's own head as a councillor —or for that matter as a member of Parliament—if one does not in fact declare the interest because it is the sort of information that will eventually come out no matter what honourable motives one had for not declaring it in the first place.

Although I am not formally responding to the Bill in the sense that I was the Minister who initially introduced the Bill, I would like to thank the honourable members for Brighton and Benalla for their contributions and co-operation in the matter.

Mr KIRKWOOD (Preston)—I am interested in the Bill. There is no doubt that the points of view put forward by the Opposition are relevant, but I congratulate the Minister of Health on the way in which he handled the matter because his comments are relevant to the day-to-day operations of a council. If one considers the proposed register, which now must be compiled by the council, it could well be ascertained that deep suspicion exists about many aspects of local government. The Preston City Council and the Heidelberg City Council held the same fears as those expressed when the Bill was first introduced in 1981, when similar types of fears were expressed.

Most of the councillors to whom I have spoken are convinced that the way in which the Government has handled the Bill is probably the better way. The Minister of Health intimated earlier to me that the register is used in exactly the same way as the register of interests for members of Parliament. No one could fail to realize that it is a fair measure. The Bill proposes a better way to protect councillors and local government.

The register for members of Parliaments is displayed for anyone from Victoria or from anywhere else to read if he or she wishes to ascertain the pecuniary interests of members of Parliament. However, in local government, if I wanted to find out the pecuniary interest of a councillor I would have to submit a written application to the town clerk. If the town clerk or city

administrator has any common sense—I believe most town clerks and city administrators have a lot of common sense—he or she will keep a record of the people who seek information on the pecuniary interest of councillors. If anyone misuses the information, there is no doubt in my mind that the councillors who may be on the receiving end will have a very good idea where to begin their fight back.

When one reads the report of the Statute Law Revision Committee and compares it to the Bill before the House, one realizes it is practically identical to the Bill that was originally introduced in 1981. It is mandatory that a register should be established and that is not such a bad idea because honourable members should not condone the actions of people who may be a little more unwilling to provide the truth than many other people. People should be put on the same level and accepted for what they are.

If any honourable member is worried about the nominated officers who might be in a position where they may have to declare their pecuniary interests, one will find that all the conditions are related and clearly set out on page 7 of the Bill. One will also find that the provisions are more or less what the former Minister for Local Government would have required and the register deals only with financial matters. The House is doing the right thing by passing the Bill reasonably quickly and I do not believe any councillor, either in the City of Melbourne or the State of Victoria, will be disadvantaged in any way by the Bill.

Mr HANN (Rodney)—The National Party expresses concern at the haste with which the Bill has been put through the Parliament by the Government. This is quite contrary to previous local government Bills which had been presented to the House by the former Government. On all occasions ample time was allowed for local government Bills to be considered by municipalities throughout Victoria.

In this instance, the Bill has been introduced into Parliament and an adjournment of only two weeks was allowed which did not allow sufficient time for many municipalities to consider the matter.

Mr Kirkwood—It is the same as the 1981 Bill?

Mr HANN—The same Bill may well have been introduced in 1981 but the only assurance honourable members have that it is, is from the honourable member for Preston. It is not the same Bill, some aspects are completely different, particularly those in relation to the compulsory register which will cause some concern and difficulty to some country municipalities.

The only significant point that I make at this stage is that I would hope that in future—I appreciate the difficulties that the Government has had with time—the Government might consider returning to the former procedure under which Bills relating to local government and the autonomy of local government were allowed to stay over between sessional periods in order to enable country municipalities ample time to consider the ramifications and all aspects of the measure as it affected individual councils.

An important aspect of this measure is that it affects individual councillors but yet there is no way that individual councillors anywhere in Victoria—unless the member for Werribee distributed the Bill to individual councillors prior to its introduction into Parliament—had ample time to examine the Bill and consider its ramifications.

The motion was agreed to.

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

WEIGHTS AND MEASURES (TIME FOR VERIFICATION) BILL

The debate (adjourned from June 9) on the motion of Mr Wilkes (Minister for Local Government) for the second reading of this Bill was resumed.

Mrs PATRICK (Brighton)—The aim of this Bill is to amend section 66 of the Weights and Measures Act 1958 to

enable regulations to be made to extend the periods of time between which any weight, measure, weighing instrument or measuring instrument used for trade purposes must be verified.

The present Act provides that such instruments are to be verified at least once every two years. This Bill extends that period for verification from two years to a maximum of five years.

The Government's stated intention is to prescribe only those measures pertaining to farm milk tanks, but this Bill enables other weights to be prescribed in the future.

Two Opposition committees examined this matter and there was a fear that this Bill might relate to petrol pumps and so on. The Opposition is satisfied that the provisions of the Bill will overcome only the difficulty in the milk inspection area, although it is appreciated that it may be used in other areas.

The Bill is a means of lessening the cost of inspection services and it is noted that in 1981 the inspection staff was reduced by seven, following a slump in the milk industry, and because of staff ceilings. In 1975–76 the fees for those inspections were halved because of the recession. The Opposition does not oppose the Bill.

Mr HANN (Rodney)—The National Party strongly supports this Bill. It supported the move back in 1975–76 for a reduction in inspection fees of bulk milk tanks. There is no need for bulk milk tanks to be checked every two years. By far the majority of farmers are honest, and a calculation is made on the effective credit to the dairy factory, and a refund is needed to be made to the affected dairy factory. It seems a realistic procedure to extend the periods of time for verification of instruments, with the reduction of the number in the staffing branch. It also could apply to other areas of weighing or measuring instruments in the future.

The National Party strongly supports the measure because it is in the interests of the dairy industry. Ultimately, the Government ought to consider bringing in some Government meters under the ambit of the Weights and Measures Branch, particularly irrigation meters, State Electricity Commission meters, Gas and Fuel Corporation meters, and Board of Works meters. None of these is checked by an independent body. Probably the Federal body, Telecom, is one of the worst examples of faulty meters.

The SPEAKER (the Hon. C. T. Edmunds)—That is a little outside the ambit of this Bill.

Mr HANN—It is related.

The SPEAKER—It might be related, but it is outside the ambit of the Bill.

Mr HANN—It is related to weights and measures, and one would hope ultimately that Telecom will be well within the ambit of this Bill. I do not intend to pursue it in any detail, but the National Party supports the measure and welcomes this particular movement.

Mr ROPER (Minister of Health)—I thank the honourable member for Brighton and the Deputy Leader of the National Party for their comments on this measure. As they both said, it is a minor measure but nonetheless an important one. I will certainly take up with my various colleagues the comments of the Deputy Leader of the National Party concerning measuring devices in Australia, but I thank both members for their contribution on this matter.

The motion was agreed to.

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

BOURKE STREET MALL BILL

The debate (adjourned from June 8) on the motion of Mr Wilkes (Minister for Local Government) for the second reading of this Bill was resumed.

Mrs PATRICK (Brighton)—The aim of the Bourke Street Mall Bill is to enable the development of the Bourke Street Mall to proceed. I would like to go slightly into the history of this matter. The mall was declared by Order in Council in December 1977 and came

into operation in February 1978. Discussions were held under the excellent chairmanship of the Hon. L. Lieberman, the then Minister for Planning and Minister for Local Government, with the owners of properties within the mall and the commissioners of the City of Melbourne, on proposed development and the means of financing it. An agreement in principle was reached.

The aim of this Bill is to provide for special legislation and it is stated in the Bill that the costs of the mall are to be shared equally between the Government, the owners of the properties within the mall and the Melbourne City Council.

The Bill provides for a Bourke Street Mall Committee of five members to be appointed by the Melbourne City Council. The chairman of the committee is to be a member of the council, one member is to represent the owners of property within the mall, and one is to represent the occupiers. That leaves two members, and this Bill does not state who they are to be.

The committee is to have such powers and functions as the city council may delegate to it. I understand that work started in February of this year; pipes were re-laid in the mall, and work has started under the direction of the commissioners of the City of Melbourne. The Opposition does not oppose the Bill. However, I draw the attention of the Government to that section of the explanatory second-reading speech, where the Minister for Local Government said that progress has not been rapid. I do not wish to canvass the history of the Bourke Street Mall because honourable members would be only too well aware that I could easily speak for half an hour on the ups and downs of the mall.

There could be further delays in the completion of the mall due to the ramifications of the Melbourne Corporation (Election of Council) Bill, which has yet to pass the Committee stage. It appears unlikely that an election of the Melbourne City Council will be held in November. Indeed, the Minister for Local Government stated that an election of the Melbourne City Council would be held in September, but the honourable gentleman then said November. However, if one examines the provisions of the Bill relating to the municipal rolls involving non-naturalized persons and the provision for six months' residence in Australia, three months' residence in Victoria and a month's residence in Melbourne, one will realize that difficulties will be experienced in preparing the electoral rolls for an election of the council to be held in November. One assumes that the commissioners will ensure that work will continue on the mall.

The Bourke Street Mall committee of five members will be appointed by the city council. It will take a considerable time for the newly-elected council to decide on what powers and functions it will delegate to the committee. The explanatory second-reading speech states:

> However, the committee will have only such powers and functions as the city council may delegate to it.

However, one does not know for sure when the city council elections will be held. The Opposition supports the establishment of a committee to run the mall and it is to be hoped that that committee will operate successfully and that, as a result, the City of Melbourne will have an effective, useful and enjoyable mall that will be available for the benefit of all Victorians.

It is a pity that trams are still travelling through the mall. I ask the Minister of Transport to ensure that trams do not bank up and cause twenty trams to travel through the mall during periods of maximum use by shoppers. The Opposition supports the Bill.

Mr HANN (Rodney)—The National Party supports the Bill. The Bourke Street Mall saga has continued for some years. The former Melbourne City Council experienced many frustrations in its endeavours to ensure completion of work on the mall.

The concept of a mall has been developed world wide, especially in many of the larger European cities, which contain impressive and successful malls.

However, I am unaware of any situations in Europe where trams travel through the centre of malls. The Bourke Street Mall will not be ultimately successful unless the Government takes the bold decision to remove trams from the mall. I note that the major reasons why the Government is not prepared to do that at this stage is that it would involve an additional expenditure of $2·5 million. However, in the long term, that would be the most desirable solution because it would enable the mall to develop into an effective recreational and rest area.

It is interesting to note that the estimated cost of completion of the mall is $5·5 million of which the Government is committed to providing $2 million. One assumes that the new city council will delegate the powers of the proposed Bourke Street Mall committee, which will assist in the speedy completion of the mall.

The National Party commends the Government for making an early decision on the matter and proceeding quickly with the construction of the mall. After many years of procrastination, the Bendigo City Council completed the construction of a mall in Bendigo. That mall has proved to be highly popular and successful and it will ultimately boost retail trade in the central business district of Bendigo. It is to be hoped that the Bourke Street Mall will have a similar beneficial effect on the central business district of Melbourne. The National Party supports the Bill.

Mr LIEBERMAN (Benambra)—As the former Minister for Local Government, I welcome the introduction of the Bill by the new Minister for Local Government. The Bill, when enacted, will complete the work that was commenced by the former Government to create the Bourke Street Mall.

The mall has been eagerly awaited. Many citizens of Melbourne have almost despaired of whether work would commence on the mall and that the project would be finalized. It was pleasing to note that the former Premier, now the Leader of the Opposition, was able to assist in the launching of the project a few months ago. The honourable gentleman handled the trench digger most skillfully when the first excavation in Bourke Street occurred in March of this year.

The Labor Government has decided, in its wisdom, that the project should proceed. However, I direct the attention of honourable members to a number of provisions of the proposed legislation, which I noted the new Minister for Local Government has decided to incorporate. It was my intention as the former Minister for Local Government to incorporate similar provisions in the proposed legislation. That proves that local government can, if people put their minds to it, be a worth-while sector of administration and free of party politics. I direct the attention of honourable members to clause 14 (10), which deals with the special land tax that will be levied on property owners to meet the costs of the project. The provision reads:

> Notwithstanding anything in any Act law or agreement to the contrary, the amount or any portion of the amount of special land tax paid by an owner under this section shall not be recoverable by the owner from any person other than a purchaser of the property.

The SPEAKER (the Hon. C. T. Edmunds)—The time appointed by Sessional Orders for me to interrupt business has now arrived.

On the motion of Mr CRABB (Minister of Transport), the sitting was continued.

Mr LIEBERMAN (Benambra)—That clause in lay terms means that the landlords and the owners of the buildings are liable to make their contributions towards the mall and will not be able to recover the amounts they paid from the tenants or lessees.

Obviously, the Minister for Local Government feels as I do that the small business people established in the central district of the City of Melbourne have a very special role to play in its success in making it an exciting, vibrant shopping centre. Small businesses have very special problems, as the honourable member for Melbourne will agree, in coping with the rising costs that have occurred over the past few years. I was

deeply concerned that some of the tenants who were already heavily burdened with rates, land taxes and other contributions and, unfortunately, diminishing returns because of increased competition, due to changes in the pattern of shopping with many shoppers going away from the central city to regional shopping areas, would have had more difficulties in paying chartered land tax. All honourable members will agree that the Bill is worthy in that the contribution towards the mall from property owners will not be passed on for tenants to pay as normal outgoings, as one would expect in most cases of land tax and other rents.

The mall will continue to have trams in it, as other honourable members have mentioned. I predict that, although the Government has said trams will continue to travel through the mall, the time will come when the Government will be persuaded that a possible rearrangement of the schedules for trams could be of benefit and will depart from the principle which both the Minister of Transport and the Premier have espoused that the City of Melbourne is a city with trams, that people are used to them and they will continue to flow.

Once the mall is finished, the character created will lead to a feeling amongst the community and the Government to go further and make other arrangements for trams. The quality of the project will really enhance the city and it will be possible for the Minister of Transport to discuss with those involved with the mall and in the tramways services, the rescheduling of trams so that they will not be running through the mall during prime shopping time. I may be proved wrong in my prediction.

The former Government was working on the problem and believed it was worthwhile to pursue it and that success could have been achieved. Like the honourable member for Brighton, I wish the project a speedy conclusion and anticipate with some excitement the day on which the mall is complete and open to the public to enjoy fully.

Mr ROPER (Minister of Health)—I thank the honourable members for Brighton, Rodney and Benambra for their support of the measure. As the Minister for Local Government and the honourable member for Brighton said, the completion of this task will conclude what has been a fairly long period of gestation before final production—somewhat longer than the average elephant. I hope the facility will be the first of a number of initiatives to improve the inner Melbourne area.

The matter of the committee was raised. It is intended that one of the commissioners will be the chairman and when the new council is elected, one of the councillors will be the chairperson and there will be a continuation of the activities of the committee. From discussions I have had with potential councillors, certainly they will be co-operating in carrying this project through to fruition.

Some honourable members raised the question of trams. The Government made the decision based on the importance of the Bourke Street route to the tramways in the inner city area to the whole of the system and to the people being able to have a continuous journey. Naturally, as always occurs, the Minister of Transport examines any proposition put before him. If at some later stage further propositions are put to him, those matters will be considered. As I said, the Government is achieving the first of a series of initiatives to brighten up and make more lively the inner city area of Melbourne and to finally carry out a project that goes back nearly eight years.

The motion was agreed to.

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

ADJOURNMENT

Temporary road work speed restrictions—Police for eastern suburbs—Bayswater High School—Worded number-plates—Product coding at supermarkets—Terminal for Ballarat railway station—Kew tram depot—Bill of Rights for Victoria—Printing of instant lottery tickets—Bed-sitter flats in Geelong West — City of Moorabbin Cricket Association

Mr CRABB (Minister of Transport)—I move:

That the House do now adjourn.

Mr BROWN (Westernport)—The matter I raise for the attention of the Minister for Police and Emergency Services concerns road work speed restriction signs which are placed by the Country Roads Board primarily when undertaking works throughout the State and indicate that what was the normal speed limit in the area has been reduced to allow workmen to carry out their duties in safety. With that, I have no argument. The problem that arises is that the temporary road work speed restriction signs are a different colour from the speed restriction signs normally existing on highways.

The normal existing signs are of a white background with black printing and show a circle surrounding the speed restriction, whereas the temporary speed restriction signs are of a yellow background with red printing.

The problem I highlight is that most people consider these roadwork speed restriction signs as advisory. Many residents in the electorate I represent and many constituents of many honourable members discover continually that these are not advisory signs but are signs that by law require motorists to observe the speeds stated on them.

The majority of people consider them to be no more than advisory speed restriction signs, particularly at night time when the workmen are not in attendance. However, if the speed restriction sign in a normal 100 kilometres an hour zone reads 60 kilometres an hour, even at 3 a.m. when no workmen are in attendance, 60 kilometres an hour is the maximum speed which must be travelled and, if that speed is exceeded, a motorist can be booked. It has been brought to my attention that in recent times people have been booked for exceeding the speeds on these signs.

The temporary speed work signs should be the same size, colour and layout as the normal speed restriction signs. Then people would soon understand that if they passed into an area of road works, the signs there would mean what they said and would not be merely advisory, and failure to comply with them could result in being booked by the police. This matter may seem frivolous to some honourable members but it was brought to my attention by a constituent who was booked late at night and who did not realize that these signs were not merely advisory. I ask the Minister to give his speedy attention to resolving the problem.

Mr HARROWFIELD (Mitcham)—I raise for the attention of the Minister for Police and Emergency Services a matter of growing concern to residents of the electorate I represent, namely, the shortage of police in the eastern suburbs generally and, specifically, in the Mitcham electorate. As the Minister is aware, there is a growing incidence of vandalism and other social problems throughout the metropolitan area and it has not escaped the eastern suburbs and the Mitcham electorate. There is also concern amongst the many school communities in the Mitcham area about security at some of the schools.

As the Minister is also aware, having represented many of the suburbs that comprise the electorate that I represent in the Federal Parliament at one stage, there are many major roads and intersections in the Mitcham electorate, such as Springvale Road, Mitcham Road, Canterbury Road and Maroondah Highway, all of which add to the demands being made on the local police. Because of the problems of vandalism and traffic in the area, police strength is being stretched to the limit and it is with some concern that I report to the Minister that the police to population ratio in the area of Nunawading is 1 policeman to 2450 citizens. At week-ends there is a particular problem when traffic accidents and the like combine with the vandalism problem, resulting in lengthy delays in police being able to attend to many incidents.

I commend the work being done by the Maroondah district police and the Nunawading police in trying to cope with the problems. I also commend the community who are concerned about

the vandalism and the other socially related problems in the Mitcham area, but there is a shortage of police and I am concerned that on Saturday nights, for example, there are as few as eight or ten police available. I ask the Minister to report to the House what action is being taken to overcome this problem.

Mr SALTMARSH (Wantirna)—I raise for the attention of the Minister representing the Minister of Education, the matter of the Bayswater High School. Last November a deputation was received by the then Minister of Educational Services who undertook to make funds available for the building of an ecacentre at that school which in many ways has been regarded as an underprivileged school. Some $90 000 was made available through the school council, a further $90 000 by the Knox City Council and the rest, some $180 000, was to be provided by the Education Department.

Work on the centre should have started by this date but so far there has been no confirmation from the new Government that funding for this project is being provided. The school council in particular is most concerned. It was to meet tonight or tomorrow to discuss the progress of the project. I ask the Minister whether an urgent reply can be given regarding the progress to date on this project so that the school community and the Knox City Council may work with the Education Department to provide an important additional service in Bayswater.

Mr NORRIS (Noble Park)—I raise a matter for the attention of the Minister of Transport. Like the Minister, I am always on the lookout for items that may help to swell the depleted coffers of the Treasury. In Sydney at the weekend I was reminded once again of a marvellous gimmick which the Wran Government adopted, that is, worded number plates, which have been an enormous success. I do not mean just personalized number plates as we have in Victoria, but number plates with words on them. One could have "Liberal" on the plate or Mr Speaker could have his own number plate. I believe these plates are marketed by the Government of New South Wales for $100 a piece. I think there are enough people in Victoria bizarre enough to go to $200 a piece.

The mind boggles at the possibilities of this wonderful idea. As one drives through Sydney one sees Christian names or girl friend's names on the number plates. Of course, if one changes one's girl friend it is necessary to change the number plate, but what a wonderful act of faith in the girl friend to be prepared to place $200 on the line to have her name on the back of your car! In Melbourne, think what football fans could do—the Magpies for instance. These plates could also be used by business firms. Imagine "Myer 1", "Myer 2", *ad infinitum*. I saw a Mercedes Benz with the number plate "Luxury" on it. The honourable members for Burwood might be interested in a similar number plate. The honourable member for Doncaster might prefer "Wyatt Earp". I believe this would be a wonderful moneymaking idea, and I urge the Minister to give it earnest consideration.

Mrs PATRICK (Brighton)—That is a hard act to follow, but I draw the attention of the Minister of Consumer Affairs to a matter which was actually mentioned in the House earlier today—electronic checkout pricing and product coding at supermarkets. Recently I went to a store at Chirnside Park which has this scanning arrangement and I was impressed because on the shelf the prices were clearly marked. I watched a demonstration of the goods going through the scanner and I was satisfied that that store was carrying out its function to the best of its ability.

Also, if shelf pricing is provided there is no need to have prices on the product. This provides an improvement for the shopper because he or she is provided with a long tape receipt which shows the prices and the name of the product. That represents a good step forward. Many times I have staggered out of the supermarket pushing my trolley containing a week's shopping, and I found it very difficult in the early days when every cent counted to ascertain which item belonged to which price on the

long tape provided. I understand that many shoppers can keep the prices in their heads although it is difficult by the time one reaches the checkout point to remember which item is which particularly if there is only a few cents variation.

I was also pleased that it seemed that most of the goods would be product coded except for a few soft goods such as bread. I raise the matter for the attention of the Minister because the Consumer Affairs Council considered the matter and presented recommendations. However, to date I have not seen a firm statement by the Minister one way or the other.

Understandably it is difficult because a recent seminar of the Womens Action Alliance investigated with Mr Miller of the Consumer Affairs Council the concern that each item ought to be priced. I was present at those discussions.

The Minister ought to make up his mind on the evidence and reassure those shoppers who are concerned and frightened about the new system. I believe the new system will reduce costs and benefit the consumer.

Mr F. P. SHEEHAN (Ballarat South)—I draw the attention of the Minister of Transport to a matter involving the electorate I represent. I am sorry to say that, unlike my colleague, the honourable member for Noble Park, I cannot offer a means of raising money; I can offer only a means of spending money!

The matter relates to a subject referred to earlier this sessional period by the honourable member for Ballarat North and concerns the rebuilding of the Ballarat railway station. For years a proposition has floated around that a passenger terminal as such should be built in the area to service both road and rail passengers. There is a real dearth of these facilities in the area and a number of bus terminals are open to the weather.

Hundreds of school children travel in the area each day and thousands of tourists visit the area. As honourable members would be aware, Ballarat is a well-known tourist district. Tourism is worth approximately $60 million a year to the Ballarat economy. No terminal-type structure has been built in Ballarat since the trams were replaced and my proposition is that at the time when funds are expended to rebuild the burnt out section of the railway station consideration should be given to the establishment of a totally integrated passenger terminal to serve both road and rail passengers in the whole of the Ballarat district.

This would be an efficient method of developing this type of facility. The proposal fits in with Government policy insofar as it is related to and develops the idea of an integrated transport system. The freight centre, which is located near the existing station, could be developed also for both road and rail purposes. A terminal could radiate from Ballarat to other districts and provide a service to the whole region.

The terminal could act as a focal point for Ballarat's tourists insofar as much of the tourist material available, which is in a small office or building could be distributed from the terminal. I am informed that such a proposal would not in any way detract from or inhibit the plans being made at present to rebuild the burned out section of the station. The idea is worthy of consideration and I ask the Minister to consider it. If the Minister requires further details, I shall be happy to supply them.

Mrs SIBREE (Kew)—I raise the matter for the Minister of Transport regarding the Kew tram depot at the corner of High Street and Barkers Road. The Minister will be aware that Barkers Road is a busy arterial route which feeds the eastern suburbs including Kew, Balwyn, Box Hill and beyond.

Mr Williams—And Doncaster.

Mrs SIBREE—That is right; motorists do not opt to use the freeway because they are sick of the bottleneck at the other end. Congestion occurs at the tram depot during most periods of the day because of trams shunting in and out of the depot.

I believe the former Government had a commitment to spend about $1 million at the tram depot to reorganize the track work so that the orange trams could go in and out of the depot. The Minister should examine the matter carefully in view of the fact that in some instances the orange trams are safer, more convenient and better for elderly people. I realize that honourable members often hear complaints about the orange trams but the elderly people in the electorate I represent advise me that they consider them preferable.

I have received many complaints from the parents of school children who use the tram frequently. As the Minister well knows, the green trams have open doors at the side and there is a risk that children or their schoolbags may fall out. There is a twofold reason for updating the Kew tram depot; firstly, to facilitate a better flow of traffic in the area and to perhaps remove some of the traffic from Bakers Road and, secondly, so that the Melbourne and Metropolitan Tramways Board can use the orange trams at the depot. I emphasize those points because the trams in the Kew area are frequently used. Many school children and elderly people use the tram and would welcome the use of orange trams on that run. I ask the Minister to examine the matter and indicate his intentions with capital works in the area to allow for rectification of the problems.

Mr MILLER (Prahran)—I raise a matter for the Premier in his capacity as Attorney-General. I urge the Attorney-General to take up the question of establishing a Bill of Rights for Victoria, including a human rights commission.

The SPEAKER (the Hon. C. T. Edmunds)—Order! The honourable member is out of order in requesting legislation. If he can rephrase the matter I will allow him to continue.

Mr MILLER—I thought I said that I urge the Attorney-General to take up the matter of introducing a Bill of Rights in Victoria; that is a matter for investigation. I also mentioned the possibility of the establishment of a human rights commission.

It is a matter for the specific attention of the Attorney-General, given that human rights protection is fragmented both Australia-wide and within Victoria in that we have a number of organizations which ostensibly are devoted towards the protection and preservation of some human rights.

Through legislation, an Equal Opportunity Board has been established in Victoria, as well as an Anti-Discrimantory Bureau. In 1977 the Equal Opportunity Act was introduced providing for a Commissioner for Equal Opportunity and an Equal Opportunity Board. Victoria also has the services of the Ombudsman and, pursuant to Commonwealth legislation, the Victorian Committee on Discrimination in Employment, which is esentially designed to promote and protect International Labor Organization conferences and covenants.

Given this fragmented approach to human rights in Victoria, I urge the Attorney-General to examine carefully three suggestions. Firstly, the setting up of a proposal for consideration for a Bill of Rights for Victoria so that we can designate specific human rights in Victoria.

Secondly, mechanisms for the evaluation and for the implementation of those human rights so that complaints may be made by individuals concerned who believe that their rights are being infringed or violated. Thirdly, an appraisal mechanism, whether it be a tribunal or a judicial body, to have disputes concerning those alleged violations brought before it.

So far as the specific rights are concerned, there is an enormous wealth of material that may be drawn on, including international covenants, the International Bill of Rights and a number of other instruments articulated by the United Nations. They could include such things as equal protection under the law so that no person would be discriminated against; that every person in Victoria should be entitled to equal voting rights; that every person

in Victoria should be entitled to freedom of expression; that every person should be entitled to freedom of thought and conscience, including——

The SPEAKER (the Hon. C. T. Edmunds)—Order! The honourable member for Prahran is raising a matter which seems to the Chair to be capable of being dealt with in only one way —by legislation. He is out of order in requesting the introduction of legislation on the motion for the adjournment of the sitting. It is a long-standing tradition and precedent, and I have to rule him out of order in raising the matter.

Mr MILLER—I draw this matter to the attention of the Attorney-General because it raises very real problems in Victoria as there is no legislation in this area. It first of all requires evaluation and investigation so that these sorts of issues can be very carefully appraised with a view to introducing legislation at some future date.

Mr WILLIAMS (Doncaster)—I raise a matter with the Attorney-General. I request him to discuss with his counterpart in New South Wales the possibility of having an update of the Moffit Royal Commission into Crime in Clubs in New South Wales.

It is inevitable that Victoria will get poker machines at some time. The imposition of pay-roll tax on Victorian football clubs will force them into a situation where they will have to introduce poker machines. I want to be assured that the Bally Corporation will not have anything to do with the manufacture or supply of poker machines to football clubs and other clubs in Victoria.

It is clear from the findings of the Moffit inquiry that the Bally Corporation was very much in league with organized crime in the United States of America. Criminals in New South Wales were aiding and abetting the activities of that corporation in fleecing the clubs of New South Wales.

Another disturbing fact is that a subsidiary of the Bally Corporation is tendering for the right to print instant lottery tickets both in New South Wales and Victoria. On the figures given to me, Victoria has already sold about $70 million in Instant Tatt's tickets, although they have only been in existence since December. It will not be very long before Tattersall's will be selling instant lottery tickets to the tune of $150 million a year in Victoria. This is very big business, and if we are going to get racketeers with the reputation of the Bally Corporation printing these Instant Tatt's tickets, the mind boggles at the possibilities of defrauding the public.

The matter I have raised is very serious. If Victoria is going to have poker machines I would far sooner we investigated the new machines that are being developed in Japan, because, to the best of my knowledge, these computerized machines can be programmed to completely eliminate any form of roguery, crookery or manipulation of the machine.

Heaven forbid that the Bally Corporation, through any subsidiary, Aristocrat, or another, should be allowed to print lottery tickets in Victoria and New South Wales, or supply poker machines. If the Minister cares to contact the Attorney-General in New South Wales he will get a clear indication that the Bally Corporation is in reality monopolizing the supply of poker machines in New South Wales.

Mr SHELL (Geelong West)—I draw a matter to the attention of the House and the Minister of Housing regarding bed-sitter flats in Geelong West. I refer to the safety hazard that exists in these flats because there is only one entrance and one exit to a two-storey building. If a person were caught in the bed-sitter area and a fire occurred in the kitchenette area that person would be trapped. There are no fire escapes to provide access outside the window of the bed-sitter flats.

These bed-sitter flats exist in Autumn Street, Geelong West, Craven Street, Geelong West, and Percy Street, Newtown.

I draw the attention of the Minister to this problem. It surprises me that this has occurred as these flats have been built for some time.

Mr TANNER (Caulfield)—I draw to the attention of the Minister for Youth, Sport and Recreation the problem experienced by the City of Moorabbin Cricket Association with regard to the playing of its cricket finals. The association has several teams from the Caulfield area and surrounding suburbs and plays competition cricket from approximately September to March each year.

The association is finding that each year it is having to compete with other sports, particularly soccer. In the past summer season there was some difficulty in finding grounds of a suitable standard, particularly for the March finals.

I ask the Minister for Youth, Sport and Recreation to take up with the cricket association and the ground authorities in the area the problem to ensure that the cricketers have a ground of reasonable standard on which to play their cricket finals.

The SPEAKER (the Hon. C. T. Edmunds)—I call on the Premier to answer the matter raised by the honourable member for Doncaster. The honourable member for Prahran was out of order.

Mr CAIN (Premier)—In regard to the matter raised by the honourable member for Doncaster, I believe that the police have under consideration the questions of organized and disorganized crime. I am confident the police are doing all they can.

In regard to the printing of Instant Tatt's tickets, that is a matter between Tattersall's and the printing organization. The over-all responsibility of the Government is to ensure the integrity of operations undertaken by organizations such as Tattersall's at all times.

Mr CRABB (Minister of Transport)—The honourable member for Westernport raised the matter of speed restrictions. He referred it to my colleague the Minister for Police and Emergency Services but it is really under my jurisdiction.

The problem was that the honourable member seemed to have had a nasty experience. I do not know how close the experience was to him, but someone was not aware that the signs were advisory rather than compulsory.

Mr BROWN (Westernport)—On a point of order, I draw the attention of the House to the fact that it was not myself that was involved.

The SPEAKER (the Hon. C. T. Edmunds)—That is not a point of order.

Mr CRABB (Minister of Transport)—I am very pleased that it is not the honourable member for Westernport who was involved. The point he raised was that speed warning signs should be standard in all respects. I think he is right. They ought to be standard. We are presumably moving towards that result.

The honourable member for Noble Park raised a fascinating initiative regarding fund raising through number plates on motor vehicles. The initiative was exotic enough without the interjections from honourable members opposite, which really were less imaginative than one might have thought. Considering that one can get six letters on a number plate I would have thought that the suggestion "sex" was not getting one's money worth as it only has three letters.

An Honourable Member—What about "Sexier"?

Mr CRABB—Yes, that makes six letters. One should commend the enthusiasm of honourable members at this time of night. Anything that could have attracted the imagination of honourable members at this time must have some good selling points and, given the number of car stickers that people buy with peculiar and occasionally amusing slogans, this matter may be taken further. A potential may exist for the initiatives suggested by the honourable member to be taken up. I will have the matter investigated.

The honourable member for Ballarat South referred to the Ballarat railway station which was mentioned in the house recently because the tower on the station was burned down. He suggested that the rebuilding of the station should

not merely restore it to its former glory, but should also incorporate features that would enable it to be a better terminal for buses. Those facilities are called inter-modal exchanges and it seems to be an excellent idea that is consistent with the policy of the Government to establish regional organizations under the State Transport Authority that would fully co-ordinate all public transport in the region. Ballarat would be one of those regions and the re-built Ballarat railway station could be the keystone of that organization.

The honourable member for Kew raised problems of the Kew tram depot and directed my attention to the fact that the previous Administration committed $1 million to the reconstruction of that depot. That information is new to me and I am pleased that she has raised the matter. I shall pursue it to determine whether I can find the $1 million because I am not aware of that commitment, although I am aware in a general view of the tramways that money needs to be spent. The principal problem at the Kew depot is not the physical features, but the population of pigeons. They cause the main complaints, and the honourable member for Kew may be interested in that matter.

I was intrigued to hear the honourable member say that she considered elderly people preferred the orange trams. When I visited the Kew depot a couple of weeks ago, tram drivers and conductors told me exactly the opposite. They said they observed daily that elderly people would let two orange trams go past in order to catch a green tram. They believe that green trams are easier to board. The honourable member mentioned concern that has been expressed by parents of school children. I have not heard complaints of that sort, although I have received a number of complaints from elderly people about school children. It all goes to show that trams are a complex business.

Mr ROPER (Minister of Health)—The honourable member for Wantirna raised the apparent promise by the previous Minister of Educational Services for the construction of an ecacentre at Bayswater High School worth approximately $360 000. That Minister was extremely free with his promises. A number of colleagues have raised with me the difficulties they are now experiencing in finding out whether there is any reality behind those promises. The same situation has also occurred in the health area. I will take up the matter with my colleague, the Minister of Education, and provide a reply as soon as possible to the honourable member for Wantirna and the school council. One can understand their concern on this matter.

The honourable member for Caulfield raised a problem for the Minister for Youth, Sport and Recreation of a cricket competition in the area that he represents that is having increasing difficulty in obtaining access to cricket grounds, which he suggests are being taken over by soccer players. One can imagine the entertainment at training sessions with both soccer players and cricket players jointly using an oval. I will raise this matter with the Minister and will appreciate it if the honourable member will make available the correspondence he has with the local grant administering authorities, which I presume would be the local council, so that the Minister can refer to it.

Mr MATHEWS (Minister for Police and Emergency Services)—The honourable member for Mitcham expressed the concern that he and colleagues from neighbouring electorates in the eastern suburbs have over shortages of police personnel. That expression of concern for the eastern suburbs is echoed by honourable members across the State. It reflects the fact that under the former Government the Police Force was systematically kept short by about 2000 members who would have been required to bring the force up to proper operational strength. It also reflects the fact that hundreds of police officers are kept busy carrying out clerical duties that would be discharged at least as effectively, and probably much more effectively, if public servants were made available for the positions that they occupy.

The Government has begun to address the problem. It has asked the Police Force to conduct a survey of its various divisions and identify, section by section, jobs that are currently being carried out by trained, uniform and appropriately paid police personnel that should be carried out by public servants. When the results of that survey are on hand, the matter will be dealt with in the Budget context to provide additional public servants to liberate police officers from that type of work. At this stage, some relief will be available, not only for the honourable member for Mitcham and colleagues in the eastern suburbs, but also for other honourable members across Victoria who find themselves confronted with this problem.

Mr CATHIE (Minister of Housing)—The honourable member for Geelong West raised the problem of the safety of bed-sitter flats in the electorate that he represents, particularly in two-storey buildings that have only one exit. Some of those buildings have no fire escapes. The Housing Commission is currently examining the fire and safety aspects of Housing Commission estates and I will direct the attention of the estate management division to the problem to ensure that those flats meet proper fire and safety standards.

Mr SPYKER (Minister of Consumer Affairs)—The honourable member for Brighton raised a matter concerning the electronic checkout system in a store at Chirnside Park where she made investigations and reported being pleased with the system. After speaking to members of the Women's Action Alliance and other consumer groups, I indicated that I am satisfied that the system is working properly. The complaints that my department has received to date relate to products that are hanging over shelves where the prices are not visible unless the items are removed or lifted up.

The other problem raised is that with a small number of items on the shelves a large array of priced items have been displayed, not directly relating to the products behind the prices. That problem has caused some confusion. Many complaints have been received from the Glenroy and Broadmeadows area and those problems will be investigated. Complaints have been received particularly from elderly citizens groups and pensioner organizations that are concerned about the matter. I will ask my department how far it has gone with the investigation and inform the honourable member accordingly.

The motion was agreed to.

The House adjourned at 11.20 *p.m.*

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

DEPARTMENT OF YOUTH, SPORT AND RECREATION SURVEYS

(Question No. 20)

Mr GAVIN (Coburg) asked the Minister for Youth, Sport and Recreation:

How many surveys have been commissioned or carried out by the Department of Youth, Sport and Recreation or any Government instrumentality under his control during 1979, 1980 and 1981, indicating in respect of each survey, the companies or private individuals commissioned, together with the subject matter and the purpose of the survey?

Mr TREZISE (Minister for Youth, Sport and Recreation)—The answer is:

Thirteen surveys were commissioned or carried out by the Department of Youth, Sport and Recreation, one commissioned jointly with the Geelong Regional Commission, one commissioned by the Totalizator Agency Board and one by the Racecourses Licence Board in the period specified.

The surveys were as follows:

Title	*Body commissioned*	*Subject*	*Purpose*
1979—			
Gambling Behaviour in Melbourne (commissioned by TAB)	Reark Research Pty. Ltd...	Gambling Behaviour	To study gambling behaviour in Melbourne with special reference to the role of the TAB.
State Equestrian Centre Concept Plan	Lewellyn-Davis, Kinhill Pty. Ltd.	State Equestrian Centre	To make recommendations to the Department on components, basic design, management and cost of a State Equestrian Centre.
"Hidden" Employment Survey ..	Institute of Applied Economic and Social Research	"Hidden" unemployment	Investigate various aspects of "hidden" unemployment.
The Geelong Recreation Study-Phase II.	John Paterson Urban Systems Pty. Ltd.	Recreational use of Beach areas in the Geelong region	To formulate area management coastal sites in the Geelong region.
1980—			
Evaluation of the May 1980 School Holiday Programme	Australian Frontier ..	School Holiday Funding Programmes..	To make recommendations on the future level and direction of school holiday funding.
Camping Study June 1980	Departmental	Camping Services and Facilities ..	To inform on current situation, determine deficiencies in areas of need, make recommendations on future development.
Geelong Urban Recreation Study ..	Geelong Regional Commission/Department of Youth, Sport and Recreation	Recreation facilities and patterns in the Geelong region	Preparation of overall strategy for the development of existing and future regional recreation facilities and open space in the Geelong region.
State Water Sports Centre Site Options Study	Departmental	Suitable land and water bodies on which to construct a Water Sports Centre	To evaluate the most suitable site for a State Water Sports Centre.
Evaluation of the Municipal Recreation Officer Subsidy Scheme	Footscray Institute of Technology	Municipal Recreation Officer Subsidy Scheme	To examine the effectiveness of the Subsidy Scheme and the role of the Municipal Recreation Officer.
Backyard Pool Survey	Departmental	Domestic swimming pools	Pilot stiudy in City of Knox of trends in pool use and long term planning implications.

Title	*Body commissioned*	*Subject*	*Purpose*
1981—			
Inventory of Indoor Sports and Recreation Facilities	Departmental	Indoor facilities	To compile and publish a directory of Indoor Sports and Recreation Facilities in Victoria.
Victorian Sports House Study ..	Departmental	Sports House	To examine the requirements of parent sporting bodies to be accommodated in a Victorian Sports House.
Use of Racing Areas and Facilities for General Purposes	Departmental	Determining nature and frequency of non-racing activities conducted on racing areas	To assist in developing a rationale on use of recreation areas.
Specialist Sports Facilities Study ..	Kinhill Pty. Ltd. ..	Intermediate (Non-State level, non-regional) level specialist sports facilities	To study the need for intermediate level specialist facilities and make recommendations about their location.
Departmental Study of the Greyhound Racing Industry	Departmental	Greyhound racing in Victoria ..	To study, assess and report on the organizational, economic and financial aspects of greyhound racing.
Gippsland Regional Totalizator (commissioned by Racecourses Licences Board)	C. J. Bellamy and Associates	Computer based totalizator systems ..	To determine the feasibility of establishing a computer based totalizator system to service racing harness racing and greyhound racing tracks in Gippsland.

SPORTING CONTEST APPLICATIONS

(Question No. 54)

Mr BROWN (Westernport) asked the Minister of Labour and Industry:

1. Which sporting bodies sought permission under the Sunday Entertainment Act 1967 to conduct any game, race or sporting contest in each of the years 1980, 1981 and in this year to date?

2. Which applications were—(*a*) approved; and (*b*) rejected?

3. What reasons, if any, were given in each case where the application was rejected?

Mr JOLLY (Minister of Labour and Industry)—The answer is:

Records maintained within the department are not kept in a format which would make the information requested readily available. However, the great majority of applications received relating to either a game, race or sporting contest, are in the areas of athletics, cricket, football, horse events, motor car, cycle and bike racing.

During the years in question, no applications received relating to a game, race or sporting contest were rejected. The number of such applications received and granted are as follows:

1980	436
1981	462
1982 as at 19 May	198

Legislative Assembly

Thursday, 17 June 1982

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 10.35 a.m. and read the prayer.

ABSENCE OF MINISTERS

The SPEAKER (the Hon. C. T. Edmunds)—The Minister of Education and the Minister for Local Government will not be present during question time.

QUESTIONS WITHOUT NOTICE

LIVE SHEEP EXPORTS

Mr THOMPSON (Leader of the Opposition)—My question without notice is directed to the Premier. In view of the importance of the live sheep export industry to Australia and in view of the support for that industry in both South Australia and Western Australia, which are likely competitors, will the Government ensure, as the former Government did, that adequate police protection is available to workers going about their lawful occupation of loading and transporting sheep to the port of Portland?

Mr CAIN (Premier)—I think the Leader of the Opposition would be aware, as would other honourable members, of what occurred during the recent loading of sheep at Portland, and I think he would be aware of the role that the police played. The Government was not unaware of the role being played at that time. It is the Government's desire that any need for police should be removed.

I repeat that the Government will do all it can to resolve the matter. I believe it can be resolved. As I have already said in this House, the initiative in the matter rests with the Federal Minister for Primary Industry, Mr Nixon. I believe he wishes the matter to be resolved; I believe the people of the town of Portland, which has been divided by the issue, wish it to be resolved. It should also be said that this issue seems not to be as sensitive elsewhere in this country as it is in the town of Portland —I think that is generally acknowledged —and I hope the Opposition will support those endeavours to resolve the matter. I do not think anybody in this Parliament wants to see a town divided as Portland is at the moment. On my information, that division is not on political lines.

Some 500 men and women previously worked at the meat works in Portland and it is not suggested that the non-export of live sheep will mean that there will be any additional sheep for slaughter in the immediate future.

It is an emotional issue in the town; that must be recognized. The Government is aware of it and, as I have said before, will do all it can to bring the parties together to resolve the matter. I repeat that I hope members of the Opposition will do likewise.

BAN ON NUCLEAR VESSELS

Mr ROSS-EDWARDS (Leader of the National Party)—I refer the Premier to the discussions that took place between himself and the Vice-President of the United States of America some weeks ago. Can the honourable gentleman advise the House whether, during those discussions, he made clear his Government's position regarding visits to Victorian ports by American naval vessels which are either nuclear powered or nuclear armed?

Mr CAIN (Premier)—The answer is, "No"; it was not a subject for discussion. It was not raised in the discussion either directly or in relation to any other matter.

NUCLEAR INDUSTRY

Mr HASSETT (Dromana)—Has the attention of the Premier been drawn to any Federal Government reports, such as the "razor gang" report, that would affect control of nuclear industry in Australia? If so, can he provide the House with details of these reports and how they will affect Victoria?

Mr CAIN (Premier)—The matter to which the honourable member refers was given very specific attention in a statement by the Prime Minister on 30

April last year, in what has become known as the "razor gang" statement. At that time the Prime Minister made it clear that, as a result of the review of Commonwealth functions that was carried out, the Commonwealth Government declared that the responsibility for the nuclear industry should rest with the States—and these are his words—"subject to a Commonwealth overview". I presume that is the position that the Commonwealth Government still maintains.

Yesterday, when I was making public the views of the Victorian Government about matters the Prime Minister had raised with me in a private capacity two weeks ago, I also made it clear that the Victorian Government was intending, as it had been advised it could, to introduce legislation in regard to nuclear industry in this State. I repeat, a matter quite separate and distinct from the question of visits of nuclear-armed or nuclear-powered ships. The advice I have, and which I conveyed to the media yesterday, and made public, is that the State does have a capacity to legislate in the field. I also said yesterday that the Commonwealth does have a capacity in that field, and if the Commonwealth wishes to intrude, it ought to make its position clear early.

The Leader of the Opposition uses the word "intrude" in a rhetorical sense. If he is prepared to say, as I will say during the course of a debate that will take place later in this House, what his party's attitude is in this regard, it will be the first time I have heard it, because he has never been prepared to unequivocally state what the Liberal Party policy is in this regard.

The position of the Victorian Labor Government is perfectly clear—to protect the people of this State from the hazards of nuclear industry, and if the Opposition does not agree with that view, then let it say so. That is the Government's position and it remains its position.

I round off by saying that the Commonwealth's position as stated in 1981 is, I presume, still its position. It is a concurrent power. If the States choose to enter the field, the Prime Minister should recognize that the States have that right with a Commonwealth overview. If the Prime Minister wishes to intrude, I believe he should say early what are his intentions.

ACCIDENT INVOLVING "SPIRIT OF PROGRESS"

Mr MACLELLAN (Berwick)—Can the Minister of Transport give a preliminary indication to the House regarding the circumstances of the tragic accident involving the *Spirit of Progress* on the north-eastern mainline of Victoria today?

Mr CRABB (Minister of Transport)—A goods train ran into the back of the *Spirit of Progress* at 20 minutes to 8 o'clock this morning near Barnawartha. It was a very serious accident. My information is that the driver and the fireman of the goods train were both killed. One of the staff in the buffet car of the passenger train is in hospital with serious scalding, but no passengers were seriously injured. Two have gone to hospital with minor injuries and the balance of the passengers are being conveyed by bus to Melbourne.

An inquiry has been instituted, and the Chairman and the General Manager of the Victorian Railways are on their way to the scene of the accident now. The local members of the area have contacted me this morning and offered assistance, for which I am grateful. There is not much more I can tell the House at this stage. During the course of the day I might be able to give the House more information. At present there is no knowledge of the cause of this tragic accident. The circumstances were that there was heavy fog in the area. The passenger train was stationary and a moving goods train ran into the back of it. There is no further information at present.

TRIAL OF LESLIE PHILLIP SMART

Mr HANN (Rodney)—Can the Premier, in his capacity as Attorney-General, advise the House whether a trial date has been set down for the hearing of the trial of Mr Leslie Phillip Smart, the former Chairman of the Co-operative

Farmers and Graziers Direct Meat Supply Ltd? If a new trial date has not been set down, can the Minister explain why?

Mr CAIN (Attorney-General)—I am not aware whether a new trial date has been fixed. The matter went to trial some months ago and a verdict was given, against which a successful appeal was brought by the accused person and a new trial ordered. The appeal was brought after a long trial. Estimates of the cost of the trial, for which the accused was provided legal aid, exceed $1 million, and the matter raises the entire spectre of how the State should handle serious, complex white collar crime charges.

I have the question generally under review, but I am not sure what the Government should do. It is often two to three years before white collar crimes are detected. Investigations and inquiries into white collar crimes often take two years to complete. In this case the investigations took six years. I am troubled about calling upon persons to answer complex and serious charges so long after the event has occurred.

Mr Hann—You are not going to let him go?

Mr CAIN—I am not aware whether a trial date has been fixed. I am aware that an application has been lodged by the solicitors on behalf of the accused person that the Attorney-General should enter a *nolle prosequi*, meaning, that the charge should not proceed any further. I was advised of that only this morning. I have not considered the matter, but will do so.

VICTORIA POLICE FORCE

Mr NORRIS (Noble Park)—Can the Minister for Police and Emergency Services inform the House on whether substantial revenue losses have been incurred by the briefs and summonses section of the Victoria Police Force? If so, why has that occurred and what action will be taken to remedy the situation?

Mr MATHEWS (Minister for Police and Emergency Services)—The honourable member for Noble Park raises a question about the Melbourne briefs and summonses section of the Victoria Police Force, which has been costing the State $1 million a year in lost revenue. Over the past ten years the size of the Traffic Operations Group of the Victoria Police Force has increased from 247 members to 627 members, and the number of charges arising from the activities of that group has increased correspondingly.

However, during the same period the number of typists available to service the work generated by the group has increased only from thirteen to eighteen. As a result a massive backlog of work has accumulated within the branch in connection with the issue of summonses and these summonses have frequently not been issued within the statutory twelve-month period.

The Police Force has advised me that the State has been incurring a loss of approximately $1 million a year in fines foregone—revenue that would otherwise have been collected. The remedy that was put to the former Government, and which has been put to me, was that a word processor should be installed in the briefs and summonses section at a cost of $125 000. That proposal was rejected by the former Government. It would be harder to imagine a better example of a penny wise and pound foolish action. The Government has authorized the installation of that equipment, which will be undertaken immediately. Therefore, not only the present backlog will be overtaken in a short period, but also the future expansion needs of the section will be taken care of for the next five years.

HOSPITAL CHARGES

Mr LIEBERMAN (Benambra)—I refer the Premier to the report yesterday that the increase in average earnings in Australia was in the region of 17·1 per cent in the previous year. I remind the Premier of the announcement by the Minister of Health that, in future, hospital charges in Victoria will be increased on an

indexed basis each six months in the same proportion as earnings increase. In addition, I remind the Premier——

The SPEAKER (the Hon. C. T. Edmunds)—Order! I suggest the honourable member should finish reminding the Premier of a number of matters and get to the question.

Mr LIEBERMAN—I am just doing the last bit of reminding. I remind the Premier of the proposed legislation that has been introduced by the Minister of Health, which provides for the imposition on health funds of a new tax for out-patient services and that that tax is to increase——

The SPEAKER—Order! I ask the honourable member to come to the question.

Mr LIEBERMAN—In view of those alarming policy announcements, I ask the Premier whether he appreciates that, if he embraces those policies, health and insurance charges in Victoria will probably triple in the first year and go beyond that thereafter. In view of those facts, will the Premier agree, at least, to review the policies announced, if not to countermand them, and to establish a proper mechanism for evaluating reasonable claims for increases in hospital operating charges, rather than having an arbitrary, *ad valorem* charge that will cause families great concern.

The SPEAKER—Order! The honourable member for Benambra is asking a question of the Premier on a matter that has already been set down for Tuesday, 22 June, Order of the Day, Government Business, No. 1.

Mr LIEBERMAN—On a point of order, the question I directed to the Premier does not in any way impinge on the opportunity of debating the proposed legislation next week.

The SPEAKER—Order! I have heard the point of order, and I uphold it. I shall call the Premier to answer the question, if he can do so.

Mr CAIN (Premier)—I believe I took in most of the long preamble contained in the question. Firstly, the Government does not accept the initial premise on which the question was based, namely, the estimate of increased average weekly earnings. Given that reservation, I shall take up with the Minister of Health the application of the formula proposed by the honourable member for suggested future increases. The Minister of Health might then offer a considered response to the honourable member. The alternative might be for the honourable member to put his question on notice, if he thinks it is slightly different from the matter on the Notice Paper.

DEFENCE FORCES HOMES

Mr REMINGTON (Melbourne)—What progress has the Minister of Housing made in ensuring that houses provided to the defence services under the Commonwealth–State Housing Agreement are returned to the Ministry of Housing when they are no longer required by the relevant defence service?

Mr CATHIE (Minister of Housing)—Concern has been expressed about the armed services not being able to manage their stocks of public housing as well as would be expected. At a time when there is a shortage of public rental housing stock, caused by severe cutbacks in funding from the Commonwealth Government and by the lack of support of the previous State Government in providing rental accommodation in the public sector, many people have considered it to be inequitable that the defence service houses should remain vacant for a considerable period while so many families in Victoria are seeking assistance from the Government with their housing needs.

In both April and May, I made personal representations to the then Minister for Housing and Construction, Mr McVeigh, and also to the Minister for Defence, Mr Sinclair, and, as a result of those discussions, senior officers from the Department of Defence met with senior officers of the Ministry of Housing.

During those discussions, the Commonwealth representatives indicated that they were aware of the shortcomings in their procedures, particularly in bureaucratic arrangements, in handing over stock, in manpower planning

and in delegated decision making. Those problems have been improved, modified and streamlined. Part of those improvements will include better provision of information to the Ministry of Housing on stock requirements and usage by the Defence Department.

Mrs PATRICK (Brighton)—On a point of order, I draw attention to the manner in which the Minister of Housing is allegedly answering the question. In my opinion, his method of answering is more appropriate for a Ministerial statement than an answer to a question without notice.

The SPEAKER—Order! There is no point of order.

Mr CATHIE (Minister of Housing)—The Government recognizes that the Defence Department has responsibility for housing its own personnel, but the improvements in the procedures that have been accepted by the Ministry of Housing and the defence department in Canberra will give due recognition to other demands that exist on public housing stocks, particularly on the needs being faced by so many families in Victoria for urgent accommodation in the public housing sector. Those discussions have been fruitful and will ensure much more efficient and effective use of Government housing stock generally.

PAY-ROLL TAX PAYMENTS BY FOOTBALL CLUBS

Mr WOOD (Swan Hill)—Following the Premier's statement that the Government will demand full payment from Victorian Football League clubs of all pay-roll tax due to the Treasury, together with penalties in the normal manner, and the statement of the president of one of the clubs that, in order to defray these payments it will be necessary for some clubs to apply a surcharge on admission tickets, will the Minister of Consumer Affairs advise the House whether he has investigated the adverse flow-on effects to the consumers, the football patrons affected, and what action he intends taking?

Mr SPYKER (Minister of Consumer Affairs)—The question relates purely to a Treasury matter and there has been no investigation at this stage.

WAGE FIXATION

Mr GAVIN (Coburg)—Further to the Premier's answer to a question yesterday on wage fixation, will he inform the House of the attitude of the Government to the national conference on wage fixation to be held in August?

Mr CAIN (Premier)—I am aware of and delighted by the call by the Australian Council of Trade Unions yesterday for a return to a centralized wage fixing system. It is very encouraging that a major participant in the whole process of industrial relations is playing what I regard as a constructive and positive role.

The Government has emphasized its attitude both in the House and before the Australian Conciliation and Arbitration Commission. The Government has used and will continue to use all its influence to encourage parties to industrial relations to negotiate and resolve matters. The Government wants a return to a centralized wage fixing system and regrets the vacating of the field by the commission, encouraged by the Federal Government which, in its submission, sought that action from the commission.

It is a matter for regret that we now find ourselves in this situation. The remarks by the honourable member for Benambra and the increase in wages which he cited are in no small measure due to this process of leapfrogging which makes for uncertainty and encourages organizations to seek to get up and do this. Until a return is made to the centralized system, this process will continue and the Government believes the sooner the return takes place, the better.

UREA FORMALDEHYDE FOAM

Mrs PATRICK (Brighton)—I refer the Minister of Consumer Affairs to a media release by the Australian Federation of Consumer Organizations Incorporated, relating to urea formaldehyde foam insulation. The chairman of the federation has called on Governments to ban immediately the sale of urea formaldehyde foam insulation until a safe product can be produced.

The SPEAKER—Order! Will the honourable member come to the question.

Mrs PATRICK—Following the call by Mr Brendan Pentony, Chairman of the Australian Federation of Consumer Organizations Incorporated, to State health commissions to make testing facilities available immediately——

The SPEAKER—Order! Will the honourable member come to the question.

Mrs PATRICK—Will the Minister of Consumer Affairs call upon his Consumer Affairs Council to give warnings to people about this foam insulation and perhaps have another hotline on this very important problem regarding the health and safety of people who have foam insulation in their homes?

Mr SPYKER (Minister of Consumer Affairs)—I understand that a report on urea formaldehyde foam insulation was done in New South Wales. Victoria is seeking a copy of that report, and the matter is also at present being investigated by the Victorian Health Commission.

NUCLEAR-FREE STATE

Mr JASPER (Murray Valley)—I address a question to the Premier and refer to the live sheep exports from Portland and the replies that the Premier has given, that this is a Federal responsibility. How does the honourable gentleman equate that comment with his comments and statements about setting up a nuclear-free State which would obviously preclude nuclear ships from visiting ports in Victoria, which is also obviously a Federal Government responsibility?

Mr CAIN (Premier)—The issues are not as the honourable member expresses them to be. The export of commodities from this country is a clear head of Commonwealth power. It is a trade power for which the Commonwealth has legislated and it fills the field. In the area of visiting ships I put a position to the Prime Minister to which he responded. At present there is no legislation in that field. It is a power that can be exercised by both Parliaments; it is a concurrent power. If the Federal Government chooses to enter the field as it now indicates it will, its legislation will override any Victorian legislation. That is the position which has been stated, and which I have acknowledged. The two are not parallel.

The export of cattle is a clear area of power which the Commonwealth has entered, and Mr Nixon, unlike the honourable member for Murray Valley, acknowledges that the responsibility is his to endeavour to resolve the dispute that presently exists. He has indicated his willingness to try to do that.

MENTALLY RETARDED PERSONS

Mrs SETCHES (Ringwood)—In the light of the report that up to 7000 mentally retarded Victorians are not in receipt of any services, can the Minister of Health inform the House what steps the Government has taken to improve the conditions for these people?

Mr ROPER (Minister of Health)—The matter is of considerable concern to the Government, as it was to the former Minister of Health, but apparently not to the former Government. Grave deficiencies exist in the provision of mental retardation services and many of the facilities in which people are now housed, such as the Sunbury Training Centre and the Aradale Hospital, despite the best efforts of staff, are a disgrace. These hospitals would be closed tomorrow if they had to comply with the legislation for private hospitals.

The Government has already determined to carry on the proposal of the former Government concerning St Nicholas Hospital. The Government intends to close the hospital and relocate the patients in appropriate community facilities. The Government also added a union representative to the committee examining the matter so that the workers at those places do not consider that decisions are being made about their livelihood over which they do not have any control.

The Government has also provided the Health Commission with an addition to its staff ceiling. I thank the Premier and the Treasurer for establishing this, and that 58 positions will become available in the mental retardation area. The positions were advertised prior to the

election, but a staff ceiling had not been made available. Currently the positions are being filled and will allow the appointment of staff to service most regions in Victoria.

Mr Burgin—If you can get the staff.

Mr ROPER—I understand the difficulties which exist at the Colanda Training Centre at Colac. I have received a detailed report on staff difficulties. The Government intends to continue with its programme of providing facilities in the community to ensure that people in institutions can be repatriated to their own communities and live as near a normal life as is possible and a life that all retarded persons should be able to live in 1982.

PAPERS

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

Statutory Rules under the following Acts:
- Explosives Act 1960—No. 172.
- Industrial Training Act 1975—No. 178.
- Local Government Act 1958—No. 179.
- Public Service Act 1974—PSD No. 129.
- Victorian Brown Coal Council Act 1978—No. 169.
- Water Act 1958—Nos. 170, 180.

Town and Country Planning Act 1961:
- Colac—City of Colac Planning Scheme 1963, Amendment No. 16 (1981).
- Eaglehawk—Borough of Eaglehawk Planning Scheme, Amendment No. 3.
- Echuca—City of Echuca Planning Scheme, Amendment Nos. 49, 50 (1981) (two papers).
- Geelong—Geelong Regional Planning Scheme, Amendment Nos. 21 (Part 2A), 27 (1981) (two papers).
- Horsham—City of Horsham Planning Scheme 1973, Amendment No. 65 (1981).
- Melbourne and Metropolitan Planning Scheme, Amendment Nos. 143 (Part 2A), 159 (Part 2), 211 (three papers).
- Morwell—Shire of Morwell Planning Scheme 1977. Amendment No. 10 (1981).
- Rosedale—Shire of Rosedale Planning Scheme Part 2. Amendment No. 6.
- Sherbrooke—Shire of Sherbrooke Planning Scheme 1965, Amendment No. 146.

LOCAL GOVERNMENT (BOARD OF REVIEW) BILL (No. 2)

Mrs PATRICK (Brighton)—I move:

That the following Order of the Day, General Business, be read and discharged:

Local Government (Board of Review) Bill (No. 2)—second reading.

and that the Bill be withdrawn.

The reason for the withdrawal of the Bill is that a Bill on the same subject has passed through the House. The Opposition would have preferred the Bill standing in my name to have been passed, particularly in view of the provisions concerning adult franchise. The Opposition still considers the Bill standing in my name to be superior to the one introduced by the Government.

The motion was agreed to, and the Bill was withdrawn.

ELECTORAL COMMISSION BILL

This Bill was received from the Council and, on the motion of Mr CAIN (Premier), was read a first time.

NUCLEAR-FREE STATE DECLARATION

Mr ROSS-EDWARDS (Leader of the National Party)—I move:

That this House deplores the professed intention of the Government to declare a "nuclear-free State" on the following grounds: (*a*) Its potential for embarrassing Australia internationally and its detrimental effect on our defence arrangements; (*b*) The unnecessary and premature closing off of options for the peaceful application of nuclear energy in Victoria for the enhancement of living standards; and (*c*) Constitutionally, the issue of naval vessels visiting Australia should rest with the Federal Government under its defence powers.

Mr HANN (Rodney)—I second the motion.

Mr ROSS-EDWARDS (Leader of the National Party)—The terms of the motion are clear and concise and involve matters that are vital not only to Victoria but even more vital to the Australian nation.

Up to the last election it was generally agreed amongst responsible members of the three parties in the Victorian Parliament that the proposition of nuclear energy use did not pose any practical differences in the policies of the respective parties.

The areas of agreement were, firstly, that nuclear active material should have its place in certain medical, scientific and industrial uses; and secondly, that nuclear-powered ships of the United States Navy with unknown types of weapons visit Melbourne from time to time. I, along with other members of

the Victorian Parliament, went aboard these ships. No motion was moved in this place concerning the visits of those ships. In fact, I cannot recall any debate taking place in this Chamber concerning the visits of such ships.

The generation of electricity in Victoria using nuclear power has never been a serious proposition in the past and will not be in the foreseeable future because of the vast reserves of brown coal in this State. It was generally accepted that it was a proper though minor function of the State Electricity Commission to monitor world trends in the nuclear field so that it could keep the Government of the day informed as to relevant costs and scientific developments. That was the position as I understood it and was generally agreed to until some months ago.

However, on 5 May of this year, a meeting took place between the Premier and Mr Bob Brand, the Deputy Assistant Secretary of State for the United States of America State Department, who is a senior American diplomat and the former Consul-General in Melbourne. The Premier informed Mr Brand in his press statement yesterday of Victoria's policy on visits by nuclear-powered and nuclear-armed ships.

Naturally, I know nothing of any further discussions that followed between the Premier and Mr Brand in that interview. However, an indication of what the Premier said is made clear from a letter to the Prime Minister dated 27 May 1982 in which the Premier states:

> I am writing to give you early notice of my Government's policy that it will not permit visits of nuclear-powered or nuclear-armed vessels to Victorian ports.
>
> This policy, which was part of the platform on which my Government was elected, will apply without qualification.

I emphasize the words "without qualification". These words concern me even more than the Government's policy. These words mean that no American nuclear-powered ship may visit any port in Victoria, however serious its need and regardless of pressures confronting Australia at a particular time.

In my view the Government of Victoria does not have the constitutional power to stop the entry into Victorian ports of naval vessels that belong to countries such as the United Kingdom and the United States of America, because of Australia's defence relationships with those two countries. The Premier's stand on this matter must inevitably raise doubts in the minds of the United States and the United Kingdom Governments and, to a lesser extent, the French Government, as to whether Australia wants a close defence relationship with those countries. The overwhelming majority of Victorians are anxious for those traditional relationships not only to continue but also to grow and become stronger.

It is preposterous for Australia to tell its traditional allies not to bring ships into our ports. I repeat the earlier words of the Premier to the House when he said that, "This policy will apply without qualification". It is clearly a policy of convenience for the Government that has been foisted on the Labor Party by extremist groups.

Mr Kennett—It is popular politics.

Mr ROSS-EDWARDS—It is not popular when the chips are down. In the best interests of Victoria and Australia, the present policy of the Victorian Government must change. It must put out the welcome mat to the visiting war ships of our allies and make every State service available to those ships, as has been the policy in the past.

One can ask what is the Labor Party's policy. The matter is legally a Federal responsibility and, from a practical point of view, a Victorian Government responsibility. I will try to summarize the ALP policy: perhaps there is no ALP policy. I shall start with Victoria. The Premier made it clear that no naval vessels that are nuclear powered and/or nuclear armed are welcome in Victorian ports. The Premier of New South Wales, Mr Wran, has been stopping nuclear vessels from calling at New South Wales ports for the past seven years without telling anyone. However, he does not inquire as to whether conventionally-powered naval vessels are carrying nuclear devices.

In the Federal sphere, the Leader of the Opposition, Mr Hayden, has said, "It is acceptable for ships powered by nuclear means to call at our ports, but nuclear-armed ships should be banned". The Deputy Leader of the Opposition in Federal Parliament, Mr Bowen, has said, "It's in order for nuclear-powered ships and/or nuclear-armed ships to visit Australian ports, provided the visits are of short duration". The Federal ALP spokesman on defence, the honourable member for Corio, Mr Scholes, has said, "I think the Bowen position is realistic". I consider he is right.

In Tasmania the ALP Government welcomed the USS *Enterprise* in 1976. It welcomed the USS *Truxton* between 8 May and 13 May 1982, at which time Mr Holgate was Premier.

What is the real Federal ALP policy? I believe there is no Federal ALP policy on the visits of nuclear-powered and/or nuclear-armed ships to Australian ports. An ALP Federal conference will be held next month and this matter will probably be debated then. I shall refer briefly to whether a naval vessel is or is not nuclear armed. No country would disclose that information for the most obvious reasons. The Premier has indicated that he will ask whether a ship entering a Melbourne port is nuclear armed. The United States of America Government has made it clear that it will not indicate whether its ships are nuclear armed because if it did it would be giving away defence secrets not only to Victoria, but also to the whole world.

On this point I refer to a statement by Mr Gough Whitlam when he was Federal Leader of the Opposition and speaking in the Federal Parliament on 4 June 1976. He stated:

> I should make it plain that there is regrettably in the public mind a great deal of confusion about nuclear ships.

That was a prophetic statement! Mr Whitlam continued:

> There is a difference between nuclear-armed ships and nuclear-powered ships. Nuclear-armed ships—presumably only nuclear-armed naval ships—have come to Australia for very many years. They have come from several powers. Successive Governments have accepted that naval ships these days are quite likely to be nuclear armed. It is impossible to expect the navies of other countries to specify for public consumption which of their ships are nuclear-armed and which are not so that any country which is host to those ships may require that only those which are non nuclear-armed can come to the ports. If that information and that requirement are imposed it becomes a matter of public knowledge which of the ships in any particular navy are nuclear-armed and which may not be.

That was a fairly obvious, sensible, and clear statement and one that would be expected from Mr Gough Whitlam, a former Prime Minister of Australia.

I read with interest the seven-page press statement of the Premier released yesterday. It gives no logical answer to the ridiculous situation that he and his Government have created in Victoria. The Premier does not help his cause by his continued sniping and criticism of the Prime Minister. I make it clear that Mr Fraser has logic on his side and is acting in the best interests of Australia. The further the Premier takes this matter, the more ridiculous his stance will become.

Over the past ten years there have been about 500 visits from British, American and French naval vessels to Australian ports. I might add that 135 of those visits took place during the term of the Whitlam Government in Canberra. Since 1976 there have been 44 visits by nuclear-powered warships to Australian ports.

Concerning the safety to the community of these ships, I quote from a copy of the letter forwarded by the Prime Minister to the Premier dated 3 June. The letter states, *inter alia*:

> In every instance comprehensive radiation monitoring was undertaken by the Australian Atomic Energy Commission in conjunction with State authorities. There have been no incidents causing concern on health or environmental grounds.
>
> There has been a continuing involvement between State and Commonwealth officials in the development and refinement of arrangements to apply to visits of nuclear-powered warships.

The visits of friendly naval vessels to Australian ports is not the legal concern of the Victorian Government. It should be the concern of the Victorian

Government to co-operate with the Federal Government to facilitate these visits.

The simple question that the Premier will eventually have to answer, in the affirmative, is:

> Does the Victorian Government support the visit to Victorian ports, of nuclear-powered and/or nuclear-armed naval visits of the United Kingdom and the United States.

The Victorian Government has made a ghastly practical and political error of judgment. The mistake will not go away and the obvious answer to the problem is for the Government to change its stance and to change it quickly.

I await with interest the outcome of the discussion on this matter at the national conference of the Labor Party next month. Who knows, this conference might resolve the problem faced by the Victorian Government!

The ordinary Australian is concerned by recent events in the Middle East and the Falkland Islands. It must be obvious to members of the Government that this is the time to strengthen our ties with our traditional friends.

The proposal of the Premier and his Government is wrong in law; it is a stupid stance and, even worse—I hesitate to say it—it is disloyal. The Premier has shown a capacity for leadership in the early days of his new Government. He must now show the necessary strength to change direction and exert himself over some of his extremist colleagues.

Mr CAIN (Premier)—At the outset, two or three things should be made clear and, I hope, borne in mind throughout the debate. Firstly, I believe on good authority that the people of this State want a nuclear-free Victoria. They want a State that is not afflicted or threatened by the nuclear industry in any form, with certain very measured and well-defined exceptions. Secondly, I believe the Government has a clear and specific mandate on this issue.

Honourable members interjecting.

Mr CAIN — Honourable members should listen for a moment. The matter was put to the electorate in clear terms. An entire page of the minerals and energy policy document released by the Labor Party was devoted to the question of nuclear energy. Page 22 of that document made perfectly clear the Labor Party's policy in this regard. I will not go over it again, but that document contained all of the issues that have been raised by the Leader of the National Party. Among the matters referred to is the statement—

> . . . will not permit nuclear-powered or armed vessels to visit Victorian ports.

For the Leader of the Opposition to assert that the electorate was not aware of it is incorrect. The policy was set out and the issue was an issue in the election for all to see.

Thirdly, this debate ought to be—and I hope it is—about long-term social and moral issues—I emphasize, not just about short-term issues and immediate political gain, as is being enunciated by some—and not just about ships.

Mr LIEBERMAN (Benambra)—On a point of order, Mr Speaker, I ask that the Premier make available for honourable members the entire document from which he has quoted, perhaps by tabling it.

The SPEAKER (the Hon. C. T. Edmunds)—Order! There is no point of order.

Mr CAIN (Premier)—If the matter is causing concern, I will make the document available. However, I believe the honourable member certainly would have seen it during the course of the election campaign.

I was saying that this debate is about long-term social and moral issues and not just about a number of short-term issues, and it is about whether Victoria should develop its own nuclear industry and, in context, about the welfare of all Victorians. Ultimately, what is to be said about the survival of the human race? We can make decisions about our future, if we choose, and we may disagree with one another about it, but the implications of this issue are about future generations over whom we have no control and we should not commit to a course of action that may afflict them.

Those who forget the long-term consequences and treat this issue as a matter of short-term political gain are trading with the future of future generations of this State. As I said before, there is ample evidence that the people of this State want a nuclear-free State without the intrusion of the nuclear industry.

As far back as 1979 a Gallup poll which was reported in the Melbourne *Herald* newspaper revealed that 56 per cent of all Australians, including a predominance—63 per cent—of women, were opposed to the building of nuclear power stations in this country.

Honourable members interjecting.

The SPEAKER—Order! The honourable member for Burwood will cease interjecting.

Mr CAIN—I believe the percentage has probably increased because people's fears of the nuclear industry and nuclear accidents have grown rather than diminished in recent years. The 1982 election was, I believe, the first State election when this issue was debated, at least by one side. The Labor Party was the only party to make clear its policy, and make quite explicit, its views on the issue. The Labor Party was the only party, so far as I am aware, which chose to enunciate a policy in this area. If one looks at the Democrat vote in the election, one would ask why the Labor Party has 49 and not 44 or 45 members; it is clear for all to see.

The Labor Party received, on past trends, a disproportionate number of Democratic preferences. That party has expressed a similar view to the Labor Party about the nuclear issue. In answer to the interjection, it was no pay-off at all. The Democrat party expressed the same view as the Labor Party. This issue cuts across well-entrenched political lines. There are people in the Liberal Party who support the view of the Labor Party on this, and people in the National Party who support the Labor Party view on this. Honourable members should go out and conduct a street poll.

Honourable members interjecting.

The SPEAKER—Order! The Leader of the National Party was heard in silence, and I ask the House to provide the Premier with the same courtesy.

Mr CAIN—I merely invite members of the Liberal Party to conduct a street poll of women in Bourke Street or Spring Street this morning and see what sort of response they get on what the people of this State feel about this issue. I regret that the Leader of the Opposition and the Prime Minister have sought to misrepresent the stand taken by the Labor Party on this issue. The document, which the honourable member for Benambra wished to see, makes the position of the Labor Party clear. It was circulated in large numbers and it was studied and analysed by the media in detail.

The Leader of the Opposition says it was not what I put up in television. Let me repeat for him what I said in my policy speech in the time I had available on television. I think 1 million Victorians heard it. I said then, and I repeat:

> We will never put again your children and future generations of Victorians at risk with nuclear power and its lethal waste.

I said that over television and radio in my policy speech. It is there on the record. The Leader of the Opposition nods his head in the negative. I said it. In contrast, the Liberal Party and National Party have presented no clear policy on nuclear energy to the electorate. Perhaps they were confused. Perhaps they did not think through the issues. And here they come along—and I link the National Party with this—jumping on the bandwagon because they think it is a good political issue, and are trying to embarrass the Labor Party with it.

The Labor Party is prepared to weather embarrassment or anything else if it believes that what it is saying on issues is correct. That is the difference between us. The Labor Party is prepared to stand up on issues and the Liberal Party never has been. It wobbles around, goes from issue to issue *ad hoc*, and seizes on issues to try and get political capital. It is a tradition of

conservative parties. It is likely that the Liberal Party, seeing the stand taken by the Labor Party on this issue in the campaign, chose to lie low and say nothing about it, and it is trying to enjoy the best of all possible worlds.

Let me be clear on one thing: The motion of the Leader of the National Party seeks to oppose a measure about which this Government had a specific mandate and clear and popular support. Worse still, a similar motion in another place, not very far from here, seeks for the second time in a week to have the views of that Chamber prevail on the clearly expressed views of the Victorian electorate. Some members of that other place were elected six years ago and others three years ago—some were elected as far back as 1976—and they do not speak for the contemporary views of the people of this State. The Parliament elected on 3 April does. The members behind me do, and will. That is the difference between this Chamber and the other Chamber.

There are a number of reasons why the Labor Party proposed that this State ought to express through Parliament its views about the nuclear industry. They are clearly enunciated in that document I referred to and elsewhere. There is no present safe method for the disposal of nuclear waste. Does anybody opposite suggest there is? Are there any interjections to tell me what they are and what the methods are?

Mr ROSS-EDWARDS (Leader of the National Party)—On a point of order, Mr Speaker. I adhered to your ruling, and now the Premier says, "Speak now and tell me what they are". It is ridiculous to allow the Premier to make a specific charge to answer his query when I have to be silent. It is a one-way tram.

The SPEAKER—There is no point of order. The honourable member has raised at this stage a personal explanation, and I accept it.

Mr CAIN (Premier)—I was saying that there is widespread fear in the community that a breakdown of a nuclear-powered station could lead to the emission of dangerous levels of radiation.

Mr Ross-Edwards—Rubbish!

Mr CAIN—I hear the interjection, "Rubbish". That is not the experience in other parts of the world. The last point I make is, whatever the views may be of the Liberal Party and the National Party, there is a world-wide expression of concern that the development of the nuclear industry increases the probability of nuclear war. These are real issues and real fears which any responsible Government must address. They go to the heart of the policy that the Labor Party expressed at the last election, and they are issues, which I say again, have not been seriously or systematically addressed by the Opposition or the National Party.

I shall refer to a couple of those issues in specific terms. There is no safe method of disposing of nuclear waste. There is no acceptable method of storage or disposal of those wastes. For it to be effective, storage must be both effective and safe. It must also be financially viable. I repeat that no country anywhere in the world has found such a method. There have been extraordinarily elaborate proposals suggested for its disposal—put it into glass, into synthetics, into rock, shoot it into space, drop it in the sea—but I do not believe that anyone has suggested that any of those methods is yet viable. It has been suggested that it should be processed. The United States of America has tried it, I understand, and that has not been found to be commercially viable. There have been a number of experiments in the United States of America, but none has been found to provide a means of disposal.

I also wish to say something about the second point I made. There is—and I hope this place can debate this without emotion—a fear in the community about the consequences of a nuclear breakdown, and that fear grows with each reported accident. I refer to a poll in the United States of America in 1979, when there was a dramatic increase in public response following the Three Mile Island incident at Harrisburg.

There is a large and growing risk of nuclear accidents. The honourable member for Burwood claims that the record

is pretty good. The information I have is that there have been over 1000 reported incidents documented since nuclear energy was first developed 30 years ago. The line always put by governments on the uranium industry is that the possibility of accidents is "remote". That seems to be the word used. I do not believe the Australian public any longer is prepared to buy that argument. I will come to ships in a moment. The Australian public realizes that the facts about accidents are often covered up, and if that "remote" accident occurs, then the consequences are horrendous.

There was a typical official report that was tabled in the Australian Parliament in 1976 by Mr Fraser, and it is headed, "Environmental consequences of visits of nuclear-powered warships to Australia". That document contains the masterly under-statement that, "although the probability of reactor accidents is very low, the consequences of some accidents could be serious". Indeed, the document refers to a detailed series of measures to be undertaken in the event of either some nuclear accident or incident occurring.

A recent USA study indicated that a single major nuclear accident resulted in 3300 immediate deaths from radiation illness, that 45 000 cancer deaths would occur over the next 30 years and that 170 deformed children would be born in the following generation. Nuclear reactors are not safe because there are too many unavoidable and dangerous variables.

The debate on nuclear safety centres on the question of whether or not radioactivity will escape into the environment from routine releases and accidents and the probability of accidents. That issue was postulated in the Three Mile Island leakage when there was an almost catastrophic melt-down of the nuclear-reactor.

There is the question of evacuation plans in the event of a nuclear accident and the question of whether evacuations could avoid immense suffering and devastation. The major nuclear accident at Harrisburg disproved, once and for all, the safety claims made by nuclear supporters. All of the elaborate safety systems that were claimed to be in existence at Harrisburg did not prevent the events that followed.

It must be remembered that many of the recorded nuclear accidents not only increased the community fear but also exact a huge toll in death and injury on those workers and persons who live in the vicinity of nuclear power plants.

How does one combat these risks? To prevent the prospect of nuclear accidents, the Government has presented a series of proposals that are carefully thought out. Those proposals represent an honest and rational response to the fears that have been raised. The proposals should not be categorized as being either extremist or ideological. The proposals err on the side of safety and on the side of the concern demonstrated for the community. I fail to understand why the Opposition should express concern about the proposals.

The Labor Party will not have it on its conscience that it failed to take measures to protect the children of this State from the hazards of nuclear contamination. The Government is opposed to the siting of nuclear reactors, the processing of nuclear materials, and the storage of nuclear waste in Victoria. The Government will provide neither licences nor financial assistance and incentives for uranium exploration or mining in Victoria. Apart from materials that have a medical, scientific or approved industrial application, the Government will, as far as possible, not permit the transport of nuclear materials either through or within the State of Victoria.

Honourable members opposite are interjecting with one-line remarks like, "populist theories". Honourable members opposite cannot live in isolation forever. It appears that the Opposition is not prepared to face the problems of the nuclear industry that have been enunciated in other parts of the world. If the Opposition is prepared to announce to the House that it has found a solution to the nuclear problems, nuclear reactors will not be a problem

for ever, but the Opposition has not done that. If the Opposition does find a solution to the problem, it is to be hoped that it will inform the House.

However, in the meantime, it is the obligation of the Government to make it clear that there is no place in Victoria for any nuclear industry that would raise the spectre of nuclear accidents.

Mr Ross-Edwards—We are not talking about industry.

Mr CAIN—The motion moved by the Leader of the National Party does talk about industry. Does the Leader of the National Party want to speak about nuclear-power ships? The Government has announced a clear attitude to nuclear-powered ships.

As distinct from proposed legislation, the Government has taken separate and distinct initiatives on the issue of nuclear-powered ships. I have stated the general context in which a nuclear-free Victoria should exist.

My comments on nuclear-powered ships have been grossly distorted and misrepresented by the Prime Minister in his usual way. I expressed the views and the policy of the Government to the Prime Minister in precisely the same way as have the Governments of South Australia and New South Wales. I adopted the correct approach. No nuclear-powered vessels have visited the ports of either South Australia or New South Wales since the attitudes of the Governments of those States were made known. In other words, the Commonwealth Government and the Governments, presumably, of either the States or nations that might be affected have decided not to offend the desires of the Governments of South Australia and New South Wales.

One supposes that the response of the Prime Minister in the political climate in which he found himself might have been said to be predictable. The Prime Minister endeavoured to rattle the sabre and crunch the khaki in an attempt to build an issue out of the matter, and gain some political capital. That is the way the Prime Minister operates. However, that should not have relieved me from proceeding in the correct way and from informing the Prime Minister of the views of the Victorian Government. I repeat: When the Prime Minister responded and raised the constitutional issues, I informed him that I would examine the matter. However, in typical Fraser fashion, the Prime Minister chose to try to make a political issue out of it before discussions were concluded. I want it on the record that that is what he did.

On 4 June my office received a call from a Canberra journalist, who was obviously aware of the correspondence between the Prime Minister and myself.

Mr Ross-Edwards—You are guessing.

Mr CAIN—I am not guessing. The journalist was well aware of the contents of the correspondence and the source of his information was obvious. I had believed the Prime Minister would permit the discussions between him and me to continue without leaking the contents of the discussions to the media. I then adopted the course of announcing the policy of the Government on the matter. I repeat: That policy is supported by the Victorian community.

Mr Hann—How many people knew about the policy?

Mr CAIN—I invite the honourable member for Rodney to test the electorate on the matter. My task as Leader of the Government is to implement the policy of the Labor Party.

The Labor Party was elected on two main thrusts: One was to restore responsible Government to the State and the other was to implement a programme. I intend to do both as far as I am able. The Labor Party has issued a policy document that contains a clear expression of opinion about the nuclear industry and the attitude of the Government to nuclear-powered vessels.

Mr Lieberman—That is constitutionally out of order.

Mr CAIN—That is not so. The Constitution states that if the Commonwealth Government chooses—as indicated by the Prime Minister—to introduce legislation, that action is paramount. If the honourable member is

asserting that the defence power enables the Commonwealth Government to do it without legislation, that is not the advice I have received. That is not the issue at this time. The issue now is the recognition by this Government of a need to tell the Federal Government what it intended, which it did, and a recognition that we have in Australia a Federal system under which the powers are shared between two Governments.

Never, at any time, did I assert that the intention of this Government was to intrude into Federal powers in foreign affairs, treaty or defence matters. What I said was that the Government has a policy—and members of the Opposition and the National Party should be aware of it—that clearly states that we do not want these vessels here, because we believe they affect and threaten the health and welfare of the people of this State.

The Prime Minister's response was to say, "Our powers override those concerns". I accept that that is the position. If the Federal Government chooses to intrude, it has the power to do so, but there is a rider. I said it yesterday and I say it again: If the Prime Minister wishes to get into that field, it becomes his responsibility to ensure that the legislation he proposes to implement contains the safeguards and protection that the people of this State are entitled to have. I want to see what those protections are, because the Government has a primary obligation for the welfare of the people of Victoria. The Prime Minister has said, "We are coming into the field"—whether it is in pursuance of defence powers, foreign affairs or treaty powers. He said, "We are in" and that statement brings corresponding duties of care and corresponding responsibilities. That is what I said to the Prime Minister: "You are in now. You are responsible for looking after the health, welfare and safety of the people of this State".

Victoria is not the only place in the world where concern has been expressed about the visit of nuclear-powered and nuclear-armed vessels. In parts of the United States of America and in other countries, the same concern has been expressed. It is not peculiar to Victoria. Unfortunately, members of the Opposition do not seem to want to realize or accept that it is a world-wide concern. People right throughout the world are not prepared to put their lives and the lives of future generations at risk.

The Government has said that it intends to legislate on the nuclear industry in this State. Again, I say we have the power to do that. I believe it is a concurrent power, where both the State and Federal Governments can involve themselves. If the Prime Minister wants to get into that field, let him say what intrusion the Federal Government wants to implement and make clear what he wishes. Let this issue come out into the open, as it is now. Let the Opposition and the National Party say what their policies are in relation to the protection of people of this State. Do they want a nuclear industry in this State or do they not? Do they say, "We should have nuclear reactors in Victoria next week or next month", or are they prepared to stand up and say they do not want Victorians put at risk? This is the time for saying what they want.

Mr Ross-Edwards—You know the answer to that.

Mr CAIN—I do not know the answer, because the Opposition and the National Party have never told us. The Opposition has always hedged on this issue and has never been prepared to say whether it intended to seek to generate electricity from nuclear power. It allowed the State Electricity Commission to buy land with only one purpose in mind. Here were two sites: One on French Island and another in the Western District.

Mr Kennett—Absolute rubbish!

Mr CAIN—Is the Opposition now saying that the State Electricity Commission bought that land without the authority or consent of the Liberal Government? Is that what happened? Did the commission make up its own mind without the then Government being

aware of the purpose for which the land would be used? Is the Opposition now saying that, when in Government, it was unaware of the purpose for which that land was bought? My understanding is that there was no qualification or equivocation about the purpose for which that land was bought in 1971 or 1972.

The Labor Party has been prepared to say what its policy is. We have been prepared to put that policy forward, both at the time of the election and now, but I did not hear any policy announced by the National Party or the Liberal Party during the election campaign. The Labor Party put its policy forward and was elected upon it.

I conclude my remarks by saying that the course the Government has taken on this issue is the proper course to adopt; to make clear to the people of Victoria how it proposes to implement the policies upon which it was elected. The Government will continue to implement those policies so far as it is able. It intends to introduce proposed legislation to ensure that the people of this State have the protection which they sought and which, I believe, people in all parts of the world want, seek and will get from Governments that are responsible and sensitive to the needs and concerns of the people.

Mr THOMPSON (Leader of the Opposition)—Today, honourable members have witnessed the Premier twisting and turning like a Soviet gymnast, trying to explain his way out of the extraordinary political and defence blunder he has made. For those like the honourable member for Williamstown, who are more interested in football, I shall put it this way: He has been wriggling like Rioli of Richmond in an attempt to extricate himself from the extraordinary predicament in which he finds himself.

Let us trace the order of events. There was a report of a statement he made to Mr Brand, the distinguished American diplomat, on May 7, I think. Why did he not make that statement to the American Vice-President, Mr George Bush, who visited Victoria approximately a week or ten days before the statement was made? He had half an hour in which to do so. I was able to have a half-hour conference with Mr Bush, at which time I took the opportunity of stressing the fact that the people of Victoria welcomed the defence alliance with the United States of America, realizing that it is the bastion of our defence policy and that our future security in the Pacific is undoubtedly tied up with the United States of America, whether we like it or not. Many of us may like it, and some may not, but we must be realistic about it. It is essential, for defence reasons, to maintain that alliance in the form of the ANZUS treaty and other agreements and understandings with the United States of America.

The Premier says that he made it clear to the people of Victoria during the election campaign that he would ban nuclear-powered and nuclear-armed vessels from visiting the ports of Victoria. Exactly what did he say to the people of Victoria over television? I have a document here, which we had no end of trouble trying to acquire during the election campaign. I do not think the people of Victoria read it or were aware of it. However, they were aware of what the Premier said on television in his capacity as Leader of the Opposition, in a statement on energy during his policy speech. During the debate, the Premier read the final paragraph, relating to energy policies, but what he was actually talking about was the production of power for industry. On television he said:

> Promotion competition with the SEC and the Gas and Fuel Corporation will end. We'll encourage research into coal liquefaction to proceed up to and including the pilot coal-to-oil at Morwell.
>
> . . . . .
>
> The industry itself has strong reservations about the commercial viability of coal liquefaction. The Portland aluminium smelter has the potential of combining enormous industry expertise with our brown coal resources. The Alcoa project can provide economic benefit to this State, but Victorians should not subsidize that project through their electricity bills.

This morning, the Premier went straight to:

> Victoria's abundant brown coal and gas reserves, and an effective conservation of energy policy, ensures our future energy needs.
>
> We will never put your children and future generations of Victorians at risk with nuclear power and its lethal waste.

There is nothing in that statement to indicate that a Labor Government, if it came into power, would ban the entry into Victorian ports of nuclear-armed and nuclear-powered vessels.

Many people heard the Premier's statement during his policy speech on television. It proceeded logically about the production of electricity in Victoria and any reasonable person would have assumed that the Premier was referring to banning the construction of nuclear energy power stations and not the banning of visits of ships of the American and British navies to Victorian waters. The Premier knows, as most people do, that nuclear-powered ships and some nuclear-armed ships have been visiting the port of Melbourne regularly. Over the past ten years, approximately 500 nuclear-powered and some nuclear-armed ships have visited Australia without any harm being caused to Victorians.

The Premier cannot give one example of any harm that has been done to the people of Victoria by the visits of even one of those 500 ships. The Premier has made a political blunder. Not one lead writer in the Victorian media or elsewhere has done anything but condemn the Premier for the extraordinary statement he made and each one has expressed fears on the potential harm of the Premier's statement to the American alliance.

The whole purpose of the exercise accorded with the principal political pay-off outlined in the *Age* editorial page that those who supported the Premier during the election have informed him that it is time to produce the goods and to do what he told them he would do and which he did not make much of nor mention at election time, Those persons have said that now is the time for the political pay-off to be made. In response, the Premier wrote a letter to Mr Fraser on 27 May 1982, in which he stated:

> I am writing to give you early notice of my Government's policy that it will not permit visits of nuclear-powered or nuclear-armed vessels to Victorian ports.
>
> This policy, which was part of the platform on which my Government was elected, will apply without qualification.

A heavy question mark can apply to the Premier's phrase, "which was part of the platform on which my Government was elected." In his letter, was the intent of the Premier to make use of existing Victorian legislation, to initiate new legislation or to request the Prime Minister to initiate legislation to implement that extraordinary aim?

The statement made by the Premier yesterday consisted of more than seven pages and concluded with a page on tax avoidance which had nothing to do with the subject of nuclear power and weapons and his statement indicated only that he did not intend to initiate legislation.

What was the purpose of the exercise? Why did the Premier not seek the opinion of the Solicitor-General before making any statements on nuclear policy? Obviously the Premier was in doubt about it because he had to seek advice from the Solicitor-General subsequently about what he could do to get out of his predicament.

After telling the House that the export of live sheep was a Federal issue on which he would not intervene, he has made extraordinary statements on another matter of clear Federal jurisdiction—whether American warships, either nuclear powered or nuclear armed, should visit Australian ports. The Premier rushed into his predicament to the embarrassment of the people of Victoria, defence chiefs and sections of his own party.

Obviously, in response to the Premier's initial statements, calls were made from Canberra to remedy the situation, which resulted in the Premier issuing a seven-page statement that did nothing other than confirm what he said previously, namely, that the clear-cut policy of the Government was well known to the people of Victoria.

What is that clear cut policy? Mr Hayden, the Leader of the Opposition in the Federal sphere, says that the policy is to ban nuclear-powered and nuclear-armed ships and his interpretation of the policy is very much in line with the attitude of the Premier of Victoria and reiterates the remarks made in the Premier's letter to the Prime Minister on 27 May 1982. However, the Deputy Leader of the Opposition in the Federal sphere, Mr Bowen, said that is not what is meant in Labor Party policy and that it is all right for a nuclear-powered and nuclear-armed vessel to visit Australian ports so long as the vessel stays for only a few days. So long as a vessel stays for only 3 days, 4 days, 7 days or 15 days there is no harm in it entering Australian waters, but it would not be able to remain for very long because it would outstay its welcome with the Socialist left.

There is an extraordinary measure of disagreement between the Federal Leader and Deputy Leader of the Opposition on the nuclear policy of the Labor Party. However, according to the Premier of Victoria, that nuclear policy was made abundantly clear to Victorians. Victorian people, it is alleged, understood it frontwards, backwards and sideways—even though the Federal Leader and Deputy Leader of the Opposition cannot agree on what that means.

In attempting to clarify the situation further, the Federal Labor Party spokesman on defence issues, the Federal member for Corio, Mr Scholes, inferred that the statements by the Premier of Victoria would be an embarrassment to the defence of Australia and was out of line with the defence policy of the Labor Party if it ever became the Federal Government in the future. That attempted clarification threw the matter into even greater confusion.

Now is the time for Mr Robert Hawke to enter the arena and clear up the dispute—he normally comes into a dispute after a few weeks of misunderstanding. Perhaps he should be called in to clear up the extraordinary dispute between the Premier of Victoria, the Federal Leader of the Opposition and the Federal Deputy Leader of the Opposition, such wonderful statesmen, and state exactly what the nuclear policy of the Labor Party means.

That policy has a direct effect on the ANZUS treaty. Australia is a small nation of 15 million people. It is located at one end of the Pacific Ocean, and, as much as Australians may or may not like it, it is dependent on other greater powers for its effective defence.

In the years before 1940, it was said Australia could look after itself and that there was no real defence threat and no menace to the country. In about 1938, prior to the second world war, on a visit to Australia, a British Labor Party member of the House of Commons, Mr Arthur Henderson, advocated support for a proposed international peace campaign and condemned any move by the Allied nations to arm. Within two years, the Allied nations were in an extraordinary predicament. Many honourable members in the House today would not be alive but for the American air and naval support provided during the dark days of the second world war, and, certainly, I am one of them. Many honourable members would have disappeared along with me in the early months of 1942 and 1943 in New Guinea but for the aerial support provided by the American *Liberators, Kittyhawks* and other fighter planes of the United States of America Airforce.

Australians must be realistic and, in view of recent world events, it is essential that Australia should always be prepared. Any realistic member of the Federal Parliament would undoubtedly agree; even the Labor spokesman on defence, Mr Gordon Scholes, is realistic enough to appreciate that point of view. The official view of the United States of America in relation to the ANZUS alliance, following the tactless and dangerous remarks of the Victorian Premier, was:

> Quite apart from the present dispute, it should be clear that access to allied ports and airfields for US ships and aircraft is critical to our efforts to maintain a strategic deterrence, it said.
>
> It would be difficult, if not impossible, for the US to carry out its responsibilities to assist effectively in the defence of its allies if it is denied the use of their ports.

That is real common sense and that is the hub of the question, the core of the problem. How can Australia expect an effective alliance with New Zealand and, in particular, with the United States of America in defence of our interests in the Pacific regions if a large percentage of the ships of the United States Navy are told that they should not come to our ports?

The Premier complained that he was being treated unfairly by Mr Fraser and that when Mr Wran and Mr Dunstan placed a ban on these ships there was not the same degree of fuss or protest. There were two reasons for that. Firstly, four years ago there was a much smaller number of nuclear-powered and nuclear-armed ships than there is today. As each year goes by, more and more ships are becoming nuclear powered and I believe an increasing percentage of the ships of the United States Navy are nuclear armed. Also, I appreciate, as would every honourable member of this House, that we cannot expect the United States of America to announce through its intelligence forces which ships are nuclear armed and which are not.

The second reason why the attitude today is much more serious than that taken to the New South Wales and South Australian situation previously, is that the Victorian Premier's statement closes the whole of south-eastern Australia to ships of the American Navy as, obviously, the United States of America cannot tell Australia in advance which ships are nuclear armed and which are nuclear powered. That means that all the ports of south-eastern Australia will be effectively shut off to the United States Navy and that is why the Prime Minister and the Minister for Defence took such a serious view of the actions of the Premier of Victoria, even though he was acting unconstitutionally and wide from State fields of power.

The Opposition strongly supports the motion moved by the Leader of the National Party, particularly for the reason outlined in paragraphs (*a*) and (*c*). In other words, because of the effect of the statement of the Premier of Victoria, its potential for embarrassing Australia internationally and its detrimental effect on our defence arrangements, the motion reads:

> (c) Constitutionally, the issue of naval vessels visiting Australia should rest with the Federal Government under its defence powers.

Members of the Opposition make no apology for attacking this issue in the most vigorous way possible. Our policy is perfectly clear. The Opposition is interested in the health of Victorians and it is interested in handling any form of nuclear energy, whether it is to be used for medical or scientific purposes, as carefully as possible; but on the other hand, the Government has not drawn the attention of the House or of the Victorian people to any area where action needs to be taken. If the Government produced a Bill providing for additional safeguards for the use of nuclear power in medicine and research, the Opposition would examine that proposed legislation and would more than likely support it, but when the Government asks the Opposition to support a reckless and extraordinary statement by the Premier which would have the effect of destroying the ANZUS treaty and endangering the future defence of Australia, the Opposition will not have a bar of it.

Mr MATHEWS (Minister for the Arts)—The Leader of the Opposition has just demonstrated his complete inability to rise to an occasion and to speak to considerations that are wider than those of the parish pump. The Leader of the National Party who preceded him showed precisely that same inability.

The issues which are under discussion in this Parliament far transcend in their relevance the boundaries of this State. They transcend national boundaries. All around the world people are on the march against the nuclear shadow that hangs over mankind, and the Leader of the Opposition and the Leader of the National Party showed a complete inability to identify with the concern that is moving those people in their protest. The best that the Leader of the Opposition could manage was to talk about the Premier twisting and

gyrating like a Soviet gymnast. That was the response of the Leader of the Opposition to these issues which concern the whole of mankind.

He talked in that way about the first leader in the history of this State who seriously addressed himself to these matters. What a squalid response the Leader of the Opposition gave, and what a level of understanding this man brings to bear on the motivation of a Premier who took up this great nuclear challenge and addressed it in the positive way of which honourable members have seen evidence in recent days. The Leader of the Opposition could only understand the Premier's stand in terms of a pay-off to the Socialist left. How often have honourable members heard that sort of response from this man who cannot understand that a Leader of the Labor Party, with all the humanity and concern of earlier Leaders of the Labor Party behind him, might seriously believe that the very survival of mankind is overshadowed by the nuclear hazards to which he has turned his attention in recent days?

The Leader of the Opposition showed a complete inability to realize that there is a great hunger on the part of the people he represents for freedom from anxiety over the nuclear hazards to the greatest extent that we, within the confines of this Parliament, can contrive. That is what the Premier has been on about in recent days, to ensure to the greatest possible extent that the shadow of the nuclear hazard which hangs over this State and which gnaws at us all should be relieved to the greatest possible extent that can be achieved. That same hunger is evident around the world where people look constantly for a sanctuary to which they might turn for relief from the shadow.

In the immediate post-war period people came to this country in their hundreds and thousands in pursuit of freedom and democracy, as honourable members opposite say. A little later they came here in further hundreds and thousands in pursuit of a place in the sun economically, somewhere where their aspirations for economic security could be addressed. Now, in the 1980s, increasingly hundreds of thousands of people in Europe look to this country as a sanctuary against the nuclear peril with which they live there day in and day out.

Increasingly, when surveys are conducted among migrants arriving in this country, the reason they give first for coming to Australia is not the freedom from political oppression or economic opportunity but rather freedom from the nuclear threat. If our affairs are managed correctly in Australia we can hold out hope to those people. If we are prepared to address ourselves to these issues and do what is within our power and competence, both in this Parliament and in the national Parliament, we can keep the lamp alight for those migrants. That light draws people to this country; it is a country where they can see some hope which is almost denied to the rest of the world. That hope is precious; people look to Australia to maintain that hope and ensure that it is preserved for them and the people of this State and the country.

That is what the Premier has been concerned about. The Premier is anxious to ensure that that hope is kept alive. The tactic of the conservatives is to prop up the nuclear power and nuclear armament lobbies. It is always the ploy of the conservatives to carry out this despicable role and to lie, lie and lie again about the real measure of hazard which these arrangements represent.

Mr THOMPSON (Leader of the Opposition)—On a point of order, I believe the use of the word "lie" is a reflection on members of the Opposition and other honourable members. I ask that it be withdrawn.

The DEPUTY SPEAKER (Mr Wilton)—Order! If the use of the word "lie" by the Minister for the Arts was directed to other honourable members in this House, he will withdraw.

Mr MATHEWS (Minister for the Arts)—I would indeed withdraw if it were a specific reference of the sort suggested, but my remarks were a general categorization of all those people who put forward those ideas.

Mr MACLELLAN (Berwick)—On a point of order, Mr Deputy Speaker, you called upon the Minister to withdraw if he made that reference to any member of the House. The honourable member has not made it clear to the House whether he was referring to any member of this House when he stated that people lie, lie and lie again to mislead people about the hazards of nuclear energy. Remembering that the honourable member was a supporter of an office which dug uranium out of the ground and exported it from this country, I ask the honourable gentleman to clarify the matter.

The DEPUTY SPEAKER—Order! When I addressed the Minister for the Arts I understood him to indicate that he was prepared to withdraw the remarks with respect to other honourable members. I heard the honourable gentleman and there is no point of order.

Mr MATHEWS (Minister for the Arts)—A systematic attempt has been made to play down and minimize the hazards associated with the nuclear industry, whether it takes the form of mining, power production, ship propulsion or nuclear armaments. Again and again people peddle the line that the nuclear industry is safe. These people should be exposed because they are wrong and they know they are wrong.

I have a list of no fewer than 27 major accidents involving nuclear weapons in the United States of America alone which occurred between 1950 and 1980. The United States Department of Defence has been prepared to acknowledge these major accidents involving nuclear weapons. Would anyone doubt that if the United States Department of Defence acknowledges 27 major accidents, ten times that number would have realistically occurred?

I have a copy of an official report made available by the United States Department of Defence under the provisions of freedom of information legislation in that country—and for no other reason—outlining how nuclear weapons have gone astray or have been accidently dropped from aeroplanes.

The document describes how nuclear-armed missiles have exploded in their silos, distributing radioactive material across the landscape in their vicinity. The document further describes how again and again we have been brought to the brink of disaster by the technical constraints which operate as much in regard to nuclear armaments as in regard to any other field of human endeavour.

Particular reference is given to an accident involving a series of six switches which control the arm of a nuclear device. This equipment accidentally went astray, leaving the community in which the accident occurred within one switch—or one sixth—of a nuclear disaster. Official documents such as this from the United States Department of Defence have motivated the Victorian Premier to speak on behalf of the people of Victoria about the hazards of nuclear activity.

The Leader of the Opposition recalled a visit paid to Australia prior to the second world war by Arthur Henderson on behalf of the British Labor Party. The honourable gentleman is older than I, as is the Leader of the National Party. They will both recall another occasion early in the war when the Prime Minister of Britain, Mr Neville Chamberlain, spoke in the House of Commons, and Mr Julian Amery shouted from the back bench, "Speak for England!" It is a pity that someone on the Opposition back bench did not have the gumption to say, "Speak for Victoria; speak for Australia" when the Leader of the Opposition and the Leader of the National Party made their remarks.

Visits to Australian ports by nuclear vessels were the subject of an inquiry at Federal level in 1976 because the Federal authorities clearly appreciated the hazards associated with nuclear-powered ships and considered that their presence in Australian ports ought to be addressed. That is evidence of the seriousness with which a government of the political persuasion of members opposite takes this attitude. In the report free acknowledgment was given

to the fact that one of the hazards associated with nuclear-powered ships visiting Australian ports was the meltdown of the nuclear pile. The report states:

> This core melt-down accident, sometimes referred to as the maximum credible accident, has been calculated to have a probability of occurrence of less than one in ten thousand per reactor per year.

However, the assumptions on which that report was based about the chances of such an accident occurring have been completely revised in the light of the Three Mile Island accident. That accident obliged the nuclear security commission in the United States of America to completely re-examine the risks to which a country like Australia could be exposed as a result of increasing reliance upon nuclear technology.

Prior to the Three Mile Island incident the nuclear lobby in the United State of America was able to get away with the story that the chances of a meltdown occurring were of the same order as those of a major city being hit by a meteorite. That assumption, that comforting assumption, that deceitful assumption put about by people of the same mind as the honourable member for Polwarth, has been completely disproved and discredited. The Rasmussen report on which it was based has been scrapped. We now know that the hazard which the official Australian Government document acknowledged exists in relation to the visits of nuclear ships to Australian ports.

Obviously the Leader of the Opposition, who is interjecting, has not been listening to what I have said. The risk which was acknowledged in the document was 1 in 10 000. Since then the Three Mile Island incident has intervened and we know the risk is a much more formidable one. The Premier has said this is not an acceptable risk.

Mr Thompson—It is 1 in 10 million.

Mr MATHEWS—Ten thousand. The Premier has said that these are not acceptable risks so far as this State and its people are concerned.

The honourable member for Berwick interjects and asks, "Would 1 in 10 million be acceptable?" I ask, "What is the answer to that question?" What will he say when that 1 in 10 million chance occurs, and the risk of the meltdown is not averted at the eleventh hour as it was in the case of the Three Mile Island incident? What will he say when it occurs in the dock area in Melbourne, at the heart of this great city?

The attitude of the Government is plain. We do not regard these as proper and acceptable risks. We say that the record speaks for itself—the record of 27 major accidents involving nuclear weapons of many varieties acknowledged publicly by the United States Department of Defence in 1980. We say that the public record of more than 1000 accidents in connection with the industrial application of nuclear power, again publicly acknowledged by the United States of America authorities, writes an inscription of unacceptability across these arrangements.

We say that here in this State there is an opportunity—an opportunity denied to much of the rest of the world —for us to be nuclear-free. We are aware of the risks involved and aware of the opportunity which is open to us, and it would be irresponsible to pass up that opportunity. We say that those who speak for a nuclear-free Victoria do indeed speak for Victoria, speak for Victorians and speak for Australia.

Mr HANN (Rodney)—The Premier and the Minister for the Arts, in their very emotional responses to the motion, remind me of those persons who at the start of this century were adamant that we should have someone walking in front of the motorized steam vehicle with a red flag, waving it wildly and clearly saying these new inventions of mankind should be feared by all and sundry. Since then, down through the ages, mankind has found the motorized steam vehicle has probably provided the greatest revolution in transport. It has gone beyond that to space-age technology.

History will probably prove this Government is doing the same thing—it is waving a red flag in front of the uranium issue, seemingly in its concern and opposition to nuclear weapons. That is the basis of the whole argument

and yet the Minister for the Arts was not prepared to respond to my interjection when I asked how he possibly hoped to legislate against countries dropping nuclear weapons on Victoria. That is what it is all about. The Government appears to be confusing the question of nuclear energy with the question of nuclear weapons.

For a number of years now, a number of municipalities in the metropolitan area have erected signs which state, "This is a nuclear-free zone". What does that mean? It is basically a piece of window-dressing put up to try and placate the interests of a small minority who have a very limited vision of the future and who wish to reject the concepts of modern technology and modern science. They would try to run away from the fact that nuclear energy is probably the greatest single development of mankind.

They are the same people who probably would have rejected fire when it was discovered by mankind so many generations ago. They would have said, "It is a very dangerous thing that will burn our houses down". That is the attitude that is being portrayed to the people of Victoria today, because the Government ignores the fact that many of the Third World countries are obliged to take advantage of the use of nuclear energy, particularly in power stations, because they do not have the same natural resources for energy that we are fortunate to have in Victoria.

If one likes to look at that argument, particularly in relation to electric power, there is no doubt in my mind that there are many thousands of people in the Latrobe Valley today whose health is being affected very seriously by the mass pollution which exists throughout the Latrobe Valley.

The honourable member for Morwell does not deny that there are people in the electorate that she represents who are being affected by this pollution. There are certainly children who will be affected in some manner. The fact is that in the pursuit of energy in this State hundreds of thousands of people are being affected by pollution which will ultimately reduce their life span. What does the Minister for the Arts intend doing about that? Does he intend to ban the use of brown coal in this State?

An Honourable Member—There is a difference between nuclear power and brown coal.

Mr HANN—More people have been killed down through the years by fire than nuclear power or nuclear energy. Nuclear energy is not being used and the National Party is not permitting its use but in the future the options ought to be available.

History may prove that the action of the Premier which I understand was taken, certainly in line with his party's policy, was taken without consultation with his Cabinet colleagues. In other words, it was a similar kite flying exercise to the exercises that have been carried out in the suburban municipalities and is ignoring the difference between nuclear energy and nuclear weaponry. The fact is that it jeopardizes the very important and vital alliances that this country has, particularly with the ANZUS countries. What the Government is effectively saying, if one looks at this statement, is that no nuclear-powered or nuclear-armed vessels can enter Victorian ports. It is effectively saying that no friendly vessels from America, the United Kingdom and other countries can enter any port in Victoria, for the simple reason that it is virtually impossible for them to indicate whether or not they are carrying nuclear armaments.

That would be unwise, stupid and foolish. Effectively, the action of the Government flies in the face of those friendly treaty arrangements. When one considers the difficulties recently experienced in the Falkland Islands, one realizes that Australia is a limited and small power in the total world scene. Australia will need alliances in the future. In a recent statement, Sir Barton Pope said:

> Today's opponents of nuclear energy for civilian use must work with equal zeal to ensure the maintenance of proper safety standards for nuclear management for peaceful purposes. They must encourage the scientist

who must work feverishly to discover new technology to provide for the world as it will exist after the next 100 years.

Science has never before been so challenged. If we could disarm, from such existing weaponry, we could probably release an enormous new reserve of nuclear fuel and give the scientist more lead time for new research.

The point is that mankind has been able to harness a revolutionary power and energy source for its use. Mankind has also used it as a major form of weaponry. That is a matter on which the National Party shares concern with the Government. The National Party shares the concern of the Government on the need for safeguards in the use of nuclear energy in this State. It is an act of folly to consider that one can effectively create a situation in which the State would not be subject to attack by nuclear weapons by legislating against the use of nuclear energy. Does the Government consider it can stop nuclear weapons being used on the State of Victoria? Honourable members must face reality.

Nuclear devices would obviously be dropped on the two most strategic places in Australia. We all hope that will not happen, but those two places are Melbourne and Sydney, where the use of nuclear weapons would wipe out most of the population of Australia. To overcome that, the Governments ought to be making plans to disperse the population more evenly throughout the State rather than having the concentration of population in one urban area. A large proportion of the population could be wiped out with little nuclear weaponry under the present policy of urban development. Honourable members all hope that a nuclear war will not occur and we ought to be working towards peace, but the proposal of the Government has not spelt out the Government's policy, so that many Victorians would not be aware of the policy.

In answer to the Minister for Police and Emergency Services, who is interjecting, I ask him how many copies of the policy were sent around the State. That is the main point in putting forward a policy of this nature. The proposed policy would seriously jeopardize the friendly relations Australia has had under the ANZUS treaty. Australia desperately needs relations with those countries for the long-term future security of Australia. It is interesting to read a statement made recently by Sir Mark Oliphant. He said:

Almost all knowledge can be used both for war and for the benefit of all. The way ahead involves an increasing number of choices, whether to use knowledge for human benefit, or for destruction.

Mankind needs to be effectively harnessing and considering the use of nuclear energy for peaceful purposes. There is no doubt that serious accidents have occurred. One should consider the same criteria that applied to the development of fire thousands of years ago, or the criteria that applied to the early days of motorized vehicles or steam vehicles.

Honourable members on the Government side of the House are the types of people who would have walked ahead of the steam vehicle waving red flags. As my colleagues on the Opposition benches have indicated, the red flag is leading the debate. The strong left-wing element of the Labor Party is walking ahead with a red flag telling the Government party to stop nuclear energy being used by mankind because it is so dangerous.

Mr Gray—Current technology cannot handle nuclear energy.

The DEPUTY SPEAKER (Mr Wilton)—Order! Only one honourable member should be speaking on the debate at the one time. I ask honourable members to be silent while the Deputy Leader of the National Party speaks.

Mr HANN—The interjection by the honourable member for Syndal is absolute nonsense. Many countries in the world today use nuclear-energy, including a country with which the honourable member's party has close affinity, namely, Russia, which has a significant number of nuclear power stations.

Mr Mathews—What about disposal?

Mr HANN—What about the disposal of industrial waste in Melbourne? The Government has confused the issue of nuclear-energy versus nuclear weapons

for destruction. The Government is promoting a policy of totally banning the use and distribution of nuclear energy and banning nuclear-powered war ships or ships of that nature from entering Victorian ports for ever, as the indication was. I am not sure how the Government intends to implement that ruling. I am not sure how it would stop a ship or vessel which was using nuclear power from entering a port. The Government would need a permanent agency situated at the heads of Port Phillip Bay with persons checking whether ships are nuclear powered. The armoury on the ship would have to be checked to determine whether the vessel was carrying nuclear weapons.

That indicates the folly of the policy that has been promoted by the Government and of the legislation that it proposes to bring into Parliament literally to ban nuclear energy from being used in Victoria. The big question one can ask on this issue is whether the Government has the constitutional power to implement the policy. The Leader of the National Party and the Prime Minister have indicated that the Government does not have the power to ban nuclear ships from entering Victorian waters under the defence arrangements that are strongly and positively controlled by the Federal Government. That is the way it ought to be because the State operates under a Federal system. I understand that the Labor Party has always supported the concept of federalism, which has ensured that defence is controlled by the Federal Government.

One wonders whether the State Government intends to return to the early 1850s when Victoria had its own vessels of war in the days when it first obtained the Victorian flag. I suppose that is an alternative. Victoria could have its own war vessels berthed at the heads of the bay to head off any nuclear-powered vessels. The Leader of the National Party has moved the motion before the House because of his genuine concern at the action of the Premier in promoting this policy on behalf of the Government. The Leader of the National Party has indicated his concern at the potential of the policy for embarrassing Australia internationally and its detrimental effect on our defence arrangements, the unnecessary and premature closing off of options for the peaceful application of nuclear energy in Victoria for the enhancement of living standards and, constitutionally, the issue of naval vessels visiting Australia in the future.

In conclusion, the Government ought to have a long hard look at its proposals. No suggestion was made that the State Electricity Commission intended using nuclear energy in its power stations, and the Government has not been able to produce any documentary evidence that the land was purchased for the construction of a nuclear power station. I should have thought that the Minister, as he kept putting the issue in the debate, would have produced documentary evidence because if there is documentary evidence it should have been available to him. That honourable gentleman says, "Everyone knows!" That is purely speculation and guesswork on the part of the Minister, and it is a ludicrous suggestion because it ignores the benefits mankind has gained from the use of nuclear energy. It ignores the fact that mankind is constantly updating its knowledge of science and technology.

That takes one to the point that if one reflects back to the days when fire was discovered, the Government may have immediately rushed in and passed Bills through the House legislating that Victoria must ban matches and ban the use of fire because it will destroy lives; it will burn people.

As I mentioned earlier in the debate, the policy of the Government—and it has been reflected in this debate—is that it has a total desire to oppose change and to ignore any advances in science and technology today. It is naive if it thinks it can legislate through the Parliament to effectively block other nations from ultimately destroying Australians in a nuclear war. The Government is effectively trying to put the viewpoint that by framing legislation, one can effectively stop another country from dropping a nuclear weapon on Victoria. That is absolute nonsense; the Minister knows that it is rubbish and folly! I

hope all honourable members will support the motion so ably moved by the Leader of the National Party.

Miss CALLISTER (Morwell)—Replying to many of the points put forward in the debate today, the first point I would like to make is that there is absolutely nothing embarrassing about the stand taken by the Victorian Labor Party on the nuclear-power issue. A tremendous amount of pressure exists around the world and within Australia for the establishment of a policy which enunciates the principles that the Victorian Premier has outlined in recent weeks.

It is preposterous to suggest that the measure is absolutely ludicrous and that it embarrasses anyone in any way. The stand taken by the Government is responsible and I reject out of hand the argument that the measure can in any way be claimed to be an embarrassment—during the debate, members of the Opposition have definitely not demonstrated how such an argument can be put forward.

The only embarrassing situation that I can recall in recent history, which has some international embarrassment attached to it, is the meat scandal. In that case no motion was introduced to the House by the National Party to indicate that the meat scandal was an international embarrassment when clearly it was.

The next point is that the Premier, or Leader of the Opposition as he was then, made it quite clear in his policy statement, that the Labor Party intended to bring about its electoral promise that a Labor Party stood for a nuclear-free Victoria. That policy was very clear.

All I can put is that members of the National Party must have suffered tractor deafness if they did not hear that policy statement and members of the Liberal Party must have been in a similar siuation; sitting in front of a Rinnai heater, with their feet up and their Grosby's on. In debate after debate honourable members have heard representatives of the Liberal Party and National Party state that they have heard other elements of the policy speech but yet now they stand up and indicate that they have not heard the Premier, in various policy statements on this matter, state that the Labor Party represented a nuclear-free Victoria.

This policy is to shield the lives of Victorians so they are not open to the risks and dangers associated with nuclear power. The policy is also to protect the children, the grandchildren, the great-grandchildren and the children who come after that—that is the difference between the Government and the former Government. The Government intends to protect Victorians from the dangers associated with nuclear power generated in power stations, and will continue to use coal-fired power stations, and the like.

The tenuous argument put forward by the Deputy Leader of the National Party shows a lack of logic and thinking throughout. It is the generations beyond the present one which the Labor Party is significantly concerned about and which it cares for. The policy of the Government is based on a concern for Victorians now and for the children of the future, and I am not embarrassed to stand up and say that, nor are any members of the Labor Party or supporters of the Government.

The argument put forward by some members of the Opposition was that there seemed to be two separate atoms involved in nuclear power and nuclear arms. This is not the case and the Fox report, which has become a basic reference point in the debate, clearly states in recommendation No. 3:

> The nuclear power industry is unintentionally contributing to an increased risk of nuclear war. This is the most serious hazard associated with the industry.

That point is spelt out significantly in the report and I invite members of the Opposition to read the report in its entirety and not just selected parts.

The next point referred to by the Deputy Leader of the National Party was to try to tell the people of Victoria that it was an economic proposition for the State to be considering

nuclear-power generation. In America, project after project is being wound down because it is simply uneconomical. In a recent article in the *Washington Post*, it was stated that the Washington Public Power Supply System had written off more than $2 billion because work already carried out in nuclear power stations was not an economical proposition. I also instance the Three Mile Island case where problems have occurred and the clean-up costs have been enormous—running into something like $1000 million. When one is considering whether nuclear power is an economic option, one must look at what is to be done with the plant when the work is finished and what is to be done with the nuclear waste that results. There is no proven safe way to dispose of nuclear waste.

The Government is prepared to stand up and indicate that it will not endorse nuclear projects because it believes in a nuclear-free Victoria. That policy was enunciated by the Premier today and he pointed out the substance and the justification for taking that strong and responsible attitude for future generations of Victorians.

The House divided on the motion (the Hon. C. T. Edmunds in the chair).

Ayes	28
Noes	44
Majority against the motion	16

AYES

Mr Austin	Mrs Patrick
Mr Brown	Mr Ramsay
Mr Burgin	Mr Reynolds
Mr Dickinson	Mr Richardson
Mr Ebery	Mr Ross-Edwards
Mr Evans (*Gippsland East*)	Mr Saltmarsh
	Mrs Sibree
Mr Hann	Mr Tanner
Mr Jasper	Mr Thompson
Mr Jona	Mr Wallace
Mr Kennett	Mr Williams
Mr Lieberman	Mr Wood
Mr McGrath	*Tellers:*
Mr McKellar	Mr Delzoppo
Mr Maclellan	Mr McNamara

NOES

Mr Cain	Mr Pope
Miss Callister	Mrs Ray
Mr Cathie	Mr Remington
Dr Coghill	Mr Roper
Mr Crabb	Mr Rowe
Mr Culpin	Mrs Setches
Mr Ernst	Mr Sheehan (*Ivanhoe*)
Mr Fogarty	
Mr Gavin	Mr Sheehan (*Ballarat South*)
Mr Harrowfield	
Mr Hassett	Mr Shell
Mr Hill (*Warrandyte*)	Mr Sidiropoulos
	Mr Simmonds
Mr Hockley	Mr Simpson
Mr Ihlein	Mr Spyker
Mr Jolly	Mr Stirling
Mr Kennedy	Mrs Toner
Mr King	Mr Trezise
Mr Kirkwood	Dr Vaughan
Mr McCutcheon	Mr Walsh
Mr Mathews	Mr Wilton
Mr Miller	*Tellers:*
Mr Newton	Mr Gray
Mr Norris	Mr McDonald

PAIR

Mr Whiting	Mr Wilkes

The sitting was suspended at 1.7 *p.m. until* 2.10 *p.m.*

APPEAL COSTS FUND (AMENDMENT) BILL

Mr CAIN (Attorney-General)—I move:

That this Bill be now read a second time.

Honourable members may be aware that the Appeal Costs Fund Act came into operation in 1964. The Act established a fund called the Appeal Costs Fund to which parties to legal proceedings could have recourse if there occurred some error on the part of the court, some shortcoming in the legal system or some chance happening not attributable to fault on their part.

Section 18 (1) (*d*) of the Act provides that, where a criminal proceeding is adjourned by or on behalf of the prosecution, and the court is satisfied that the reason for the adjournment was not attributable in any way to the conduct of the accused, and it is further satisfied that because of the adjournment the accused has necessarily incurred expense, it may grant a certificate to the accused stating the reasons why the proceedings were adjourned.

Such certificate then forms the basis of the application by the accused to the Appeal Costs Board seeking a payment from the fund.

As honourable members might expect, a large number of persons charged with criminal offences receive legal assistance from the Legal Aid Commission. Until recently it was apparently generally accepted by courts that persons receiving legal assistance from the Legal Aid Commission were not, for that reason alone, ineligible to receive such certificates in appropriate cases. The moneys subsequently recovered from the fund were often paid direct to the Legal Aid Commission pursuant to a provision in the Appeal Costs Fund Act.

However, in a judgment given in the Melbourne County Court in March of this year, it was held that two accused, who were legally assisted by the Legal Aid Commission, could not be said to have "necessarily incurred expense" by reason of an adjournment granted in their case. This decision was based on the fact that, at the time the application for the certificates was made, it could not be demonstrated that the two accused would personally incur the expense. Initially, at least, it would be the Legal Aid Commission that incurred the expense. Consequently, the court declined to grant the necessary certificates to enable claims to be made on the Appeal Costs Fund.

Quite apart from that decision, certain provisions of the Act make it clear that no amount is to be paid from the fund to "the Crown". The question has recently been raised on whether the Legal Aid Commission falls within this expression. If this were held to be so, it would also preclude the Legal Aid Commission from recovering relevant losses from the fund.

As a result of the judgment to which I have referred, very few certificates are being granted in the County Court to clients of the Legal Aid Commission under the relevant section. As a consequence, the Legal Aid Commission is being severely affected financially.

Although this decision could be the subject of an appeal, such a course would lead to inevitable delay and uncertainty. It is preferable to move expeditiously and legislate to remove doubt and ensure the viability of the Legal Aid Commission.

It is the view of the Government that the Legal Aid Commission should not be precluded from recovering relevant losses from the Appeal Costs Fund.

The Bill is intended to do no more than ensure the re-introduction of the pre-existing practice whereby the Legal Aid Commission was able, in appropriate cases, to recover relevant losses from the Appeal Costs Fund. I commend the Bill to the House.

On the motion of Mr MACLELLAN (Berwick), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, June 22.

BAXTER TECHNICAL SCHOOL LAND BILL

Mr ROPER (Minister of Health)—I move:

That this Bill be now read a second time.

On a site adjoining Frankston Technical College, there is a base depot for the Frankston Army Reserve Unit. That land has been sought by the Education Department for some time as the site for the Frankston College of Technical and Further Education, and plans for the erection of stage 1 of the college are well advanced.

To allow building operations to commence, agreement to re-locate the Frankston Army Reserve Unit to the Baxter Technical School site in new facilities on a leased basis was sought and reached between the Education Department and the Commonwealth Department of Administrative Services. In exchange for the use of the Baxter Technical School facilities, the Education Department is to be given freehold title to the Frankston Army Depot property adjacent to the Frankston Technical College. The Bill is to validate that agreement.

It provides power for the Minister of Education to grant a lease, under certain conditions, to the Commonwealth of Australia of the Baxter Technical School land shown in the schedule to the lease agreement, and to grant a

licence to the Commonwealth and its servants to enter and use certain parts of the technical school property. The plan of the land, buildings and facilities in the area to be made available under the licence has been lodged at the Central Plan Office, and a copy is available for honourable members to see in the Parliamentary Library.

The Bill also provides for the appointment of a management committee to administer matters arising out of the lease and licence agreements, and for the validation of prior expenditure. I commend the Bill to the House.

On the motion of Mr RICHARDSON (Forest Hill), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, June 24.

PARLIAMENTARY COMMITTEES (JOINT INVESTIGATORY COMMITTEES) BILL

Mr ROPER (Minister of Health)—I move:

That this Bill be now read a second time.

This Bill provides for the replacement of seven existing Parliamentary committees by four new joint committees of the Legislative Council and Legislative Assembly, the four committees to be called the Economic and Budget Review Committee, the Legal and Constitutional Committee, the Natural Resources and Environment Committee, and the Social Development Committee. In addition, the Public Bodies Review Committee is to be reconstituted. The new committees and the reconstituted Public Bodies Review Committee are referred to in the legislation as "Joint Investigatory Committees".

The existing Parliamentary committees to be abolished are the Public Works Committee, the State Development Committee, the Public Accounts and Expenditure Review Committee, the Statute Law Revision Committee, the Subordinate Legislation Committee, the Conservation of Energy Resources Committee and the Road Safety Committee. The former Company Take-overs Committee was abolished by the Companies (Consequential Amendments) Act 1981.

It is important to summarize the work of these committees and the role they have played in the Parliament over a number of years. I should like to remind honourable members of the background of each of these committees.

The Public Works Committees was constituted by the Public Works Committee Act 1935 to supersede the Railways Standing Committee which, until that time, had been responsible for investigating and reporting on all major railways extensions and additions. In addition, the new committee was also vested with the power to undertake investigations and report on all kinds of major public works. Since its establishment this committee has investigated and reported on a substantial number of major capital works programmes of significance to the State.

The State Development Committee was constituted by the State Development Act 1941 with a very wide charter to inquire into and report on all aspects of primary and secondary industry, including decentralization. Like the Public Works Committee, it has conducted major investigations and presented reports on the development and economic welfare of the State.

The Public Accounts and Expenditure Review Committee was originally constituted in 1895 as the Public Accounts Committee with a primary duty to control expenditure and carefully scrutinize the use of public moneys. The committee is empowered to examine Budget allocations to departments and review and evaluate public expenditures for economy, efficiency and effectiveness. The committee was also appointed to pinpoint wasteful or extravagant expenditure and make recommendations on improved planning and expenditure control measures.

The Statute Law Revision Committee is one of the oldest law reform bodies in Australia, having been first appointed in 1916 as a result of a recommendation contained in a report of the Joint Select Committee on the Consolidation of the Laws.

The Statute Law Revision Committee was appointed to deal with anomalies in the law and make recommendations as to desirable statutory amendments. The enactment of the Statute Law Revision Committee Act 1948 provided a statutory basis for the operations of the committee. The committee's functions included examining and reporting on anomalies in the statute law and proposals for the consolidation of statutes, as well as considering and reporting on proposals for law reform.

The Subordinate Legislation Committee was first established by the Subordinate Legislation Act 1956, when a committee was appointed comprising six members, three from either House. The function of this committee has been to consider whether the special attention of Parliament should be drawn to any regulation on the five grounds set out in the Act. The committee's basic role was that of a watchdog over subordinate legislation and, on an average, it has examined between 450 and 500 statutory rules a year.

In the time of its existence, the committee conducted a number of general inquiries which have resulted in the streamlining of the procedures of preparation of subordinate legislation and highlighted those regulations which were drafted in such a way as to breach the regulation-making powers of various Acts.

The Conservation of Energy Resources Committee was first appointed in 1976 to investigate the extent to which energy resources in Victoria should be conserved and the means of conserving those resources for their beneficial use, having regard to the costs and benefits of any recommendations. It was given the specific tasks of investigating building designs, techniques and standards; the use of insulation in buildings; vehicle and engine design; transport systems; industrial and manufacturing processes, methods, standards and plant; and methods of promotion of the use of energy. Since its appointment, the committee has investigated and reported on a number of these references.

The long-established Parliamentary committee structure has a tradition in Victoria that has not been matched by other State Parliaments. Since coming to office, the Government has been examining the role and functions of the existing Parliamentary committee structure.

The Government believes, in order to extend and enhance the efficiency and effectiveness of the majority of the Parliamentary committees, it is necessary to overhaul the existing structures, powers, functions and resources available to the committees. The increased complexity of Government and the need to facilitate improved public awareness of the operations and performance of government creates the need for a Parliamentary committee system with extensive and far-reaching powers of inquiry.

In undertaking the examination of Parliamentary committees, the Government has been particularly conscious of the excellent work undertaken by the Public Bodies Review Committee under the chairmanship of Dr Kevin Foley. The Public Bodies Review Committee, which was constituted with substantial legislative powers together with the capability of using Public Service, consultancy and academic support and research staff, has achieved success in the depth of its investigations, method of operation and quality of its recommendations.

In establishing a revised committee structure, the Government considers that the committees established by this Parliament should have similar powers, methods of operation and capacity to engage research and support staff as existed for the Public Bodies Review Committee. The new committee will encompass the range of functions and powers of the former Parliamentary committees, but these will be expanded. Consequently the Government plans to establish the following committees with broad functions and powers that are set out in the Bill.

The Economic and Budget Review Committee replaces the Public Accounts and Expenditure Review Committee and

will generally examine and report on any proposals or facet of public or private sector finance. The committee may review and evaluate any matter arising out of Budget allocations and expenditure. In recognition of the importance of State development, aspects of Victoria's economic development will be considered by this committee.

The Legal and Constitutional Committee will undertake the role formerly carried out by the Statute Law Revision Committee and Subordinate Legislation Committee and will review and report on matters concerning legal, constitutional and Parliamentary reform. It will also be responsible for the scrutiny of subordinate legislation, having all the powers of the former Subordinate Legislation Committee. It is intended that a sub-committee will continue the valuable watchdog role over subordinate legislation, including a review of all regulations not examined since late 1981—in explanation, because there has been no capacity to examine and report to the Parliament on these regulations.

The Natural Resources and Environment Committee encompasses many of the functions previously undertaken by the Public Works Committee, the State Development Committee and the Conservation of Energy Resources Committee. The committee will inquire into and report on any proposals or matters concerning the natural resources of the State, including conservation and environmental issues, and existing or proposed works that may have a significant effect on the resources of the State or the environment.

The Public Bodies Review Committee, as reconstituted, will continue to review any public body nominated for review and report to the Parliament on the need for the body to continue to exist.

As part of the Government's philosophy of ensuring the social well-being of all citizens and maintaining the welfare rights and dignity of individuals, a Social Development Committee will be established to inquire into and report on any aspect of social development, including how the lives of individuals, families and communities may be improved. This committee will assist the role of the Government in promoting the welfare of the people of the State. The expertise developed by the Parliament in road safety will be continued through this committee by a special sub-committee. References before the former Road Safety Committee will be referred to the Social Development Committee.

I would point out to honourable members that references and inquiries before the former committees will be taken over by the appropriate joint investigatory committee as part of the transition provisions incorporated in the Bill.

Each joint investigatory committee will be similarly constituted and empowered. Each committee will consist of twelve members, comprising four members from the Legislative Council and eight members from the Legislative Assembly. In accordance with the tradition that half the members be non-Government, six members will be non-Government and six will be Government party members. The committee will elect one of its members as Chairman, who shall have a deliberate vote and a casting vote, as in the Federal Parliamentary committee system. The member elected as chairman must be a member of the party forming the Government. This practice is also consistent with that followed by the Federal Parliamentary committee system.

The Bill maintains and strengthens the traditions on which Victorian Parliamentary committees have built their past successes and public standing. A key aspect of their past successes has been the ability of committees to reach their recommendations through consensus rather than majority decision. The Government intends that a strength of the new committees will be their ability to reach consensus in reporting to Parliament.

The committees will have the power to appoint sub-committees consisting of not less than four members. This will enable the committees to make more efficient use of their members and resources, including the appointment of specialist sub-committees to handle particular functions or references.

The committees will require research and support staff of a high calibre, and the Government will ensure that appropriate personnel are appointed, hired or seconded to carry out the committees' many tasks. The remuneration of the chairman of each committee will be increased from 2 per cent to 10 per cent of a members' basic salary. This increase recognizes the importance of the committee system in the role of the Parliament and the increased responsibility and work load placed on the chairman.

The joint investigatory committees shall hold office for the whole of the Parliament during which they are appointed. The committee may sit while either House of the Parliament is actually sitting, provided that the committees sit within the Parliament buildings. Furthermore, the legislation provides for committees to invite other members of Parliament, including members of other committees, to attend their meetings.

Committee chairmen may meet with each other or collectively with the Speaker of the Assembly and the President of the Legislative Council to facilitate the operation of the committees.

The principles of open government and public accountability will be demonstrated in several ways. Joint investigatory committees will generally conduct public hearings. All evidence will be taken in public unless special circumstances make that course undesirable. The committees are empowered to make public discussion papers and make interim reports to the Parliament, prior to presenting final reports. Furthermore, copies of all written submissions received by the committees and reports of investigations conducted will be made available to the public upon request, unless the committee is of the opinion that special circumstances make this undesirable.

Select Committees will continue to be appointed to examine specific issues. These issues will primarily be those requiring immediate special attention and will be of a short-term nature.

A Joint Select Committee on Salinity will shortly be proposed to the Parliament as a means of thoroughly and efficiently examining this issue of major significance to Victoria's soil and water resources.

In concluding, I thank the many honourable members who have participated in the discussions leading to the introduction of the Bill. The Government looks forward to further contributions by honourable members in developing Victoria's proud tradition in Parliamentary committees.

The Government considers that the restructuring of the Parliamentary committee system as outlined will strengthen the control of Parliament over Government administration and greatly assist in promoting public awareness and understanding of the operations and performance of government. I commend the Bill to the House.

Mr MACLELLAN (Berwick)—I move:

That the debate be now adjourned.

I suggest that it be adjourned until next Wednesday.

Mr ROPER (Minister of Health)—I agree with the honourable member's suggestion and I add that, if more time is required by honourable members, it will be made available to ensure that, providing the parties are able to proceed, this matter can be debated next week.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Wednesday, June 23.

TRANSPORT REGULATION (VEHICLES) BILL

Mr CRABB (Minister of Transport)—I move:

That this Bill be now read a second time.

It is a small Bill, but it is quite important. Under the provisions of the Transport Regulation Act, a vehicle is deemed to operate as a commercial vehicle, and is therefore required to be licensed under the Act, if any recompense is paid to the owner or driver.

Honourable members will recall the Transport Regulation (Car Pools) Act 1979 which exempted car pooling arrangements where, for instance, passengers contributed to petrol or parking costs.

The Bill seeks to extend a similar exemption to voluntary drivers for charitable and welfare organizations such as "Meals on Wheels" and Red Cross, who receive payment of vehicle costs. On a strict interpretation of the existing law, these vehicles should be licensed, as they are deemed to operate commercially because of this reimbursement.

The Bill will remove an obvious anomaly. I recall when in Opposition moving an amendment to the Transport Regulation (Car Pools) Act in the Bill before the House at that time to try to incorporate the provisions of this Bill and, although the House, in the spirit of consensus, agreed with the principle, the wording had hardly been drafted as exhaustively and carefully as the wording contained in this measure.

At present, municipalities have difficulty in obtaining volunteer drivers for projects such as "Meals on Wheels", and some municipalities offer their volunteers petrol vouchers for obtaining petrol from council depots. Volunteer organizations desire the matter to be clarified and the Bill does that adequately and properly. I commend the Bill to the House.

Mr MACLELLAN (Berwick)—I move:

That the debate be now adjourned.

I suggest that the debate be adjourned until next Wednesday with additional time being given if required and the Minister is willing to make available officers of the Transport Regulation Board to consult with both the Opposition and the National Party, if necessary.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Wednesday, June 23.

VICTORIAN ARTS CENTRE (GUARANTEES) BILL

Mr MATHEWS (Minister for the Arts)—I move:

That this Bill be now read a second time.

Its purpose is to overcome particular problems which arise from the uncertainty of the sums required each month for the payment of contractors' claims. The time required for Governor in Council approvals to be obtained for the guarantee of loan moneys, make it difficult to adjust the borrowing programme to the actual needs.

The Victorian Arts Centre Trust, under the provisions of section 7 of its Act is empowered to borrow moneys from any institution approved by the Treasurer on such terms and conditions as he may determine. The Treasurer, with the approval of the Governor in Council, may execute in favour of any institution, person or body lending money to the trust, a guarantee for the repayment of such loan.

Clause 1 refers to the short title and to the commencement of the Act. Clause 2 makes provision for temporary financial accommodation to be guaranteed by the Government without the need for such guarantee to be approved by the Governor in Council.

The amendment will provide a means by which the Victorian Arts Centre Trust can borrow funds and provide a guarantee for the repayment of such borrowings with greater expedience than is possible at present. I commend the Bill to the House.

On the motion of Mr RICHARDSON (Forest Hill), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, June 24.

BUSINESS OF THE HOUSE

Mr CRABB (Minister of Transport)—By leave, I move:

That notwithstanding anything to the contrary in Standing Orders or Sessional Orders, at 8 p.m. on Wednesday, 23rd instant, the question, "That grievances be noted" shall be proposed, to which question any member may speak for not more than 20 minutes.

The SPEAKER (the Hon. C. T. Edmunds)—Is the motion seconded?

Mr MATHEWS (Minister for the Arts)—I second the motion.

Mr MACLELLAN (Berwick)—Leave is granted.

Mr CRABB (Minister of Transport)—It is the intention of the Government that the House shall not sit next Thursday, for two reasons, firstly, that this will be the fifth week in succession that Parliament has sat and, secondly, that because of the Premiers Conference on that day four Ministers will be absent, one of whom will be at a meeting of education Ministers, and one Minister is absent because of illness. It is therefore the intention of the Government that Parliament will not sit next Thursday, but it does not wish to deny honourable members the opportunity of grieving, which they would normally do on the Thursday morning. Therefore, Wednesday evening is to be set aside for that purpose.

The intention of the Government for the remainder of the session is that the House will meet on Tuesday and Wednesday, 22 and 23 June, Tuesday and Wednesday, 29 and 30 June and Thursday, 1 July and, if necessary, Friday, 2 July. I hesitate to speculate about Saturday, 3 July, but, if it is at all possible, the sitting will finish on the evening of Thursday, 1 July—certainly during that week.

Earlier it was my intention to move this matter as a notice of motion for debate on Tuesday next, but the Standing Orders do not permit that to occur and therefore I am moving it by leave now.

Mr MACLELLAN (Berwick)—If I understood the explanation correctly, Parliament will be without the Premier, the Deputy Premier, the Minister of Transport and the Treasurer next Thursday, three of them to be attending the Premiers Conference and one to be attending an education Ministers' conference. I do not have any quarrel with the fact that Ministers may have to leave the service of this Parliament to go to national conferences and Ministers' conferences which are of importance to our Parliament. On behalf of the Opposition, I make it perfectly clear that pairs would be granted under those circumstances and specific arrangements could be made regarding the nature of the business likely to come before the House.

For instance, today two Ministers were absent during question time. I do not think the House was in a state of collapse as a result of that—all honourable members are aware that members of Parliament have health and family problems and other calls on their time—but the Government is proposing that the people's Parliament should become the *prima donnas'* Parliament. If the *prima donnas* cannot be here, Parliament cannot sit. If the Premier, the Deputy Premier, the Minister of Transport and the Treasurer are not here, apparently the Government will be in a state of collapse so that it will not be able to front up to the Parliament, even though the business of the day under the Standing Orders will be grievances. In other words, back-bench members of the Government party who have been restrained from speaking on questions before the House, such as historic buildings and the debate today about nuclear power—will be deprived of the opportunity of raising on Grievance Day a matter that might be of moment to them or to their electorates.

It is intended by the Government to close down Parliament for a purpose. Is it to prevent the embarrassment of having to indicate who will be the Acting Premier on the day? I realize the embarrassment it might cause if the Minister for Local Government were nominated as Acting Premier, but I cannot understand why members of the Government could not trust him to conduct himself with every dignity in leading the Government. Honourable members are interjecting that he will now be ill for a while. I presume that he is not the only Minister who could possibly take up the challenge of leading for the Government in this House on a Grievance Day, even though on Grievance Day Ministers make themselves scarce and are not apparent in the House. This perhaps has been a long tradition.

I cannot understand the problem. The Government has to face only 15 minutes of Dorothy Dix questions from its own back bench and 15 minutes of Opposition and National Party questions. The Opposition and National Party might be lucky to be able to ask six questions during question time. Four hours of grievances would follow, and then it could be arranged that there be no divisions and, if a division should arise, pairs would be granted, and there would be no embarrassment for the Government in that. The Address-in-Reply debate has not been completed. Why could that not take place next Thursday? The Notice Paper lists many Ministerial statements for debate. Why cannot those debates be resumed on Thursday? There may be second readings of Government Bills ready to proceed; that also could occur on Thursday. For some reason—I suppose vanity of power and the inability to name somebody to lead the Government in the absence of the *prima donnas*—the Government has decided to close down this Parliament next Thursday and to evade whatever embarrassment it might face.

On behalf of the Opposition, I have made it clear that pairs would be granted for anybody absent on official duties on that day, and that would extend to health matters. I have also stated that the Opposition would be prepared to arrange the affairs of the House with the Leader of the House in respect of there being no divisions, so far as can possibly be predicted, and I have stated that the Opposition is willing to have a situation of Grievance Day and non-controversial matters, such as the Address-in-Reply debate, so that the Address-in-Reply can be transmitted to the Governor with some dignity, while that can still be done, because, as I predict, the Government by this motion is endeavouring to shut the Parliament next Thursday to suit its convenience, to take grievances on a day on which Government Business is usually debated and then to expose this Parliament either to the limitation of debate by guillotine or a situation—

Mr Mathews—You would feel quite at home with that!

Mr MACLELLAN—I would not feel at home with that. I would not wish the Government to put itself in a position where that is even likely to occur. There are important matters to be discussed, as the Minister for Police and Emergency Services would know after his impassioned address on the subject of a nuclear-free Victoria today. Many members of this Parliament would welcome an opportunity of continuing that debate but that will not occur if the Government curtails opportunities for debate and says that this is a *prima donna* opera house for the leading lights of the Government and that when they are not available the place is to be shut down. The Government offers a token grievance period after dinner on another occasion. The implied threat is that it will reduce the time of the Parliament back-bench members of the Opposition, the National Party and the Government party to discuss the merits or demerits of proposed legislation. We are moving into that part of the sessional period where obviously time will be concentrated on Government legislation as the Government attempts to meet its target date. A second target date has been announced; the former target date was a week earlier. The Minister of Housing, who is interjecting while out of his place, should realize that I have not obstructed the Government in any of its activities.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I remind the honourable member that interjections are disorderly, and I remind the Deputy Leader of the Opposition to return to the motion.

Mr MACLELLAN—It is a shabby effort by the Government to propose that the Parliament should close because the Premier and Deputy Premier will be attending respectively the Premiers Conference and the Education Ministers' Conference in Darwin or Alice Springs—the venue does not matter; it is far distant from Victoria—and because the Minister of Transport and the Treasurer will also be attending the Premiers Conference.

That is not a correct procedure. It is not a proper motion or proposition to put before the House. I am surprised that the Government has not thought the matter through as suggested at meetings between the respective Leaders who discussed the matter. I am surprised that one cannot get accord to the fact that we should have Grievance Day at its proper time on Thursday and deal with controversial Ministerial statements and matters on which members would like to express opinions on behalf of the electors without inhibiting Government business. We should get on with Government business at the appropriate time.

The Government should not say, "You can have Grievance Day, but if you use it the effect will be that some of the *prima donnas* who are not prepared for debate on Grievance Day when the Leaders are away will declare their Bills urgent and curtail debate!"

The Government cannot have it both ways; either the Government should give an undertaking that it will not curtail the debate or it should allow the House to sit next Thursday. The Government is saying, "This is a Labor Party rubber stamp *prima donna* Parliament, not a people's Parliament and we will sit when we want to, not when the need is there".

Parliament has met on other occasions when the Premiers Conference has been conducted. The Liberal Party allowed the Parliament to meet when the Premier was away at the conference and did not curtail debate on those occasions. The former Government did not say that because the Premier and Deputy Premier were attending a Premiers Conference it was necessary for the Parliament to be shut down.

The Government is on a shameful course and its shamefulness shows by the interjections its members make. Those Ministers who seek to interject cannot wait to curtail debate on the Bills they wish to introduce and leave the Parliament as a rubber stamp operating only when the *prima donnas* can take part. This policy is not acceptable to the Opposition, nor to the Parliament. It will be interesting to see whether back-bench members of the Government party are prepared to vote to curtail a day of Parliamentary business during which they may have a chance of representing their electors.

Mr ROSS-EDWARDS (Leader of the National Party)—This is one of the most interesting debates in which I have been involved for some time. The debate gets down to the simple reason why the Government is proposing that the House not sit next Thursday; the "Big Four" will be away! I refer, of course, to the Premier, the Deputy Premier, the Treasurer and the Minister of Transport.

The problem facing the Government is which Ministers will take their place in their absence. The obvious person is the Minister for Local Government! However, they would not come at that. The dilemma of the Government is that it will have to put the next Leader of the party into the Premier's seat. As honourable members are probably aware, when the Cabinet was elected it was done *en masse* with a remarkable consensus. I give full credit for that, but there is no real seniority in Cabinet Ministers. After the Premier and Deputy Premier the Ministers are listed alphabetically, save and except for the Minister of Consumer Affairs, and, because he came in later, he is on the bottom.

Mr CRABB (Minister of Transport)—On a point of order, the lexicographical fantasies of the Leader of the National Party are quite fascinating but are not relevant to the motion.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I uphold the point of order and ask the Leader of the National Party to address his remarks to the motion before the chair. Unfortunately, the Leader of the National Party was too late to get the call on the point of order.

Mr ROSS-EDWARDS (Leader of the National Party)—Thank you, Mr Speaker. I was trying to give a reason why the Government did not want the House to sit next Thursday. The Government has the numbers and it is

obvious that the House will not sit next Thursday. However, the Government should provide certain undertakings. The Government will need to make a list of priorities about Bills on the Notice Paper and indicate which Bills will not be debated this sessional period. In this way honourable members will not waste their time preparing for Bills which will be held over for the spring sessional period.

The Minister of Transport, who is at the table, obviously has a senior position on the list, otherwise he would not be taking charge of matters in the absence of the Deputy Premier. The Minister of Transport gave an assurance that Parliament would conclude the sessional period on Thursday July 1. I realize this may mean an end some time on Friday morning but it will not involve a further sitting day. This is a week longer than was initially anticipated. The Parliament needs to know when the House will close for the recess, and I notice the Minister is nodding his head about July 1.

Mr Maclellan—He is shaking his head.

Mr Crabb—I will not give an assurance!

Mr ROSS-EDWARDS—The Parliament needs to know the date on which the Parliament will finish. It will be Saturday afternoon, the way things are going!

Another matter of concern is that on Tuesday night, after a 5 a.m. start for some, without any warning, the debate continued past 10.30 p.m. I realize the Government has the right and prerogative to continue the debate but surely it is reasonable and sensible that honourable members be advised in advance of this possibility. This did not occur. The Government has cut down the sitting hours, which is a ridiculous state of affairs. The Government talks about open government and how when it was in Opposition it did not have sufficient opportunity of debating matters; now it wants to close the Parliament on Thursday!

Honourable members interjecting.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I ask the Minister for the Arts to cease interjecting.

Mr ROSS-EDWARDS—I agree, honourable members have heard enough from him for one day. The National Party is interested in and aware of the problems facing the Government, which will provide interesting times ahead.

Mr THOMPSON (Leader of the Opposition)—This is an extraordinary motion because I well remember, when the Government was on the other side of the House in years gone by, if ever an attempt was made to curtail private members' day—Grievance Day—an unholy scream issued from the Opposition benches and fifteen speakers from that side of the House complained that the Liberal Party was turning the Parliament into a Parliament for the Liberal Party rather than a Parliament for the people of Victoria.

The motion is obviously not turning the Parliament into a Parliament of the Labor Party but rather into a Parliament of the "Big four" of the Labor Party! The reason for this is that four members of a house of 81 members will be away on a certain day and the Government considers that the remaining 77 members cannot run the show! This illustrates an extraordinary disrespect for the institution of Parliament and a major lack of confidence in the remaining members of the Ministry.

I agree that an immediate problem presents itself with the absence of the Premier, the Deputy Premier, the Minister of Transport and the Treasurer concerning the difficulty of replacement. It appears that last night the Government was grooming the Minister of Health for leadership because he was left in charge. Apparently there was some disappointment in the performance of the Minister for Health. The Opposition was happy with it.

The SPEAKER (the Hon. C. T. Edmunds)—Order! That is hardly relevant to the motion.

Mr THOMPSON—I will point out the relevance. Somebody must take over. When the Liberal Party was in Government we encountered the same problem and were able to solve it because we had confidence in our colleagues. I remembering naming the distinguished Minister for Minerals and Energy, the Hon. J. C. M. Balfour, the then honourable member for Narracan, as the man who would take over at the table. No difficulties occurred then. He was in regular consultation with us in Canberra. When the present Minister of Labour and Industry spoke for three hours we received hourly situation reports on the state of the Parliament. The quality of the debate remained high because we had an evenly balanced team and had complete confidence in our team-mates.

The Minister of Housing could take over and make a Ministerial statement on the advantages of Operation Home Buy and the development of the Goonawarra estate. That would probably fill in the time instead of not having Grievance Day.

The SPEAKER—Order! I ask the Leader of the Opposition to come back to the motion. I directed the Leader of the National Party along similar lines. I now ask the Leader of the Opposition to come back to the motion and not canvass who may or may not lead the Government.

Mr THOMPSON—Mr Speaker, thank you for your guidance.

The SPEAKER—It is not only guidance, it is a direction.

Mr THOMPSON—Mr Speaker, thank you for your direction. Once again, the Opposition is worried about the limitation of the freedom of speech. There is only one reason why this House will not be sitting on Grievance Day next Thursday—it is because this disgraceful Government, this Government which goes from one crisis to another, does not have sufficient confidence in those of its colleagues who will be left behind.

Mr KENNETT (Burwood)—I join with the Leaders of the Opposition and the National Party in expressing my concern at the inability of the Government to organize itself in such a way that the traditionally accepted procedures under the former Government cannot be followed under the new Labor Administration.

In the past, when the Leader of the Government and his advisers had to go to Canberra on business affecting the State, the Opposition of the day—the present Government—generously gave leave to ensure that the Premier would represent the people of Victoria in Canberra and the proceedings of the House would not be held up because certain personages were not present. How many times did we hear the Government, when in Opposition, accuse the Liberal Government of being miserable, incompetent and lazy?

There could be no greater illustration of that phraseology than applying it to the Government of today, which is not only miserable, lazy and incompetent, but cannot deal with proposed legislation to get it through as it is programmed on a daily basis. More importantly, the Government is not prepared to have the House meet next Thursday even though the Opposition and the National Party have no chance, under any circumstances, of defeating the Government on a vote to ensure that the legislative programme is continued.

It is suggested by interjection that the Government extended the hours of sitting. Of course it did, because it recognized——

The SPEAKER (the Hon. C. T. Edmunds)—Order! I allowed a free-ranging debate by the Leaders of the Opposition and the National Party because the Acting Leader of the House informed the House of a number of matters associated with the reasons why the House should not sit, but I am going to ensure that from now on the debate relates to the motion before the House. If the honourable member for Burwood wishes to direct his remarks to that motion I will hear him.

Mr KENNETT—We are talking about the business of the House. We are talking about Sessional Orders. We are

talking about the decision of the Government to extend the sessional period to 1 July because of the needs of business.

The SPEAKER—Order! We are not talking about the sitting hours. The motion deals with the change in Sessional Orders for next week.

Mr KENNETT—Mr Speaker, with due respect, you cut me off before I finished. There was a need to extend the sittings to complete the legislative programme of the Government. We now find the extraordinary situation that the House will not be sitting next Thursday and that Bills scheduled for debate on that day will not be considered. If it is, on the one hand, good enough and necessary to extend the sittings of the House, surely it is equally necessary that every opportunity be taken to discuss proposed legislation. Therefore, it is totally hypocritical for the Government to move the motion that is now before the House.

It means, as has been said by many honourable members, that the Government is obviously incompetent in getting through its legislative programme and, more importantly, that the Government needs to protect the interests of those who are not going to be here and who, no doubt, played a major role in deciding and submitting proposed legislation to the House for debate.

If the House is not going to sit beyond 1 July it is necessary that we get on with the job. According to the rules, traditions and practices that have been established in this House in the six years I have been a member, the Premier and his advisers can be given leave to carry out the work in the interests of the public of Victoria. That precedent will be honoured, but it does not close down the Parliament. It never has before. Why in 1982 does the new regime, the open Government, the Government that wants to sit for shorter periods more often, propose to close down the Parliament on a day scheduled for sitting.

In the past few days, we have heard the most incredible discussion between the Leaders of the parties about the agenda being reshuffled because Bills were not ready.

The SPEAKER (the Hon. C. T. Edmunds)—Order! It is interesting and fascinating to hear what has happened in the past but I direct the honourable member for Burwood to the motion before the House and advise him to confine his remarks to that motion.

Mr KENNETT—Mr Speaker, again, with due respect, the legislation has not been ready to date but with a bit of luck it may be ready next week —perhaps next Thursday and we deserve the opportunity of sitting.

Mr CRABB (Minister of Transport)—On a point of order, Mr Speaker, the honourable member for Burwood is flaunting your ruling. My point of order is that he ought to be brought back to the matter by whatever means are at your disposal.

The SPEAKER—On the point of order, I am endeavouring to bring the honourable member for Burwood back to the motion before the House. If he continues to ignore my request I will take further action.

Mr KENNETT (Burwood)—The House ought to sit on Thursday next week because much of the proposed legislation that has been scheduled to be debated has not been ready. We ought to sit next Thursday because, it is hoped, the Government will then have its legislative programme designed in such a way that more Bills will be presented for debate. The Government is depriving the community and the Parliament of Victoria of the opportunity of being able to discuss proposed legislation.

On many occasions since the beginning of this sessional period we have heard about the intention of the Government to introduce as much legislation as possible to carry out, in some form or another, the promises made prior to 3 April. It is not good enough for members of the Government party to continue to interject and raise points of order claiming that the House should not sit

next Thursday. It is not good enough for the Government to raise points of order based on the fact that the proposed legislation that it wants to be debated cannot be debated next Thursday.

Does this situation mean that the criticism received by the former Government from the former Opposition, the now Government, on the inability of the former Government to keep the House sitting will simply be repeated? Two wrongs do not make a right and if the former Government were wrong, the present Government must ensure that it is right and allow the House to continue sitting. In the short time that the present Government has been on the Treasury benches it has proved its inability to arrange its legislative programme. It wants its legislation to get through Parliament.

The SPEAKER (the Hon. C. T. Edmunds)—Order! The honourable member will come back to the subject of the motion before the Chair.

Mr KENNETT—I am speaking to the motion. Opposition members want to proceed with the legislative programme. We accept that the sitting of the House has been extended for one week in this sessional period because of the need of the Government to have more time to debate proposed legislation and have it passed from this House to another place. Why then, in God's name, will the Government close the House next Thursday? There is no rationale or acceptable excuse behind that action.

Mr Simpson—There is.

Mr KENNETT—There is, but I am not allowed to refer to it. Not enough confidence has been expressed by the leadership of the Government in fellow Ministers.

This is a despicable occasion in the first session of the new Parliament. Parliament is run by one man who has no confidence in the rest of his Ministry to be able to run the affairs of the House. I considered that the Minister of Health did a reasonable job last night in the House. Why not entrust him, or the Minister of Housing?

The SPEAKER—Order! The remarks of the honourable member have no relevance to the motion when referring to what the Minister of Health or anyone else did last night. I ask the honourable member for Burwood to return to the motion, which has reasonably narrow terms.

Mr KENNETT—You, Mr Speaker, being totally independent of what happens in this House, must accept that there are reasons behind the motion in front of the Chair. I am putting forward one of the reasons why the House will not sit next Thursday. It is that senior Ministers of the Government have no confidence in their fellow Ministers.

The SPEAKER—Order! I do not see the relevance in the points that the honourable member for Burwood is raising at the moment. The Acting Leader of the House canvassed the issue fairly extensively and the Deputy Leader of the Opposition was given the liberty of canvassing the issue extensively. This is not a general debate on what the Opposition thinks of the Government or vice versa. The debate should centre around the motion.

Mr KENNETT—Thank you, Mr Speaker. However, the fact that the lead speaker for the Government referred to many reasons why the House cannot sit next Thursday must therefore give every speaker thereafter the opportunity of commenting, not only on the motion before the House, but also on the content of the speech by the Acting Leader of the House.

The SPEAKER—Order! The precedent of the House has been the other way.

Mr KENNETT—That is a most unusual ruling. With due respect to you, Mr Speaker, in most of the time I have been in this House honourable members have been allowed to address themselves to the motion and to the comments of other speakers.

I will conclude my remarks because this is a difficult debate for some honourable members and, obviously, an embarrassing debate. During two sessions prior to 3 April the Labor Party

promised the people of Victoria and Parliament that Parliament would sit more regularly with shorter hours and that it would provide open government. The Government has the opportunity of allowing Parliament to sit at a scheduled time and, all of a sudden, the Government has run away from the arrangement. It is not prepared to allow this House to debate the reasons why Parliament will not sit next Thursday. The truth of the matter is, whether or not any of the members of the Government are prepared to accept it, that this State is led by one man who has no confidence in other Government Ministers.

The SPEAKER (the Hon. C. T. Edmunds)—Order! The honourable member is reflecting on a decision of the Chair on this matter and I ask him to withdraw.

Mr KENNETT—I will withdraw on anything you wish me to withdraw on, but I am quite sure——

The SPEAKER—The honourable member will do so without qualification.

Mr KENNETT—Yes, I do so without qualification, but it is a severe reflection on the Government and Parliament that in a five-week sessional period that has now been extended to six weeks because of the need of the Government to pass vital legislation based on promises made prior to 3 April, the Government has decided that it cannot organize itself to sit on a day when everyone else in Parliament is prepared to sit, because two, three or four Ministers, apart from those who would understandably be given leave to attend to the business of the State in another State, cannot conduct the business of the House.

It is a despicable situation and the continual accusations levelled at the former Government of being a miserable, lazy and incompetent Government, based on the qualifications and definitions levelled by the present Government when in Opposition, must now be levelled at the present Government. It is inexcusable and indicates a great sign of weakness because the Leader of the Government cannot entrust his fellow Ministers to run the affairs of the State between 10 a.m. and 6 p.m. for one day.

Mr RICHARDSON (Forest Hill)—An intolerable proposal has been put to the House. Parliament ought to sit next Thursday. To do otherwise would be a denial of the traditional rights of individual members. Parliament ought to sit on Thursday because the Government should not be able to put up the shutters of Parliamentary democracy in Victoria. It ought to sit on Thursday because members of the Government are capable of handling the business of Government in the House on that day in the absence of a handful of Ministers. As far as I am aware, never before has the traditional Grievance Day been denied members of the back-bench. However, the current Government wants to deny honourable members those rights on Thursday.

Parliament ought to sit on Thursday because business must be attended to in this House. Honourable members must deal with Bills that have been adjourned today for one week until next Thursday. The Opposition agreed to adjourn those Bills until next Thursday. However, the Government wants to close down Parliament on that day. Parliament ought to sit next Thursday to deal with matters on the Notice Paper. Twenty-two matters are listed under Government Business. Four items are listed under General Business and the House ought to sit on Thursday to enable the Government to put its legislation through Parliament freely and without hindrance and imposition by a group of people on the Government side of the House, who apparently want to curtail freedom of discussion and freedom of debate, which are the very essence of Parliamentary democracy in this place.

The Government has people in its own ranks who are capable of handling the affairs of Government. Parliament ought to sit on Thursday because it is possible for other members of the Government to take charge of Government affairs while the Premier, the Deputy Premier and other Ministers are attend-

ing to matters that concern the interests of Victoria. The Opposition agrees that those Government members ought to be able to go away unhampered and unhindered. However, Parliament should not close simply because bosses, Nos. 1, 2, 3 and 4 in the Labor Party will not be present. What is the Government afraid of? Why does it not trust its own people and the democracy of Parliament? The motion is a disgrace and the Victorian community will see it for what it is.

Mrs PATRICK (Brighton)—I deplore the fact that the House will not sit next Thursday. Honourable members have heard a great deal from the Government about keeping the hours of sitting short and that those hours would not "kill" anyone. Last night the House sat late and the night before was also late because the Government wished to complete urgent business. I am told that further business that has been listed for discussion today, the Government wants finished by tonight; therefore, pressure is placed on the Opposition to complete debate on proposed legislation and pass it through the House. In those circumstances the debate is in some ways being shortened.

The Opposition is trying to co-operate and allow Bills to pass through the House where quite easily it could have mounted long, lengthy and involved debates. The House is now being informed that it is not to sit next Thursday because the Premier will be away. The Premier feels very much that he is the Government and that matters are not to go on in this place—democracy is not to be practised while he is absent from the State.

I understand that the Premier must travel interstate and represent Victoria at the Premiers Conference; nevertheless, many Ministers on the front bench —and not necessarily only Ministers— and also many members on the Opposition back bench and shadow Ministers are quite capable of conducting the business of the House. Honourable members are being stifled by there being no Grievance Day, a debate which gives honourable members the opportunity of bringing matters concerning the electorates they represent to the attention of the House and Ministers. Grievance Day is a tradition of the House and four hours on that day are devoted to the grievance debate. The Government has decreed that there will be no grievance debate next Thursday.

Why should all honourable members go home? Although it would be convenient as it will enable honourable members to do more work in their electorates, this is the place where laws are passed and Grievance Day is listed for next Thursday in this sessional period. Now, the House must sit a week later; the Government is inconsistent. I would like to know why the House is having Thursday off.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I ask the honourable member for Brighton to return to the motion before the Chair and not to canvass, as I also asked the member for Burwood, a number of issues that are unrelated to the motion before the Chair.

Mrs PATRICK—I regard the closing down of the House on a day that is listed for hearing grievances as reprehensible and I am astonished that the Government has decided that the House will not sit on Thursday next. It seems to be a retrograde step and one which the Victorian electorate should deplore.

Mr CATHIE (Minister of Housing)—I move:

That the question be now put.

The SPEAKER (the Hon. C. T. Edmunds)—Order! Before I accept or disallow the motion, the question before the Chair is a very narrow one. Debate has been proceeding for 40 minutes and there have been six speakers representing all parties. There have been five speakers against the motion and one for the motion. Therefore, I accept the motion.

The House divided on Mr Cathie's motion (the Hon. C. T. Edmunds in the chair).

Ayes	44
Noes	27
Majority for the motion	17

AYES

Mr Cain	Mrs Ray
Miss Callister	Mr Remington
Mr Cathie	Mr Roper
Dr Coghill	Mr Rowe
Mr Crabb	Mrs Setches
Mr Culpin	Mr Sheehan
Mr Ernst	(*Ivanhoe*)
Mr Fogarty	Mr Sheehan
Mr Gavin	(*Ballarat South*)
Mr Gray	Mr Shell
Mr Hassett	Mr Sidiropoulos
Mr Hill	Mr Simmonds
Mr Hockley	Mr Simpson
Mr Jolly	Mr Spyker
Mr Kennedy	Mr Stirling
Mr King	Mrs Toner
Mr Kirkwood	Mr Trezise
Mr McCutcheon	Dr Vaughan
Mr McDonald	Mr Walsh
Mr Mathews	Mr Wilton
Mr Miller	
Mr Newton	*Tellers:*
Mr Norris	Mr Harrowfield
Mr Pope	Mr Ihlein

NOES

Mr Austin	Mrs Patrick
Mr Brown	Mr Reynolds
Mr Burgin	Mr Richardson
Mr Delzoppo	Mr Ross-Edwards
Mr Ebery	Mr Saltmarsh
Mr Evans	Mrs Sibree
(*Gippsland East*)	Mr Tanner
Mr Hann	Mr Thompson
Mr Jasper	Mr Wallace
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lieberman	
Mr McGrath	*Tellers:*
Mr McKellar	Mr Dickinson
Mr Maclellan	Mr McNamara

PAIR

Mr Wilkes	Mr Whiting

The House divided on the motion (the Hon. C. T. Edmunds in the chair).

Ayes	44
Noes	27
Majority for the motion ..	17

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Mr King	Mrs Toner
Mr Kirkwood	Mr Trezise
Mr McCutcheon	Dr Vaughan
Mr McDonald	Mr Walsh
Mr Mathews	Mr Wilton
Mr Miller	
Mr Newton	*Tellers:*
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NOES

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Mr Brown	Mr Reynolds
Mr Burgin	Mr Richardson
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Mr Ebery	Mr Saltmarsh
Mr Evans	Mrs Sibree
(*Gippsland East*)	Mr Tanner
Mr Hann	Mr Thompson
Mr Jasper	Mr Wallace
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lieberman	
Mr McGrath	*Tellers:*
Mr McKellar	Mr Dickinson
Mr Maclellan	Mr McNamara

PAIR

Mr Wilkes	Mr Whiting

MELBOURNE CORPORATION (ELECTION OF COUNCIL) BILL

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

Clause 2 was agreed to, as were clauses 3 and 4.

Clause 5 (Entitlement to vote at municipal elections).

Mr ROPER (Minister of Health)—I move:

Clause 5, page 4, lines 24 to 32, omit all words and expressions on these lines and insert:

"(*a*) shall, where that person would if a roll of persons entitled to vote on the entitlement date at an election for the Legislative Assembly was prepared be enrolled on the roll of electors of the Legislative Assembly in respect of an address within the municipal district and entitled to vote at an election for

the Legislative Assembly, be enrolled and entitled to vote at an election to choose persons to hold office as members of the council to represent the ward in respect of that address; or".

This amendment substitutes a new paragraph (*a*) in clause 5 (1), which relates to eligibility to be on the voters' role. The new provision does not alter the intent of the paragraph; it is for clarification purposes only. There was a doubt about the question of the address within the municipal district, and this amendment clarifies that. The original clause could have been open to a difficult interpretation.

Mrs PATRICK (Brighton)—The Opposition does not oppose the amendment.

Mr McNAMARA (Benalla)—The National Party supports the amendment moved by the Government. It clarifies a doubt in the minds of members of the National Party. The provision as it now exists, I understand, allows any person who is on the Legislative Assembly role in the State of Victoria to vote in a City of Melbourne election. Is that the reason for the amendment?

Mr Roper—Yes, to restrict it.

Mr McNAMARA—The National Party accepts the reason. It is a logical and sensible amendment.

The amendment was agreed to.

Mrs PATRICK (Brighton)—In clause 5 (1) (*b*), sub-paragraph (*ii*), the qualification for entitlement to vote is that a person:

has resided in Australia for at least six months continuously and in Victoria for at least three months and in the municipal district for at least one month immediately preceding the entitlement date—

The Opposition believes that people who are not natural-born or naturalized subjects of Her Majesty should be entitled to vote at municipal elections if they are over eighteen years of age, own property or are occupiers and liable to be rated. However, the Opposition would have preferred that clause 5, and indeed the whole of Part III—Entitlement to Vote at Elections, should be withdrawn and redrafted to accord with the adult franchise provision contained in the Local Government Board of Review Bill 1981 introduced by the former Liberal Government. The forms of this House do not allow that to be done, and the Opposition believes that clause 5 (1) (*b*) is too wide, too uncertain, and will pose many problems for those who compile the role of electors.

The Opposition points out that this provision could lead to people who are not natural-born Australians or not naturalized citizens, who have lived in Australia for only six months, and in Victoria for at least three months, being permitted to vote in State and Federal elections.

I quote from the record of debates in the House of Assembly of South Australia, March 8, 1978, in which one of the speakers, Mr Russack, said:

The criteria for enrolment as electors for local government, elections in Australia do not have the uniformity that relates to elections for State and Federal Parliaments. Being a natural born or naturalized British subject is a prerequisite in most cases.

. . . . .

In Victoria, unnaturalized aliens are entitled to vote at local government elections, subject to property qualifications. The intent of this Bill is to allow such a person to enrol.

I quote also from *Britain* 1981: *An Official Handbook* on page 62, the third paragraph:

Any person (including a member of the House of Lords) is entitled to vote at a local government election in Great Britain provided that he or she is aged 18 years or over, is a British subject or a citizen of the Irish Republic, is not subject to any legal incapacity and is registered as a local government elector for the area for which the election is held. A person qualifies for registration as a local government elector if, on the qualifying date for the register (compiled annually), he or she is resident in the council area.

It then goes on to talk about Northern Ireland.

The Opposition believes that one month's residence is not very long for local elections, particularly for the election of the Melbourne Corporation, which is the Bill now being debated. However, if that were brought in, it would create uncertainty, not only initially when the rolls are compiled for the first election, but also from then on. If there is no qualification other than

one month's residence, it becomes extremely difficult with the moving population in this metropolis to decide whether or not somebody should be on the role. I realize that a person has to make application, so there will not be a door-to-door canvassing to inquire if a person has lived in a place for a month.

The other point is the importance of citizenship. While Australians are supposed to be a pack of knockers, I believe deep down that most, if not all, Australians are proud of being Australians. Anyone who emigrates to Australia should not be required to totally sever relations with their country of origin. However, since 1973, I have attended many citizenship ceremonies in the area I represent and I know of the proud feeling many immigrants have when they become naturalized and acquire Australian citizenship. Like most other honourable members, I have written letters of congratulations to those immigrants who have taken out citizenship and I have often received correspondence from those new citizens who have described their proud feelings on becoming Australian citizens.

Over the years those persons who have immigrated to Australia have made a tremendous contribution to the cultural and economic aspects of the Australian way of life. Many honourable members would remember when Melbourne could not have been described as a multi-racial city. Honourable members should reflect upon the contribution made to the Australian way of life by those persons who have immigrated to Australia from different countries around the world. It is important that the Government maintain the prestige of citizenship for those persons.

The provisions of clause 5, if adopted, will weaken the status of citizenship. Those immigrants who take out citizenship are entitled to be registered on the Federal and State electoral rolls. Although the provisions of clause 5, if adopted, will mean that electors in municipal elections will not be required to be naturalized, the Opposition is concerned that that requirement should not be extended to the qualification of registry on the State and Federal electoral rolls. The residency qualification period of one month in the City of Melbourne is too uncertain. Therefore, I move:

Clause 5, sub-clause (1), lines 33 to 45, omit paragraph (*b*).

Mr McNAMARA (Benalla)—The National Party foreshadowed a similar amendment, and, therefore supports the amendment before the Committee. The provisions of clause 5, if adopted, would degrade the value of citizenship and the status of ratepayer.

The National Party accepts the proposition that those persons who are not naturalized Australians, but who are ratepayers, should be entitled to vote in municipal elections. However, the status of citizenship should be improved and developed. If the Government confers those privileges that are normally reserved for Australian citizens upon those persons who have not taken out citizenship, the Government will reduce the status of citizenship.

The honourable member for Brighton correctly highlighted the valuable contribution that those persons who have emigrated to Australia have made to the cultural and economic way of life. Many migrants who have taken out citizenship have developed into excellent citizens. It is a relatively uncomplicated procedure for someone to take out citizenship. At present there are 1·2 million persons in Australia who are entitled to take out citizenship. Up until 1979 approximately 1·4 million persons who had immigrated to Australia had taken out citizenship. Approximately 70 per cent of those 1·2 million persons who are entitled to take out citizenship are of British nationality. The residency qualification period for Australian citizenship has been reduced. Until 1973 the qualification period was five years, but when the Whitlam Government came to power, it reduced the qualification period to three years. It is a policy of the Labor Party to reduce the residency qualification to two years.

Under the provisions of clause 5 of the Bill, if adopted, the residency qualification period for Australia will be six months, three months in Victoria and one month in the City of Melbourne. I suggest that one month is not sufficient time in which to be eligible to vote in municipal elections. The provisions will degrade the value of citizenship.

When those persons who immigrate to Australia take out citizenship, they adopt a number of rights and responsibilities. One of those rights is the freedom to vote in municipal, State and Federal elections. It would be inappropriate to include a provision in the Bill that, if adopted, would allow those persons who are not naturalized and who do not own property to vote in municipal elections. It is interesting to note that many of the countries from which immigrants have originated in the past 20 to 30 years have stringent qualification periods for voting rights. For example, in Austria, the residency qualification period for voting is ten years, as it is in the Federal Republic of Germany. In Greece, the residency qualification period is eight years and in Italy and Holland the residency qualification period is five years.

Under the provisions of the Bill, if adopted, one could envisage a situation where a visitor from overseas could stay in Melbourne on a visitor's visa and that person could enrol and vote in the council elections. That person may not have an understanding of the workings of local government and, indeed, that person may not even speak the language.

The National Party is not opposed to those persons who have taken out citizenship but who do not own property voting in municipal elections. However, the Bill has been hastily introduced. It would be a backward step to confer franchise rights on a person merely because that person has been a resident in the City of Melbourne for one month. I refer honourable members to a statement made in the House of Representatives on 7 May 1981 by a senior member of the Labor Party, Mr Young, who quoted remarks made at that time by the honourable member for Maribyrnong, Dr Cass, who is a former shadow Minister for Immigration and Ethnic Affairs. Mr Young is reported at page 2118 of Federal *Hansard* as having said:

> I point out at the outset that the policy put forward at the election in October last year by the Labor Party, expressed by my colleagues the honourable member for Maribyrnong (Dr Cass) who was then the Shadow Minister and by the Leader of the Labor Party, was that all migrants, irrespective of where they come from, should have citizenship for the purposes of the franchise.

In that instance the debate was on the franchise for the Federal electoral roll. The qualifications for enrolment on the State and Federal electoral rolls should be for enrolment on the municipal rolls. The National Party concurs with the statement attributed to Mr Young in the Federal *Hansard* of 7 May 1981. That statement was echoed by Mr Macphee, the Minister for Immigration and Ethnic Affairs, who reported to the Federal Parliament on a meeting he had with the Ministers responsible for immigration and ethnic affairs from the various State Governments, including a representative from the Northern Territory, on 14 and 15 April 1981. He referred to the agreement that was reached by members from all Parliaments, that Australian citizenship was the appropriate basis for electoral franchise. He said that there should be no discrimination concerning the countries of origin of migrants—whether they be from countries of the British Commonwealth or from other countries. He also said that no person currently enrolled as an elector should be disfranchised. The National Party concurs in that view. Any person on an electoral roll should not be taken off it.

However, the National Party strongly puts the point that it should be realized that these privileges come with citizenship. If they are just handed over now, what is the purpose of having citizenship at all?

Mr ROPER (Minister of Health)—The Government does not accept the amendment moved by the honourable member for Brighton and supported

by the honourable member for Benalla. The current situation for local government in general is that both the Constitution Act 1975 and the Local Government Act 1958 provide that to be an elector of a municipality one must be (*a*) 18 years of age and (*b*) either the owner or person liable to be rated (occupier) in respect of rateable property within the municipal district. Indeed, in the City of Brunswick and in many other cities, many people who are not natural-born or naturalized subjects of Her Majesty exercise a vote and do most responsibly, in local government elections. I might have misunderstood the suggestion of the honourable member for Benalla, that that should be wound back, but there is certainly no proposition by the Government that it should. The approach by the previous Government followed the Bains report, which suggested: that 18 years of age should certainly remain and that, if a person is enrolled on the Legislative Assembly roll in respect of an address in a municipal district, he or she would have a vote—in other words, would be a natural born or naturalized citizen of Her Majesty. If a person does not qualify in this way, he must be the owner or occupier of property within the municipal district. Further, if there are joint owners or occupiers, only one owner or occupier can be enrolled upon application. The provisions then deal with the position of a corporation, whereby the corporation may nominate a person to be enrolled. Under the Government's policy of universal adult suffrage, every adult resident and every ratepayer will have a vote.

Before I go through the reasons for the Government's policy, I draw the attention of honourable members to a mistake that can often be made in this area, by confusing the definition of an Australian citizen with that of a person who is entitled to vote at local, State or Federal Government elections. "Australian citizen" is a more restricted category than "natural-born or naturalized subject of Her Majesty", which is a wider concept. I direct the attention of honourable members, particularly the honourable member for Benalla, to section 48 of the existing Constitution Act 1975, which states that a person can vote in a State election if he or she:

(*a*) is a natural-born or naturalized subject of Her Majesty;

(*b*) is of the full age of 18 years; and

(*c*) has resided in Australia for at least six months continuously and in Victoria for at least three months and in a subdivision for at least one month immediately preceding the date of his claim for enrolment as an elector—

So, it is quite possible, under present legislation, for a person to arrive from Cyprus, Malta, England, Scotland and to vote, providing that person has complied with the 6, 3 and 1 month provisions in The Constitution Act.

Mr McNamara—He has to be an Australian citizen, though.

Mr ROPER—No, a natural-born or naturalized subject of Her Majesty, not an Australian citizen. That is what I am pointing out to the honourable member.

Mr McNamara—"Naturalized" has been recommended.

Mr ROPER—At the moment, the situation is as I have described it in section 48 of The Constitution Act. There is no proposition before the Parliament in relation to that recommendation. The reason why the Government has adopted this view is that it believes all people who reside in a municipal district and who are paying or are responsible for rates, should have the opportunity of participating in a decision as to how those rates are to be spent and the way in which administration of that municipality is carried out. Also, people who require or who benefit from, the municipal services—in other words, the residents—should have a say. The Government believes we should ensure that that happens and enshrine it in legislation. No doubt, there will be further opportunities for those principles to be debated. For that reason, the Government will be persisting with the clause as it stands.

The specific details of what is involved in this clause were given earlier by the Minister for Local Government, during his explanatory second-reading remarks, and I shall not

read them again. The Government is concerned to ensure that all the people who are covered under this clause are given the right to vote in the Melbourne City Council elections, which will be held this year.

Mr LIEBERMAN (Benambra)—I have listened carefully to the Minister of Health giving further information as to why the Government has put forward this amendment to the principal Act, which the Opposition is against. I must confess that the only justification for the Government's proposal, which I understood the Minister to put forward was—and I understood it inferentially from his remarks—that some people who benefit from the services provided by local government are disfranchised and that if the clause were passed, they would have a vote.

I shall confine myself to that thought and try to discover whether it justifies the clause. I think honourable members will feel as I do: That, on examination, the argument does not provide a justification. I agree that people who benefit from the services provided by municipalities naturally have some role to play. However, with good management in local government, I should hope that by and large, people who do not pay rates, either as owners or occupiers, but who receive the benefit of services from the municipality, should, where possible and reasonable, be required to pay something towards the cost of those services. In that sense, there is a responsibility on councils to ensure that those people make some payment for the services provided.

When I was Minister for Local Government, I carefully examined the suggestion that this amendment be made by the Government of the day. I tried to be as objective as I could in determining where the justification lay for such a major change to the rights to vote in local government elections in Victoria. During that time, the number of approaches seeking the amendment were very few indeed. Unfortunately, I do not have the files now, but they would be in the offices of the Local Government Department and could be examined. At that time, I think there was one municipality that felt very strongly about the need to include the provision and representatives of that municipality spoke about the large number of ethnic people living in the area and explained that many were not naturalized citizens, although they had been in Australia for many years. They said that, although it was true that the occupiers or ratepayers in those families had a vote—and would have had a vote under the previous Government's legislation—there were, nevertheless, uncles, aunts and cousins who were not naturalized citizens and who were not paying rent for properties in which they were guests or lodgers and who felt they should have a vote. That point was put to me when I was Minister for Local Government. I inquired as best I could. In many cases, the people involved had not applied for citizenship and when their rights and eligibility for naturalization were explained to them they were thrilled and rushed off to apply. There is an element of concern in the ethnic communities that more positive assistance and advice on their eligibility for applying for naturalization should be given so that they are then entitled to vote.

Mr Remington—The Federal Government does not encourage people to become naturalized.

Mr LIEBERMAN—That is absolute nonsense. On Monday, I had the pleasure of attending a naturalization ceremony in my home town of Wodonga where 42 people were being naturalized.

The CHAIRMAN (Mr Wilton)—Order! I suggest that the honourable member does not go too far into the question of encouragement by the Federal Government.

Mr LIEBERMAN—It is important that I deal with the interjection from the honourable member for Melbourne.

The CHAIRMAN—Order! Interjections are disorderly.

Mr LIEBERMAN—As a matter of interest, I was at the ceremony when those persons, representing various nations, were being naturalized. Among them were two beautiful families from

Laos who had already made their mark in the community and had done extremely well. They were proud to be Australians. They had been encouraged, like others had, to become citizens, not only by friends, workmates and neighbours in Wodonga but also by both State and Federal Governments.

It is wrong for the honourable member for Melbourne to suggest that the Federal Government does not encourage naturalization. All Federal Governments have made great efforts in encouraging naturalization. Both the Whitlam and Fraser Governments have a good record. The honourable member cannot justify his interjection.

If a wider voting franchise is to be adopted, it is important to analyze whether the laws being proposed are fair and whether injustices and inequities are being created. The provisions of the Bill introduce virtual adult franchise. Had the policies of the former Government been continued, there would have been full adult franchise and the Minister for Local Government has promised to deal with that question further in the spring sessional period. The Liberal Party supports adult franchise.

The clause extends the voting franchise in other directions. It provides for the entitlement to vote of persons who are not naturalized or Australian-born citizens, which will give a wider pool of electors the chance to vote for councillors through the ballot box. It widens existing provisions for the residential and citizenship entitlements of persons to vote at municipal elections and it is an idealistic argument which is in many respects unfair to citizens who are already naturalized and ratepayers.

For instance, on occasions there could be a large percentage of people, particularly in a capital city like Melbourne, who, although their status is temporary, would be eligible to vote in the municipal election and exercise a considerable amount of influence on the policies of the council through the ballot box, yet who will not have the roots a traditional Australian would expect. The proposal should be rejected for that reason alone.

In any event, the clause may have problems, if it is enacted, through the qualification period of a person having resided in Australia for at least 6 months continuously, in Victoria for at least 3 months and in the municipal district for at least 1 month immediately preceding the entitlement date. It could well be argued that the requirement of 6 months' occupation in Australia may apply to a period of residence that occurred two years previously or four months of the six months stipulation may have applied two years previously. There is no catch-up clause to cover that interpretation.

If the clause is agreed to—and I guess if the Government wants to it can use its numbers in the House to achieve that—perhaps between this place and the other place the Government may examine it and consider changes. Naturally, I hope the clause will be rejected.

Mr McNAMARA (Benalla)—Reference has been made to the voting rights of British subjects. I draw attention to a conference held on 14 and 15 April last year of State Government Ministers, the Northern Territory Minister and the Federal Minister for Immigration and Ethnic Affairs. The conference agreed that:

(1) Migrants, irrespective of their country of origin should be treated equally in relation to requirements to enrol, on their right to vote at elections for parliament and to nominate as a candidate for election to parliament;

(2) Australian citizenship is the appropriate basis for the franchise;

(3) No person currently enrolled as an elector should be disenfranchised;

(4) Uniform legislation to give effect to the foregoing should be enacted by the Commonwealth and all States.

All Ministers agreed that legislative provisions should be made in 1982. The honourable member for Swan Hill was Minister of Immigration and Ethnic Affairs at the time and he was involved in many of those discussions. I am sure he would be eager to highlight those discussions in more detail.

I make the point that the argument of the Minister for Local Government will soon not be valid because, whether a person comes from Greece, Turkey or

anywhere else in the world, that person will be entitled to go through the same procedures for enrolment as a British subject, and Australia is far enough developed for that to be the case.

Mr WOOD (Swan Hill)—I confirm the remarks of the honourable member for Benalla. I was a delegate to the conference of Ministers responsible for immigration and ethnic affairs. Ministers from all States, the Northern Territory and the Commonwealth were present, including Mr Rex Jackson, the New South Wales Minister responsible for that portfolio. The subject of enrolment for both purposes was canvassed and discussed at great length and the views of all Ministers involved were unanimous, both during discussions and voting, that people should be entitled to vote in Federal and State elections if they are citizens of the country.

The main thrust of the conference was that citizenship must be the basis for enrolment. There must be some goal or reward to encourage a person to become a citizen. Under the Commonwealth Constitution, a British subject coming to Australia from a British Commonwealth country is entitled to vote in an Australian election after six months residence in Australia. In confirming that citizenship must be the basis for enrolment, during discussions at the conference it was suggested that if it were otherwise, persons like Idi Amin could, if he were allowed to enter the country, reside in Australia and vote in Australian elections. Under the Constitution Act there is a differential between a person coming from a British Commonwealth country and one coming from a non-Commonwealth country. All the Ministers at the conference agreed that there should not be any difference or advantage between people, irrespective of where they came from. Citizenship should be the whole basis for franchise in all States and the Commonwealth and it was hoped that legislation would be brought into all Parliaments, Commonwealth and State, no later than the end of this year to enable this to come into effect.

As Minister of Immigration and Ethnic Affairs, I met many people from different lands and I discussed this matter at length with community organizations and people who had become citizens, as well as some who had not. There was a strong consensus that citizenship should be the prior requisite for franchise in any election. Often people expressed to me that although they treasured their ties with their homelands and wanted to preserve their cultural heritage, they considered that in becoming citizens they had repaid in a small way the debt to this country for being allowed to settle here. Many of them would not like the amendment that is before the House today.

At the meeting to which the honourable member for Benalla referred, it was unanimous that Australian citizenship should be the appropriate basis for franchise. There was discussion about British subjects who had already been enrolled; one could hardly take them off the roll. As from a given date the legislation would provide that any person could become entitled to vote if he or she was Australian born or a naturalized citizen of this country. The conference was bipartisan. Members of all political persuasions were in attendance and they all agreed that the decision was in the best interests of Australia and of the States.

Mr WILLIAMS (Doncaster)—I am most concerned about clause 5. It is difficult enough in all conscience to construct a municipal roll in the old tradition, relying principally on certificates sent to the council each year from solicitors.

Mr Ross-Edwards—Not each year. Certificates are sent only when a property is bought or sold.

Mr WILLIAMS—I wish people would not interrupt me. I am concerned that the municipal roll is revised every year and, to the best of my knowledge, it is dependent on receipt of information relating to property transfers which are recorded in the rate office and then become the basis of the municipal roll.

The city that I represent is fortunate to have its own electricity undertaking which is a most reliable source of information for the construction of the voters' roll. My colleagues in the party room must be sick of my telling them how weak and poor the Commonwealth and State electoral rolls are. I check my electoral roll with my own roll and I find many discrepancies.

This new provision will add another complication. The Doncaster roll is accurate, unlike that of the City of Richmond and another place where the traditional horizontal vote is standard practice.

The CHAIRMAN (Mr Wilton)—Order! The honourable member will return to the amendment.

Mr WILLIAMS—I am endeavouring to point out the problem that exists in constructing a proper and honest municipal roll. There is now the complication of trying to marry it with the Legislative Assembly roll, which I presume is the joint roll of the Commonwealth and State. Here again, if eighteen year olds and others who are non-property owners are enrolled, based on information in State and Federal electoral rolls, there will be difficulty because, to the best of my knowledge, section 38 of the Commonwealth Electoral Act has not been enforced. I have raised this matter before. Section 38 says that all officers in the service of the Commonwealth, all police and statistical electoral officers in that service——

The CHAIRMAN—Order! I draw the attention of the honourable member to the fact that section 38 of the Commonwealth Electoral Act is not under discussion. He should return to the question before the Committee.

Mr WILLIAMS—I was endeavouring to point out that the Commonwealth Electoral Act which is the basis for enrolment of eighteen year olds and other non-property owners has not been properly enforced. Every postmaster is obliged to notify the Commonwealth Electoral Office of a change of address. I know this is not done. I have made my own inquiries and I know that the police and employees of Australia Post are not co-operating with the Commonwealth Electoral Officer.

Indeed, he relies on a most expensive habitation survey. He employs people who go from door to door trying to ascertain whether people are on the electoral roll or are present. This is an archaic and expensive method. In marginal seats and wards where it is important to a particular political group to secure an advantage, if the head of the household is of the same persuasion as that group, the habitation people are told that certain people are residing there. I conduct my own electoral roll, house by house and I discover that on some occasions up to ten people are enrolled in the same household because the habitation survey has not picked up the names of people who have left the premises long since. Honourable members opposite may sneer but I pride myself on keeping a good roll of my electorate.

It is unfortunate that there is this hodge-podge in the legislation which means there is no guarantee that the electoral roll will be honest. I rebuke the honourable member for Melbourne for wanting to create a revolutionary troop to run this great City of Melbourne.

The CHAIRMAN—Order! The honourable member will now definitely come back to the amendment if he wishes to continue addressing the Committee.

Mr WILLIAMS—The City of Melbourne is far too valuable an institution to the future of Victoria and Australia to be burdened with a crooked electoral roll.

Mrs PATRICK (Brighton)—The drafting of clause 5 (*b*) (2), if it is to remain, should be tightened up because the more one looks at it the more one realizes that there could be a gap between the 6 months' conditional residence in Australia, the 3 months in Victoria and even the 1 month in the municipal district. There may be some gaps there, and whether the intention is that it should be six months in Australia, and 3 months of that 6 months in Victoria or even an extra 3 months

is difficult of interpretation. I expect that my amendment will not be accepted because the Government has the numbers, but I suggest that this matter be looked at.

I also turn briefly to an article in the *Age* of 11 June 1982 in which attention is drawn by residents of Carlton to the fact that because of adult franchise provisions—and I do not argue with adult franchise provisions—this sub-clause makes the making of the roll more complicated but the Commissioner's tenure has been extended to November. That I do not object to, either.

Nevertheless rates have to be struck and if there is to be an election it would seem that the people who will vote for the Melbourne City Council might have some difficulty in making known their views on the budget of the council.

The reason the Opposition opposes the Bill is because of the difficulty in making up rolls, particularly if there is to be an elected Melbourne City Council in the time the Opposition proposes.

Mr B. J. EVANS (Gippsland East)—I have a few questions for the Minister because some aspects of the Bill have not been adequately explained during the debate. I refer particularly to non-naturalized persons, who I understand are not under obligation to notify any authority of a change of address, unlike naturalized and enrolled citizens who must notify the electoral office of a change of address.

Similarly, in the normal course of events involving property owners, the municipality will be informed of the change of ownership of property and therefore a means of checking changes of addresses is available. I fail to see how a municipality can be notified of the change of address of a migrant who is not on the electoral roll. For that reason the municipality could accumulate a large number of names of migrants on the roll without having any means of checking whether they have left the municipal district.

It is not only the question of placing names on the electoral roll but also that of determining the ward in which voters live which concerns me. I wonder whether the electoral office will have an obligation under the Bill to notify the municipality of the names of people enrolled for the Legislative Assembly district covered by the municipality. Does the electoral office have the responsibility of determining the ward in which these people would be enrolled?

I fail to see how the State electoral office would have the facility to provide this service. This is an additional problem, the answer to which does not seem to be clearly spelt out in the Bill. The main aspect that worries me is the apprehension that this provision will ultimately be applied right across the local government field. If the Government wishes to create a mess, so be it. The Bill has a sunset clause and once these rights are established in the Melbourne City Council area and the current legislation goes out of existence it is highly improbable that those people would suddenly be denied the right to vote.

The only way of overcoming the problem is to extend these privileges right across the whole local government field. That is obviously the intention of the Government in the foreseeable future. I ask the Minister to bear these points in mind and make a comment on them.

The problem of determining which ward a person should enroll for is perhaps less complicated in the metropolitan area where addresses are much more precise than in rural areas. Although I appreciate that the Bill does not apply to rural areas at present, it is evident that the same principles will apply in the future. That is why it is important that we establish how the Government proposes that the particular ward in which a person is living will be determined by the electoral office and how that information will be transmitted to the council.

Mr SALTMARSH (Wantirna)—It is a matter of concern that with the one month residential entitlement it will be difficult to ascertain the bona fides of residency. How will this be established?

Will it be by letter, census or by the person making a statement without providing any other evidence? The following questions then arise: Is this simply a means designed to bring down the entire current system of electoral rolls? Is it a means which could easily be manipulated for any purpose, including stacking of the rolls in order to conduct a biased campaign?

Although the Bill applies only to the Melbourne City Council at this stage, it raises a serious question. It will be an experienmental period during which an assessment will be undertaken. How does one establish the bona fides on the residents of one month? If this cannot be established the system will be open to abuse and, if the system is open to abuse, it should not be proceeded with.

Mr ROPER (Minister of Health)—The first matter which was raised by honourable members opposite and which has just been raised again by the honourable member for Wantirna concerns residency in Australia and Victoria. The provisions of the Bill in this respect are a direct copy from the Constitution Act. So far as I am aware —and so far as I can ascertain from the advice provided to me—cases of abuse have not taken place in elections held since the Constitution Act 1975 was proclaimed. Section 48 (c) of the Constitution Act states:

> . . . has resided in Australia for at least six months continuously and in Victoria for at least three months and in a subdivision for at least one month immediately preceding the date of his claim for enrolment as an elector—

Cases of abuse in that area have not been drawn to the attention of the Government. The Government has merely copied the existing Constitution and applied it to the Bill before the House. The matters raised by the honourable member for Benambra certainly deserve consideration and I will ask Parliamentary Counsel to comment on the matter between here and another place.

If a problem exists, changes will have to be made to the Constitution Act and the Bill and the whole matter must be examined. If any honourable member heard of a case of abuse concerning electors in the Legislative Assembly I am sure we would have heard about it, particularly if an honourable member either narrowly retained or narrowly lost his seat!

The matter raised by the honourable member for Gippsland East concerns the existence on the roll of un-naturalized people. Once the name of an unnaturalized person is placed on the roll he or she receives the same treatment as applies to everybody else. Clause 8(2) of the Bill provides that any person who has made an application for enrolment and does not notify a change of address will be guilty of an offence. Once an unnaturalized person opts into the system, the legal system applies to him and he must notify any change of particulars—other than age—which includes any changes in address.

The residency is also determined on the same basis as it is for State and Commonwealth rolls, and therefore people will not be able to behave as the honourable member for Gippsland East thought they might.

With respect to wards and the State and Commonwealth electoral rolls, I am advised—I thought this would be fairly straightforward—that the State Chief Electoral Officer will prepare the voters' list for each ward. This matter is dealt with in clause 13 of the Bill.

The State Chief Electoral Officer has the facilities to prepare the voters' list for each ward. He can use the Commonwealth electoral records. Discussions have already started with the Commonwealth Electoral Office to enable that to occur.

It is very easy to get the computer to print out the roll one requires. Honourable members have noticed that that occurs to a certain extent with respect to the State elections for the Legislative Assembly and Legislative Council. One subdivision, or part of a subdivision, may appear on the roll for one Upper House province and not another. It is easy to programme the computer to provide that information.

Mr B. J. Evans—It will not work in the country.

Mr ROPER—Of course it will work in the country.

Mr B. J. Evans—I will be surprised if it does.

Mr ROPER—It is not suggested that it be extended to country electorates, but there will be no difficulty so far as this measure is concerned. I think that answers all the matters raised, apart from the principal question that we are really debating.

The honourable member for Benambra said that he, as a Minister, had taken a considered position. I can understand that and understand why honourable members opposite have taken that position. We on this side of the House take a different position because we do not believe there should be a distinction between those who are natural born citizens of Her Majesty and those who are not.

It seems wrong that on the one hand a person does not have to be an owner-occupier to be eligible to vote, but must be so if they are not naturalized or not natural born citizens of Her Majesty. There is obviously a difference between us on this matter and the Government has taken the view that the position it takes in relation to who should be able to vote should be contained in the Bill.

The Committee divided on the question that the paragraph proposed by Mrs Patrick to be omitted stand part of the clause (Mr Wilton in the chair).

Ayes	42
Noes	26
Majority against the amendment	16

NOES

Mr Brown	Mr Maclellan
Mr Burgin	Mrs Patrick
Mr Delzoppo	Mr Reynolds
Mr Dickinson	Mr Richardson
Mr Ebery	Mr Ross-Edwards
Mr Evans (*Gippsland East*)	Mr Saltmarsh
	Mrs Sibree
Mr Hann	Mr Smith
Mr Jasper	Mr Thompson
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lieberman	*Tellers:*
Mr McGrath	Mr Tanner
Mr McNamara	Mr Wallace

AYES

Mr Cain	Mr Norris
Miss Callister	Mr Pope
Mr Cathie	Mrs Ray
Dr Coghill	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mrs Setches
Mr Fogarty	Mr Sheehan (*Ivanhoe*)
Mr Gavin	
Mr Gray	Mr Sheehan (*Ballarat South*)
Mr Harrowfield	
Mr Hassett	Mr Sidiropoulos
Mr Hill	Mr Simmonds
Mr Hockley	Mr Simpson
Mr Ihlein	Mr Spyker
Mr Jolly	Mr Stirling
Mr Kennedy	Mrs Toner
Mr King	Mr Trezise
Mr Kirkwood	Dr Vaughan
Mr McCutcheon	Mr Walsh
Mr McDonald	
Mr Mathews	*Tellers:*
Mr Miller	Mr Rowe
Mr Newton	Mr Shell

The clause, as amended, was agreed to, as were clauses 6 to 8.

Clause 9 (Qualifications of councillors)

Mrs PATRICK (Brighton)—Clause 9 (1) states:

> A person shall be qualified to hold the office of councillor of the council if pursuant to the provisions of section 5 he is enrolled and continues to be entitled to be enrolled on the voters' roll in respect of any ward in the municipal district.

I direct this matter to the attention of the House because one can envisage a council composed mainly of councillors who are not liable to pay rates, and they are the ones who will be deciding how ratepayers' money is spent. That is a danger with the enlarged franchise and something that councils and ratepayers should watch.

The Opposition is not happy that a council should be wholly composed of non-ratepayers. Perhaps this measure foreshadows a change of the rating system so that the rates will not be property rates. I know that local government as a whole wishes it to remain a property rate and, therefore, there is some concern about councillors. The situation must be observed in the future.

Mr KIRKWOOD (Preston)—I have had some words with the Minister about this clause. The problem suggested by the honourable member for

Brighton may not arise, although it is likely with a full council comprising 12, 15, or 18 councillors who do not contribute towards rates. One must pay attention to the method of funding local government. The days are long past since ratepayers funded all the projects applicable to local government. The proportion of funds contributed by taxpayers has become as low as 70 per cent, which is a significant proportion of money. Nevertheless, the other 30 per cent comes in part from those people who have no franchise regarding the owning of property. They have a place in our society that is equal to those who own a piece of dirt or bricks and mortar.

It does not necessarily follow that because one does not own a house, business, piece of dirt or does not pay municipal rates, that one is less of a person than another or that one is not as worried as the next person about responsibilities taken up as a councillor of a municipality. Members of State Parliament may not own bricks and mortar or a piece of dirt, but I doubt whether any member of this Parliament or Federal Parliament would say that those members are irresponsible and not capable of assessing measures along with fellow members. One must be aware of the possibilities that can arise. The problem is improbable and if it did arise I consider that the people of the municipality would not be disadvantaged.

The clause was agreed to, as was clause 10.

Clause 11 (Declaration)

Mrs PATRICK (Brighton)—Clause 11 changes the provision relating to the oath of allegiance so that it will no longer be taken by councillors. The declaration that will take its place states:

> I, A.B., do solemnly declare that I will faithfully and impartially according to the best of my skill and judgement execute all the powers and authorities reposed in me as a councillor by virtue of the *Local Government Act* 1958 or any other Act.

I do not consider that a newly elected councillor will understand what a massive undertaking it is to say that he or she will carry out all the powers and authorities reposed in that person under the Local Government Act. It is a notoriously large and complicated Act and I know only two or three people who understand its contents and would be able to explain how the amendments affect the Act.

On that basis, it is a pity to include that declaration in the Bill. More importantly, I deplore the removal of the oath of allegiance. The Opposition is not happy about the clause because our Monarch, Queen Elizabeth II., is still the Queen of Australia and the oath of allegiance is an important part of our tradition.

Mr WILLIAMS (Doncaster)—I raise my voice in protest against this clause. People describe local government as an arm of government, but as it is controlled by the Local Government Act, it is really a child of Parliament. Every honourable member in this Chamber was obliged to take the oath of allegiance to Her Majesty the Queen on entering Parliament. Parliament delegates powers to statutory bodies, such as the City of Melbourne, and yet republicans on the Government side of the House, such as the honourable member for Melbourne, do not support the oath of allegiance. They had no hesitation in giving the oath of allegiance to the Queen in this place. However, they are inflicting this provision on people who will be elected to the City of Melbourne, and who will be delighted to give the oath of allegiance to Her Majesty the Queen. They will be prevented from doing so, which is a retrograde step that will make the City of Melbourne the laughing stock of Australia.

Mr ROPER (Minister of Health)—Having made decisions on who can vote and stand for local government elections earlier, it would be odd for this House to require people who would not in any way honour allegiance to Her Majesty the Queen, to swear an oath of that kind. It would make the swearing of an oath a virtual farce. The Government considers that anyone who stands for local government should be prepared to carry out his duties

under the Local Government Act. The declaration contained in clause 11 makes it essential for those persons to understand the Local Government Act. I am aware, as are other honourable members, of local councillors who have an abysmal knowledge of the Local Government Act. That is unconscionable and any person standing for council or who is a councillor should understand the Act.

Mr WILLIAMS (Doncaster)—I am not satisfied with that explanation. I do not understand why the House should punish the overwhelming majority of people who want to swear allegiance to Her Majesty the Queen because of the problems that arise with people from Greece, Italy, Lebanon or Turkey, who are elected to the Melbourne City Council. If the swearing of the oath of allegiance offends honourable members on the Government side of the House, such as the honourable member for Melbourne, surely an exemption can be provided for those people.

The Committee divided on the clause (Mr Wilton in the chair).

Ayes	43
Noes	23
Majority for the clause ..	20

AYES

Mr Cain	Mr Newton
Miss Callister	Mr Norris
Mr Cathie	Mr Pope
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mrs Setches
Mr Fogarty	Mr Sheehan (*Ivanhoe*)
Mr Gavin	Mr Sheehan (*Ballarat South*)
Mr Gray	Mr Sidiropoulos
Mr Harrowfield	Mr Simmonds
Mr Hassett	Mr Simpson
Mr Hill	Mr Spyker
Mr Hockley	Mr Stirling
Mr Ihlein	Mrs Toner
Mr Jolly	Mr Trezise
Mr Kennedy	Dr Vaughan
Mr King	Mr Walsh
Mr Kirkwood	*Tellers:*
Mr McCutcheon	Mr Rowe
Mr McDonald	Mr Shell
Mr Mathews	
Mr Miller	

NOES

Mr Brown	Mr Ramsay
Mr Burgin	Mr Reynolds
Mr Delzoppo	Mr Richardson
Mr Dickinson	Mr Ross-Edwards
Mr Ebery	Mr Saltmarsh
Mr Jasper	Mrs Sibree
Mr Jona	Mr Smith
Mr Kennett	Mr Thompson
Mr McGrath	Mr Williams
Mr McNamara	*Tellers:*
Mr Maclellan	Mr Tanner
Mrs Patrick	Mr Wallace

Clauses 12 to 20 were agreed to.

Clause 21 (Offences)

Mr ROPER (Minister of Health)—I move:

Clause 21, page 15, line 2, omit "by the town clerk and delivered to the Minister" and insert "and certified by the town clerk".

There is reference in clause 21 (3) to the delivery of a copy of the voters' roll to the Minister. That is incorrect, and it would not make much sense to have the town clerk signing and sending the voters' roll before it came into force. The amendment is really only a tidying-up procedure.

The amendment was agreed to, and the clause, as amended, was adopted, as was clause 22.

Clause 23 (Number of councillors)

Mrs PATRICK (Brighton)—I draw attention to the fact that clause 23 provides for six wards, each with three councillors, in the Melbourne City Council. The Opposition does not oppose the particular point but I point out that there will still be eighteen councillors elected to the council and that is quite a large number of councillors. It could have been argued that twelve councillors would have been sufficient. It seems to be an arbitrary decision to have six wards each with three councillors and it concerns the Opposition. As evidence of that concern and the public concern, I refer to an article by W. Hanstead in the *Age* of 11 June 1982, which states:

How can the State Government talk of eliminating the gerrymander in Melbourne's electoral wards when detailed 1982 Census figures will not be available in time to draw boundaries for an equitable election in 1982?

The Opposition is concerned about the choice of three councillors for each of the six wards and it wonders how it will work. The Opposition will—as will the whole of Victoria—be watching to see how this rather arbitrarily drawn-up provision for the election of the Melbourne City Council will work.

Mr WILLIAMS (Doncaster)—Again, I am astonished at the Australian Labor Party which pretends to be in the vanguard of advanced thought. Here we are, still in the tradition of 100 years ago, electing councillors by wards. I am fascinated that the Government has done nothing about an intelligent proposition put forward for representatives of workers and business interests to be elected in their own right. I do not know why councillors should not be elected at large to represent the 150 000 people who work in the City of Melbourne. Their destiny and their future are at stake. If the City of Melbourne is to be run by delegates of the honourable member for Melbourne, they will be concerned with their own narrow interests rather than with the wider interests of employees in insurance, banking, retail stores, tourism and all the other areas that are important to the welfare of Victoria and the Commonwealth of Australia.

Equally, it is important that distinguished businessmen and women play their part. Perhaps it is true that, in the past, too many businessmen were elected to the Melbourne City Council. I am not one of those who believe a millionaire who wants to become a knight and a person of eminence in the community should do so by buying a seat on the Melbourne City Council. However, that was the situation in the wicked past which the Labor Party says it will vary, yet here it is continuing the same proposition except that, instead of having people of enormous wealth running the city, it will now be run by people elected according to strict ward boundaries and it will be a one-party city—honourable members should make no mistake about that. There will be no room in the Melbourne City Council for anyone who does not subscribe to the narrow-minded tenets of people who think like the honourable member for Melbourne and others on the extreme left of the Australian Labor Party.

Mr ROPER (Minister of Health)—The question of the number of wards and the number of councillors concerned the Government. I can remember being in this place when earlier legislation reduced the number of Melbourne city councillors, and this Bill will now reduce the number to eighteen. I am sure there is no magic number, but the Government believes that, given the variety of interest in Melbourne, the size of the population of the city and the spatial distribution of that population, six wards with eighteen councillors is the most appropriate number.

A whole variety of methods could be employed. One could follow the American system with an elected board of three or five people, but that is not the Victorian tradition. Our tradition is to have councillors in wards, three councillors to a ward. In that situation, the Government believes six to be the most appropriate number.

The honourable member for Doncaster spoke of an election at large. Does he advocate that in respect of the Upper House?

The clause was agreed to.

Clause 24 (Term of office)

Mr McNAMARA (Benalla)—Traditionally, over the years councillors have been elected on an annual basis with each serving a three-year term so that a councillor from each ward retires every year, and I think an argument exists for continuing that practice. I understand that under this Bill, the new Melbourne City Council will consist of eighteen councillors, each to be elected for a three-year term.

I ask the Minister to consider annual elections when the Bill comes up for review in August 1985. The election of councils on an annual basis may lead to more stable municipal government. A specific issue may excite people within a municipal area in any one

year and, if the whole council came up for re-election, it could be turned over on a small issue or a big one. If it happened to be a big issue, perhaps a three-year term would be appropriate.

Stable local government has been achieved with one-third of councillors retiring every year. That system of rotation results in a balance of experience. However, I ask the Minister to convey my remarks to the Minister for Local Government for consideration at the expiration of the operation of this Bill.

Mrs PATRICK (Brighton)—It is true that the Bill provides for a change to a three-year directly-elected council. We still have an annually-elected Lord Mayor so it seems, as one correspondent has said, to be—

> . . . setting the stage for the year-long jockeying for position on a matter of little moment.

The "matter of little moment" referred to is the lord mayoralty. It has been a much-sought-after position.

I take some comfort relative to this clause in realizing that the Bill will expire at 6 o'clock on the day appointed under the Local Government Act 1958 for the general election of the council of the City of Melbourne in 1985. That will allow time to see how the Bill works. It is strange to have a three-year term for the council and a one-year Lord Mayoral term. The Opposition finds that slightly peculiar.

Mr ROPER (Minister of Health)—Two separate matters have been raised, one concerning the correctness of the decision that the Government has made in relation to fixing a three-year term for the council, the other relating to the lord mayoralty of the city.

Under clause 24 as drafted, the intention is, after a somewhat turbulent period in the City of Melbourne, to provide a degree of stability so that people can find their feet and get the system of democratic government of the city going again. Indeed, if it works well, it is the kind of matter which would have to be considered for all municipalities.

I remind the House of paragraph 17.20 of chapter 16 of the Bains report, which seems to me to make a lot of sense, although the Government has not yet made a decision on the matter. That paragraph states:

> The Board is of the view that democratic accountability is not diminished by holding elections every three years rather than annually. For the reasons outlined above the Board believes that accountability will in fact be enhanced by concentrating the three annual elections into one for the whole council. Accordingly the Board recommends that council elections be conducted every three years, prior to which the whole council retires.

In answer to the honourable member for Brighton who interjects, I had read the Bains report before, because it also affects my portfolio in a number of ways.

The matter of the lord mayoralty was raised by the honourable member for Brighton. Certainly the Lord Mayor is elected for a one-year term but there is no reason why he or she should not be re-elected for a second or third term or even longer, if that should be the will of the councillors, but honourable members all know from their own experience that a position of mayor is always much-sought-after, and that is especially true of the position of the lord mayoralty of the City of Melbourne. The present position is, therefore, a one-year term for the Lord Mayor. That may give an opportunity to three persons or to two or one.

The more important matter is the question of the three-year term for the council. The Government believes that will enhance the stability of the City of Melbourne and improve its standard of government.

Mr DELZOPPO (Narracan)—In his reply, the Minister did not go far enough. He quoted from the Bains recommendations but he failed to quote from the results of the survey of the 210 municipalities. The municipalities overwhelmingly rejected the Bains recommendation and said that, in their opinion, the better way was to have one-third of the council retiring every year. The concern that I express is that the Minister is already on record as saying

that many of the reforms in the Melbourne Corporation (Election of Council) Bill will flow over to local government. When the Bains report recommended that the whole council retire after three years, the whole of the State rejected it overwhelmingly.

The clause was agreed to.

Clause 25 was verbally amended, and, as amended, was adopted, as were clauses 26 to 29.

Clause 30 (Public notice of election)

Mr ROPER (Minister of Health)—I move:

Clause 30, page 17, lines 27 and 28, omit all words and expressions on these lines and insert "before four o'clock in the afternoon on nomination day."

This amendment is to clarify that a nomination by a candidate is to be delivered or sent to the returning officer not later than 4 p.m. on nomination day. There may have been a lack of clarity in the clause as presented to the Parliament.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 31 to 39.

Clause 40 (Retirement of candidate)

Mr ROPER (Minister of Health)—I move:

Clause 40, page 21, line 2, at the end of the line insert:

"(4) If a candidate dies after four o'clock in the afternoon on the day of nomination and not later than seven clear days before the day of polling the town clerk shall—

(*a*) publish in a newspaper generally circulating in the municipal district a notice that the candidate named in the notice is dead; and

(*b*) omit the name of that candidate from the ballot-papers to be used at the election, or if the ballot-papers to be used at the election are already printed erase therefrom the name of that candidate.".

This is a new provision, and it provides that if a candidate for council dies after 4 p.m. on nomination day and not later than seven days before the election, the town clerk is to give notice of the death. The ballot papers may be amended by deleting or erasing the candidate's name.

This is a similar clause to that in the Local Government Act if a candidate pulls out of an election. It is a new provision and ensures that an election in this situation can proceed. It is highly unlikely that this provision would be used in the elections to occur in December, but it could, and the whole ward could have its election terminated by an untimely death. It is for that reason the amendment is moved. It is the only new provision.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 41 and 42.

Clause 43 (Scrutineers)

Mrs PATRICK (Brighton)—The Opposition approves of the provision in this clause, especially sub-clause (2) which states that a candidate shall not be entitled to act as a scrutineer for himself or on behalf of any other candidate. This is a sensible provision following the Richmond inquiry. It can happen that piles of votes can be put on the wrong pile and so on, and this ensures that a candidate cannot act as a scrutineer for himself. He may be the victim of that sort of thing, but if he is not present, he is cleared and that is an advisable provision.

Mr WILLIAMS (Doncaster)—I concede the goodwill of the Labor Party in inserting this provision, but I would have liked the clause to have included relatives of councillors, after what happened at the Richmond City Council.

Mr ROPER (Minister of Health)—I am sure that all honourable members who have stood for election have been very glad of the support of their families, particularly at local government level, where frequently there are not the mass organizations that are thrown into State and Federal elections. Having one's family assisting in the campaign seems to be desirable, and I see no reason why the clause should be amended as suggested by the honourable member for Doncaster.

The clause was agreed to, as was clause 44.

Clause 45 (Duties of presiding officer)

Mrs PATRICK (Brighton)—It may be a little frivolous, but under clause 45 (1) (a) the presiding officer shall provide pencils in each polling booth for the use of voters. I thought it a curious fact in this day and age that a presiding officer had to be told to provide pencils in polling booths. It is a Victorian anachronism and seems unnecessary. Obviously if a poll is being conducted, it is necessary to provide pencils.

Mr ROPER (Minister of Health)—This provision currently exists in the Local Government Act and it is simply being carried across into this Bill. There is a long history of pencils being provided in polling booths—and taken away, as the Minister of Public Works said. This is carrying through the simple provision existing in the Local Government Act and it sets out a particular requirement to the presiding officer.

The clause was agreed to, as were clauses 46 to 52.

Clause 53 (Compulsory voting)

Mrs PATRICK (Brighton)—Voting for all people on the voters' roll is compulsory under this Bill, so it will be a case of having to vote or providing an excuse if one does not vote. Publicity ought to be given to the fact that voting is compulsory, because under clause 5, when people apply to go on the role it should be made clear to them, particularly to people who are not naturalized and who may have difficulty understanding the system when voting for the first time in a local election.

The Government should ensure that that information is printed in several languages informing the electors that voting in the council elections is compulsory. It should be noted that people often become confused and worried if they are sent an official letter asking them to explain why they have not voted. Therefore, I urge the Government to ensure that adequate steps are taken to allay the worries people may have.

Mr McNAMARA (Benalla)—The National Party agrees with the comments made by the honourable member for Brighton, who said that the Government should ensure that the voters are informed that voting will be compulsory in the elections for the Melbourne City Council.

The National Party believes in the greatest degree of devolution of responsibility for local government. The Minister of Health would no doubt be aware that voting is optional in many municipal elections. Although the Government should ensure that voting is compulsory in this one-off instance, it would be far better if local government decided whether or not voting is compulsory in municipal elections.

Mrs PATRICK (Brighton)—The Opposition is opposed to clause 53. Local government, and indeed, ratepayers, should decide whether or not voting is made compulsory in municipal elections. The elections for the Melbourne City Council will be important elections that will have an effect on the central business district of Melbourne. Compulsory voting will only encourage lobbying, but if voting were optional, it would ensure that only those persons who are vitally interested in the Melbourne City Council will vote.

Mr ROPER (Minister of Health)—The Government rejects the notion that implies that if voting for the Melbourne City Council is not made compulsory there will be no lobbying. I represent a part of the City of Melbourne and I am aware of the huge sums of money that have been spent, especially by so-called independent candidates, over many years not only to persuade people to vote for them, but also merely to vote.

In the first election of the Melbourne City Council, voting should be compulsory. One of the problems with the Local Government Act is the question of compulsory voting. Therefore, the Parliament has to make a decision either one way or the other, and it is the view of the Government that, in this instance, voting for the council election should be compulsory.

The honourable member for Brighton proposed that those persons who conduct the council election should ensure that adequate publicity is given not only

in English but also in ethnic languages to alert people to their democratic rights and to alert them to the penalties that might be imposed if they do not exercise their democratic rights.

Many metropolitan councils, if not most, now have a system of compulsory voting. It is possibly a sad commentary on the community to say that compulsory voting gets the voters out. During crucial council elections in the City of Brunswick, I have informed ratepayers by loud hailer that if they do not vote they will have to pay a fine.

On those occasions residents have come running out from their houses clutching their wallets and dashed off to vote to avoid paying the fine. That may not be the best way for persons to vote, but, nonetheless, it is the system that operates and it encourages people, who otherwise would not pay adequate attention to the exercise of votes and the way they are governed, to vote.

The Committee divided on the clause (Mr Wilton in the chair).

Ayes	43
Noes	19
Majority for the clause	24

AYES

Mr Cain	Mr Newton
Miss Callister	Mr Norris
Mr Cathie	Mr Pope
Dr Coghill	Mrs Ray
Mr Crabb	Mr Remington
Mr Culpin	Mr Roper
Mr Ernst	Mrs Setches
Mr Fogarty	Mr Sheehan (*Ivanhoe*)
Mr Gavin	Mr Sheehan (*Ballarat South*)
Mr Gray	Mr Sidiropoulos
Mr Harrowfield	Mr Simmonds
Mr Hassett	Mr Simpson
Mr Hill	Mr Spyker
Mr Hockley	Mr Stirling
Mr Ihlein	Mrs Toner
Mr Jolly	Mr Trezise
Mr Kennedy	Dr Vaughan
Mr King	Mr Walsh
Mr Kirkwood	*Tellers:*
Mr McCutcheon	Mr Rowe
Mr McDonald	Mr Shell
Mr Mathews	
Mr Miller	

NOES

Mr Brown	Mr Reynolds
Mr Delzoppo	Mr Richardson
Mr Dickinson	Mr Ross-Edwards
Mr Ebery	Mr Saltmarsh
Mr Jona	Mrs Sibree
Mr Kennett	Mr Thompson
Mr McNamara	Mr Williams
Mr Maclellan	*Tellers:*
Mrs Patrick	Mr Tanner
Mr Ramsay	Mr Wallace

Clauses 54 to 63 were agreed to.

Clause 64 was verbally amended, and, as amended, was adopted.

Clause 65 (Conduct of Election)

Mr ROPER (Minister of Health)— I move:

Clause 65, page 37, line 35, at the end of the line insert:

"(3) The provisions of section 181 of the Local Government Act 1958 shall not apply to anything done pursuant to this section.".

The amendment is to make it clear that section 181 of the Local Government Act 1958, which relates to the pecuniary interests of councillors, will not apply to the election of the Lord Mayor. A similar provision is included in the Local Government (Board of Review) Bill in relation to other municipal councils.

The amendment was agreed to, and the clause, as amended, was adopted, as was clause 66.

Clause 67 was verbally amended, and, as amended, was adopted, as were clauses 68 to 72.

Clause 73 (First meeting of council)

Mr McNAMARA (Benalla) — The clause specifically stipulates the time at which every ordinary meeting of the council shall commence, which is on or after 5 o'clock in the afternoon. Members of the National Party believe that matters of that nature should be left in the hands of local councils. At present, councils can elect the time at which they will meet—night-time or daytime meetings are possible. This clause will remove that option for this council, because it stipulates that meetings must take place at night. Members of the National Party believe that sort of decision should be left to local government.

Mrs PATRICK (Brighton)—I support the remarks of the honourable member for Benalla. It is very strange for the Government to be telling the Melbourne City Council that it must hold every ordinary meeting at or after 5 o'clock in the afternoon. It seems extraordinary, when local government is crying out for general competence and we have heard much about the soon to be elected council and what it is hoped it will do, that the first thing we are told is that it will have to hold every meeting at or after 5 p.m.

Mr or Mrs Hanston of Murrumbeena put the point well in a letter that was published in the *Age* of 11 June:

> How can the State Government talk of strengthening local government in Victoria when it does not even grant a council the dignity of selecting its own council meeting times? (The Bill before Parliament specifies, seemingly arbitrarily, a rigid meeting time of 5 p.m., an unprecedented departure in local government legislation.)

It is reprehensible that the council should be told when to hold its meetings, as though its members were little school children who had to reform.

Mr ROPER (Minister of Health)—I shall make a couple of remarks in response to the comments of the honourable members for Brighton and Benalla. The first is that any person standing for election to the Melbourne City Council in this round of elections needs to have some idea of whether the council will meet during the day or in the evening before he or she can stand.

However, more importantly, it is the Government's view, particularly in relation to the Melbourne City Council, that people who work during the day—between 8 a.m. and 4 p.m. or 9 a.m. and 5 p.m.—should be able to attend council meetings There are problems with that, no matter what one does, because the vast majority of the community work during the day. It is only members of Parliament who attend meetings that extend well into the night. It is, generally speaking, only people who wish to restrict the number of individuals who can stand for these positions, who advocate daytime meetings. It is the Government's view that that kind of restriction should no longer occur.

This stipulation relates only to the Melbourne City Council and, naturally, before any consideration of extending it further, I am sure the Minister for Local Government will consider submissions from individuals and councils throughout the State.

Mr MACLELLAN (Berwick)—The solution to the problem could surely be to include in the Bill a provision to the effect that, unless otherwise provided, the council will meet on or after 5 o'clock in the afternoon. That would mean that people would be on notice that that was the policy of the Bill and they would be able to stand on that basis. Presumably, that basis would be confirmed after the council was elected. I do not understand why the Bill should impose such a stipulation on the council, particularly when, for good and sensible reasons, the council itself may wish to change the time of meetings after it has been established and the councillors elected. If this were an initiating provision as explained by the Minister, that would be fair enough but it is not. It is in the Bill to be continued at the will of Parliament rather than by the decision of the local council. Local government has grown up sufficiently to set its own hours of meeting rather than have its hours of meeting imposed on it by Parliament. It is a ridiculous provision.

Mr McNAMARA (Benalla)—The National Party supports the principle that the widest opportunities available should be given for people to attend council meetings. The honourable member for Berwick expressed the point of view of the National Party very well when he said that when the council is elected it should determine for itself at what time of the day it holds its meetings. Sometimes, meetings held at night attract more people. Shift workers may prefer council meetings to be held during the day and other workers that council meetings be held in the evening.

There is no reason for a council to be restricted on the times at which it holds meetings. Any restriction could be at the detriment of many people. Some persons are working at 5 p.m.

and further into the night and others work during normal business hours. Any restriction will preclude people from the thought of standing for election to the council. I reiterate that the council should determine its own hours of meeting. The option should be given to the council.

The clause was agreed to, as were clauses 74 to 77.

Clause 78 (Amendment of No. 6299).

Mr ROPER (Minister of Health)—I move:

Clause 78, page 45, line 23, at the end of the line insert:

'(2) The Local Government Act 1958 shall be amended as follows:

(a) After section 180A(10) there shall be inserted the following sub-section:
"(11) This section shall apply to the city of Melbourne and the city of Geelong.";

(b) In section 697 after the expression "697." there shall be inserted the expression "(1)"; and

(c) At the end of section 697 there shall be inserted the following sub-section:
"(2) The provisions of this Part shall apply to the city of Melbourne and the city of Geelong.".'

The amendment clarifies the extent to which the Local Government Act is applied to the City of Melbourne and the City of Geelong as the Act requires specific applications to those cities because of their certain powers. Section 180A is the delegation of council powers and section 697 is the housing powers that relate to the competency of a council to make a decision. This part of the amendment is in accord with the principle that councils should be involved in housing matters as occurs in section 697 and this will apply to the City of Melbourne.

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

The Bill was reported to the House with amendments, and the amendments were adopted.

Mr. ROPER (Minister of Health)—I move:

That this Bill be now read a third time.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I am of the opinion that the third reading of the Bill requires to be passed by an absolute majority. As there are more than 41 members present in the House, the question is:

That this Bill be now read a third time.

Mr MACLELLAN (Berwick)—No.

The SPEAKER—As there was a voice for the Noes, it is necessary for the Ayes to stand up to be counted.

Honourable members in support of the motion stood in their places.

The SPEAKER (the Hon. C. T. Edmunds)—Order! I have counted the the Ayes and, as there are more than 41 members for the Ayes, I declare the third reading passed with the concurrence of an absolute majority of the whole number of the members of the House.

The Bill was read a third time.

ADJOURNMENT

Casino inquiry—Barwon Regional Child Centre—Economic advice to Parliament

Mr CRABB (Minister of Transport)—I move:

That the House do now adjourn.

Mr SALTMARSH (Wantirna)—I raise a matter of urgency for the Attorney-General on the powers of the Board of Inquiry into casinos. The board plans to go to Tasmania on Monday, 21 June for the purpose of inspecting the casino operations at Wrest Point and at other places and will be the guests of the Tasmanian Casino and Gambling Commission.

The inquiry proposes to sit in Tasmania on Tuesday, Wednesday and Thursday and, although it will hear testimony from persons who will attend the inquiry, the chairman considers that he does not have the power in other States to subpoena witnesses, to administer oaths and to take evidence on oath. Accordingly any testimony volunteered will not be on oath. Therefore, it appears there is no point in wasting considerable sums of Victorian taxpayers' money in having the chairman and members of the board of inquiry staying, no doubt, at the Wrest Point Hotel and for the inquiry to sit in Tasmania.

Other interests attending the inquiry, including churches, are operating on shoe-string budgets and, under these circumstances, are being put to probably needless expense. I call on the Attorney-General to determine whether it is desirable for the expensive entourage of the board of inquiry to sit in Tasmania when it is uncertain whether it will have the legal powers I have described, and to urgently review the possibility of postponing the inquiry's sitting in Tasmania until that legal uncertainty is clarified. If the chairman does not have those legal powers, I urge the Premier to arrange for the Tasmanian witnesses to attend a sitting of the inquiry in Victoria where evidence may then be taken on oath.

Mr SHELL (Geelong West)—I refer the Minister of Health to problems that exist at the Barwon Regional Child Health Centre which, over the years has been continually losing staff and consequently has had to either stretch its services or disband some of its services to the community. The year 1979 was the International Year of the Child. I assumed that from that year on the health of children would not be neglected, and that there would be a further period when the health of the child would be paramount. The Barwon Regional Child Health Centre services kindergartens, pre-school centres, provides psychiatric treatment and promotes medical examinations. I ask the Minister whether he is aware of the circumstances involving the cut down in staff, what is the cause of it, and whether he can do something about it.

Mr WILLIAMS (Doncaster)—I raise a matter for the attention of the Treasurer. I am most concerned at the economic advice being given this Parliament—in fact, lack of advice. A copy of a document called *Demographic and Economic Report*, issued by the Research and Policy Division, Department of the Premier, has come into my possession. It is dated 1982 and I presume that, although the document might have been commissioned during the life of the previous Government, the present Government would be responsible for it. I am at a loss to understand why the date of issue is not on the document. It says March 1982 but I would have preferred the actual date of issue of the document.

The report is enlightening. It says that it is the first of a series of periodic summaries of major Victorian demographic and economic indicators. It gives favourable comment about the development and population growth of Victoria. It says that in 1980–81 Victoria had a net increase in population of 45 061. This is contrary to the information put before the public shortly before the election. The document emphasizes that this increase is the result of net overseas migration which, for the first time in the past six years, was more than double the net interstate migration outflow from Victoria. I point out that Victorians had been led to believe that the population of this State was declining.

The document also states that Victoria's unemployment rate has generally been less than that of Australia and that, during most of 1981, and particularly in the last few months to January 1982, the Victorian unemployment rate was less than that of Australia. The document goes on to say how highly paid Victorians are. It reads:

> In September 1981, absolute levels of average weekly earnings for Victoria and Australia were $303.70 and $301.10 respectively.

These are positive and praiseworthy facts that should be distributed to the people of Victoria so that they will have confidence in their State. I am sick of the remarks that have been made in this place during this sessional period, and I resent the fact that the Opposition has not been given a full opportunity of putting its side of the case. I shall not elaborate, but I intend to say my piece in this Chamber on how proud I am of Victoria and how disgusted I am with the Labor Party.

The SPEAKER (the Hon. C. T. Edmunds)—Order! Unfortunately or fortunately, that has no relevance to the matter that the honourable member

commenced to raise on the debate on the motion for the adjournment of the sitting. I ask the honourable member to return in the brief time left to him to the matter to which he wishes the Government to attend.

Mr WILLIAMS—I plead for economic truth to be uttered in this place and not half-baked assertions and propaganda.

Mr CAIN (Premier)—The honourable member for Wantirna raised the question of the conduct of the Victorian Board of Inquiry into Casinos. I understand that the chairman accepted the offer of the head of the Gaming Commission in Tasmania to visit that State to see how a casino is conducted, to learn how staff are trained and a number of features concerned with the conduct of a casino. The officer was prepared to offer information on an informal basis. I thought it was desirable to formalize the matter to the extent of ringing the Premier of Tasmania, Mr Gray, which I did last night, and he said that his Government was happy to offer assistance and co-operation in the matter. I thank him for that.

The Commissioner, Mr Connor, QC, thought it desirable that the board should see a casino in operation, and the alternatives were to see one in Australia—in Hobart, Launceston, Alice Springs or Darwin—or to see one overseas. I think that if economic considerations are to be a measure of what is done, it is preferable in cost terms that the commission should visit one of those Australian places rather than Las Vegas or Monte Carlo. I do not know where the honourable member for Wantirna would suggest the commission should go to see a casino conducted, given that it is desirable to do so.

In relation to the calling of evidence, I am confident that if the commissioner seeks advice or information from people in Tasmania, he will make clear to them what are their rights, obligations and duties. I have no doubt that, being learned in the law, he will appreciate his jurisdictional limitations. If he believes some people will be able to assist on a formal basis, he will request their attendance at the formal hearing in Melbourne, if necessary, and, in view of what Mr Gray said to me yesterday, I believe the Tasmanian Government will co-operate to bring that about.

I was insistent that the board of inquiry should not go on at length and cost a large amount of money. A time constraint has been put upon it. It might be seen by some to be unduly restrictive, but I do not believe it is. Before his appointment, I had discussed with Mr Connor the time required, and I was quite firm that the inquiry should not go on for a long time. These things tend to do so and to have a life of their own, unless some firm restriction is placed on them in terms of reference and in time. The honourable member should not be troubled about cost if he has regard to relatives. The presently ongoing and recently committed inquiries to which this State is committed, singly or in concert, or in agreement with other States and/or the Commonwealth, are costing large sums of money. The meat inquiry seems to have an open ended commitment and it is of concern how far it can go. The ship painters and dockers inquiry is proceeding apace. The builders labourers inquiry went for a long time. I am not criticizing but merely saying that they have lasted longer than one would hope and have cost more than what would be hoped. This inquiry—the only one which I have been responsible for initiating—has had put upon it a firm and rigid time-table and what are believed to be necessarily narow and restricted terms, to ensure that it does not go beyond a reasonable time. I intend to ensure that it is completed in a reasonable time. If the honourable member wants comparative information about the cost of inquiries, I shall be happy to give it to him but he should be seated when he reads what those inquiries are costing and have cost this State over the past twelve months.

Lastly, I express my total confidence and that of the Government in the capacity of Mr Connor and the counsel

assisting him to bring forward a report that will be of assistance and guidance to the Government and the people of this State in what I regard as an expeditious fashion.

Mr CRABB (Minister of Transport)—The honourable member for Doncaster raised the matter of a document which he said had come into his hands. I do not believe there is anything secret about it. If it is the one that I think it is, it is a research document which is part of a series which will be distributed for the benefit of people, particularly planners in various areas and people who are concerned about demographic and economic statistics.

I am not sure what the honourable member wanted the Government to do, but he mentioned the need for people to have confidence in the State of Victoria and for the Opposition to be given the full opportunity of putting its case. I thought that opportunity had occurred during the somewhat lengthy election campaign recently, and most people now have confidence in the future of the State following the election.

Mr ROPER (Minister of Health)—The honourable member for Geelong West mentioned the staffing situation of the Early Childhood Development Programme in the Barwon region. I am aware of the staff shortages which exist in that area and of the difficulties this is causing in the provision of services.

I am also aware of the staff ceilings that apply in other Early Childhood Development Programmes such as those at Gisborne and Broadmeadows, as well as community health programmes operated by the Mental Health Division of the Health Commission. I have visited the Barwon centre, and one cannot fail to be impressed by the work performed by the staff, both there and at other community health centres in the Geelong region.

Over the past few years I have visited most of the centres in the region. The Geelong *Advertiser* contained a suggestion that as a result of Commonwealth and State cuts in funds services were being further restricted. I assure the House and the people of Geelong and Geelong West that cuts have not been made in State funds for the community health programme. Indeed, because of cuts in Commonwealth grants the amount Victoria is providing for community health programmes is increasing.

Victoria is now having to meet almost the full cost of community health programmes. The Commonwealth Government allows for less than half of the cost and, with an inflation rate of 10 per cent a year, Victoria is providing more and more of the funds. In the past six months the State Government has already provided more than an extra $1 million for community health centres. The former Government provided $500 000 and the present Government has provided a further $500 000.

I should like to see the Early Childhood Development Programme services in the Barwon area at least maintained while the Government examines ways of ensuring improvements to the community health programme as well. I am sympathetic to the difficulties faced in the Barwon region. I hope the Commonwealth Government will again play its role in the community health programme, and look forward to the election of a Hayden Government which is committed to spending immediately at least $5 million to boost community health services in Victoria.

Commonwealth funds are required if Victoria is to provide services for the people in the Barwon area and elsewhere. The commitment was originally made by the Commonwealth, and the State Government took up the matter. The Commonwealth Government now seems to be trying to weasle out of the commitment.

The motion was agreed to.

The House adjourned at 6.14 *p.m. until Tuesday, June* 22.

QUESTION ON NOTICE

The following answer to a question on notice was circulated—

IMMIGRANTS TO VICTORIA FOR 1981

(Question No. 44)

Mr GAVIN (Coburg) asked the Minister of Immigration and Ethnic Affairs:

1. What was the migrant intake in Victoria during 1981 and what were the countries of origin?

2. What were the numbers of immigrants to Victoria in each of the previous five years?

Mr SPYKER (Minister of Immigration and Ethnic Affairs)—The answer is:

The migrant intake in Victoria during 1981 was 27 810, and their countries of origin were:

PERMANENT MOVEMENT ARRIVALS BY COUNTRY OF BIRTH AND STATE OF INTENDED RESIDENCE—VICTORIA—CALENDAR YEAR 1981

Country of Birth	*January—September 1981 (ABS Figures)*	*October—December 1981 (P)*	*Calendar Year 1981*
Africa—			
Egypt	50	25	75
Mauritius	74	22	96
South Africa	522	174	696
Other	199	62	261
Total Africa	845	283	1128
America—			
Argentina	70	31	101
Brazil	7	..	7
Canada	134	47	181
Chile	74	20	94
Colombia	5	3	8
Ecuador	1	..	1
Peru	24	1	25
Uruguay	25	3	28
U.S.A.	284	97	381
Other	27	13	40
Total America	651	215	866
Asia—			
Cyprus	150	56	206
Hong Kong	147	79	226
India	250	121	371
Indonesia	94	43	137
Israel	65	19	84
Japan	43	14	57
Lebanon	117	54	171
Malaysia	459	184	643
Philippines	436	147	583
Singapore	77	46	123
Sri Lanka	128	40	168
Turkey	377	112	489
Other	4408	1403	5811
Total Asia	6751	2318	9069
Europe—			
Austria	37	16	53
Belgium	11	11	22
Denmark	100	33	133
Finland	19	2	21
France	87	27	114
Germany	426	149	575
Greece	374	167	541
Italy	457	180	637
Malta	602	158	760
Netherlands	456	167	623
Norway	5	2	7
Poland	709	395	1104
Portugal	124	31	155
Spain	83	73	156
Sweden	39	17	56
Switzerland	104	41	145
U.K. and Ireland	5559	2102	7661
U.S.S.R.	292	50	342
Yugoslavia	479	222	701
Other	435	130	565
Total Europe	10 398	3973	14 371
Oceania—			
Fiji	88	19	107
New Zealand	1604	372	1976
Papua-New Guinea	34	25	59
Other	182	19	201
Total Oceania	1908	435	2343
Not Stated	5	28	33
Total All Countries	20 558	7252	27 810

P—Preliminary Immigration Figures

ABS—Australian Bureau of Statistics Figures

The number of immigrants in Victoria in each of the previous years were:

1980	23 661
1979	18 494
1978	18 384
1977	21 007
1976	15 903