

Tuesday, 20 September 1983

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

PENALTY INTEREST RATES BILL

This Bill was received from the Assembly and, on the motion of the Hon. J. H. KENNAN (Attorney-General), was read a first time.

QUESTIONS WITHOUT NOTICE

LEGAL PROFESSION TAX

The Hon. HADDON STOREY (East Yarra Province)—Has the Attorney-General received representations from the Bar Council, the Victorian Law Institute, or either of them, concerning an occupation licence fee or tax and do the representations contend that such a tax would be detrimental to members of the profession? Is the Attorney-General able to state whether such a representation is accurate, and has he made representations to the Treasurer that such a tax not be introduced?

The Hon. J. H. KENNAN (Attorney-General)—Yes, I have received those representations not only from those bodies but also from other practitioners. The matter was also canvassed in that very excellent journal *Business Review Weekly* of 20 August. Mr Storey might have read the article in relation to lawyers' incomes.

I think it is true to say that the incomes of lawyers are not as high as the public perceive them to be. They are not as high in real terms as they were in many instances in the 1970s. I have some doubt whether that tax would have an adverse effect on practitioners generally, but in relation to the question of the tax, that is of course, a matter for the Treasurer.

Whether or not representations have been made to me in the context of Budget discussions is something I am not prepared to disclose to the House.

RAIL FREIGHT CHARGES

The Hon. W. R. BAXTER (North Eastern Province)—Is the Minister of Agriculture aware that the wheat growers of Victoria believe they have been hoodwinked by the Government announcing a 15 per cent increase in rail freight when growers have accepted the new receival strategy based on the central receival point on the basis that such a scheme would save \$14 million in rail freight?

What action does the Minister propose to take to allay the growing anger and alarm?

The Hon. D. E. KENT (Minister of Agriculture)—I believe that there is no reason why wheat growers should feel hoodwinked. They have had the opportunity of becoming aware of the facts of transport costs and they are aware that there will presumably be long-term cost savings in the central receival point system of handling grain.

I have also expressed the view that I believe it is a reasonable charge. The action I am taking in regard to the understanding of the situation by farmers is to attempt to persuade them to look at these issues in a rational basis.

MINES (AMENDMENT) ACT

The Hon. M. J. SANDON (Chelsea Province)—Can the Minister for Minerals and Energy inform the House when the Mines (Amendment) Act 1983 will come into operation?

The Hon. D. R. WHITE (Minister for Minerals and Energy)—It is proposed that that piece of legislation, which was passed during the last sessional period, will come into effect as a result of Governor in Council proclamation before the end of October. The regulations are currently being printed with a view to early submission to the Governor in Council. It is proposed that an interim mining consultative council be formed to assist in the implementation of the legislation. The membership of the council will be Mr Elliott, Chairman; Mr McLaren, a geologist from BHP; Mr Poole, an engineer; Mr Lennie, a town planner; Mr Molesworth, a conservationist, and Mr

Cunningham from the trade union movement.

ALCOA OF AUSTRALIA LTD

The Hon. A. J. HUNT (South Eastern Province)—Can the Minister for Minerals and Energy indicate whether he has personally engaged in any face to face negotiations with representatives of Alcoa of Australia Ltd on the price of electricity for the Portland smelter since he was asked about the matter last week?

The Hon. D. R. WHITE (Minister for Minerals and Energy)—As I indicated to the Leader of the Opposition in response to the question that he asked last week, discussions have been occurring with Alcoa of Australia Ltd over a number of matters relating to the resumption of the smelter project at Portland. Since that question was put, as the Leader of the Opposition would be aware, the Premier has made a statement on the matter and discussions are continuing.

PYGMY POSSUM

The Hon. D. M. EVANS (North Eastern Province)—I refer the Minister for Conservation, Forests and Lands to the fact that the pygmy possum has been rediscovered in the mountain area of Victoria after no sightings for 30 years. The possum was rediscovered in ski lodges at Falls Creek. It is clear that ski lodges are desirable residences for this rare animal. Will the building of ski lodges be encouraged as a possum refuge to assist in the continued survival of the pygmy possum? Will some methods be undertaken in an endeavour to have ski lodges made more desirable residences for the pygmy possum?

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—For some time there has been considerable discussion on the creation of a reserve in the Mount Hotham area. Officers of the Fisheries and Wildlife Division have found, after considerable investigation, that there is a fairly small area adjacent to some of the ski lodges at Mount Hotham where the pygmy possum has a significant breeding colony. Indeed, that area is the largest concentration of these particular animals, especially females. Due to the heavy concentration of numbers, it is the only area where this particular animal breeds.

The Government is most concerned to ensure that the area is preserved. Negotiations have been occurring with the departments concerned and it is the intention of the Government to create a reserve to ensure that the possum is protected in its habitat.

There have been negotiations on the boundaries, which are yet to be finalized. However, I assure Mr Evans, and the assurance was also given by the Minister who introduced the Alpine Resorts Bill in another place, that an area will be set aside for the preservation of the pygmy possum.

VICTORIAN WHEAT CROP

The Hon. M. J. ARNOLD (Templestowe Province)—In view of the recent floods and the outbreak of stripe rust in wheat crops throughout Victoria, is the Minister of Agriculture in a position to give the latest estimate of the 1983 wheat crop, which is a matter of concern to all honourable members, especially those who represent country constituents?

The Hon. D. E. KENT (Minister of Agriculture)—The latest estimate by the Department of Agriculture of the wheat crop for Victoria this year is between 2.75 million and 3 million tonnes. The latest estimate of the Australian Wheat Board is slightly higher.

Recently, a small area of wheat growing land was damaged by floods. However, other wheat growing areas have benefited considerably from the recent rains.

The stripe rust, which is prevalent in parts of Victoria and especially in some varieties of wheat, has the potential to reduce the estimated wheat yield by approximately 14 per cent. However, due to the fact that extensive spraying is occurring, it is not expected that the wheat yield will be reduced by more than 10 per cent of what was a high estimate. The 10 per cent reduction would mean a loss, from the possible potential return, of approximately \$35 million.

ALCOA OF AUSTRALIA LTD

The Hon. D. K. HAYWARD (Monash Province)—I ask the Minister for Minerals and Energy whether there has been, during the past six months, any change in the price proposed by the Government to Alcoa of Australia Ltd for the supply of electricity to the Portland aluminium smelter?

The Hon. D. R. WHITE (Minister for Minerals and Energy)—As I have said so often in response to questions, it is appropriate, during a period of negotiation between the Government and Alcoa for the resumption of the smelter project, that there be every opportunity for frank, open and honest disclosure between both sides and for those negotiations to be able to take place in a setting where full opportunity for frank discussion between both parties can occur.

I merely indicate to the House, as I have done on many other occasions, that discussions have occurred during a period of time in respect of all matters relating to the resumption of the smelter and they are continuing.

COMPLIANCE WITH PLANNING REGULATIONS

The Hon. K. I. M. WRIGHT (North Western Province)—My question is directed to the Minister for Planning and Environment. I understand that the Government, through the Premier and the Minister, has by letter indicated to municipalities that Government departments will adhere to planning legislation. Is the Minister aware that these guidelines have not been adhered to by all Government departments and, if so, what action does he propose to take to overcome this situation?

The Hon. E. H. WALKER (Minister for Planning and Environment)—It is true that the Premier has written letters to municipalities indicating that he expects Government departments to comply with planning requirements. He has no capacity to require that compliance, but it is an important issue. I also indicate to the House that the Premier of the former Liberal Government, Mr Hamer, twice sent letters of a similar kind to all departments.

The reality is that the Queen can do no wrong. It is not, within the law, possible for the Ministry for Planning and Environment to require other departments to comply with planning schemes or regulations. Nevertheless, the Government has made some significant advances in that regard by agreement, and I instance Amendment No. 224 of the Melbourne Metropolitan Planning Scheme, the urban conservation zones amendment. The Minister for Conservation, Forests and Lands has agreed that that

amendment should apply to all parts within the urban area, that control should apply to parks and public lands, but only after reference to him and by agreement.

I might also add that the Alpine Resorts Bill, which will be before the House shortly, has within it, should that commission be established, a provision for all developments in alpine resorts to be subject to obtaining planning approvals from the proper authorities. Those are two significant advances, but they are by agreement rather than their being able to be applied at law. It is an unsatisfactory situation and previous Ministers for Planning have also had difficulty with the matter. The Government intends, in due course, to arrange a situation in which it will be possible to have planning controls over construction by Government departments which should have regard to planning laws.

1984 DUCK SEASON

The Hon. D. E. HENSHAW (Geelong Province)—Can the Minister for Conservation, Forests and Lands advise the House what is happening with regard to the 1984 duck season?

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—Honourable members will recall that last season, as a result of the drought, my predecessor, now the Leader of the House, banned the duck season because of the poor breeding that took place. Honourable members would also be aware that many of the ducks that are shot in Victoria have bred interstate. However, this year, the situation is quite different. It is obvious that, as a result of the good winter rains, a good breeding season has taken place.

I assure the people of Victoria and those interested in duck shooting that they can anticipate duck shooting in 1984. The details and the actual date will be announced after consultation with the neighbouring States of South Australia and New South Wales.

ALCOA OF AUSTRALIA LTD

The Hon. D. G. CROZIER (Western Province)—I direct a question to the Minister for Minerals and Energy. Have the Government negotiators any authority to move towards closing the gap between the positions of the Government and Alcoa of

Australia Ltd on an acceptable price for the supply of electricity to the Portland smelter? Before the Minister gives one of his non-answers, I also ask him whether he is aware of yesterday's headlines in the *Portland Observer*—

The PRESIDENT (the Hon. F. S. Grimwade)—Order! The honourable member has asked his question and should allow the Minister to respond.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—For the benefit of Mr Hunt, Mr Hayward and Mr Crozier who has given his usual performance as a clown in this House, I will indicate how the Opposition conducted negotiations during the 27 years that it was in government. The first point is clear: No details of any negotiations on any major issue, whether it was Esso-BHP in 1965 in Bass Strait, Alcoa at Port Henry or Broken Hill Proprietary Co. Ltd at Westernport were made public.

The second point is that in many instances no details of the outcome of those negotiations were made public. For example, no details of the long-term Point Henry negotiations, which were entered into in 1961, while Mr Crozier was Minister, were made public. The Liberal Party had 27 years in which it not only did not divulge the outcome of negotiations, but was also never prepared to indicate the details and progress of negotiations at any time to the public. Moreover, the period during which Mr Crozier was Minister for Economic Development, starting from October 1978, provided the Opposition with a period of three and a half years to commence and resolve the resumption and construction of the smelter at Portland, something which it failed dismally to do. The project was deferred on two occasions. The former Government had three and a half years in which to resolve a problem which was of its own making and its own initiative. In response to the question about the progress of negotiations, putting it in some correct historical context—

The PRESIDENT—Order! Standing Order No. 71 states:

In answering any such question, the Minister or Member shall not debate the matter to which the same refers.

I should have stopped the Minister earlier, but I thought he would have answered the question. I now invite him to do so.

The Hon. D. R. WHITE—Thank you, Mr President, for the opportunity. It should be recalled that during the period of three and a half years Mr Crozier was sacked from his position as Minister for Economic Development.

The Hon. D. G. CROZIER (Western Province)—On a point of order, I suggest that the Minister is totally disregarding your instructions, Mr President, and continues to transgress Standing Order No. 71, besides which his last statement is not true.

The PRESIDENT—I uphold the point of order.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—As I have said on so many other occasions, discussions are continuing.

EQUAL OPPORTUNITY IN PUBLIC SERVICE

The Hon. J. L. DIXON (Boronia Province)—The Minister of Water Supply would be aware that the number of women employed at senior levels in the State Public Service is very low. Can the Minister inform the House whether anything has been done to implement the equal opportunity policies of the Government?

The Hon. D. R. WHITE (Minister of Water Supply)—It is with pleasure that I indicate to the House that the Board of Works has resolved to appoint an equal opportunity officer to implement the major tenets of Government policy to expand the opportunities for women in major positions within the Board of Works.

ALCOA OF AUSTRALIA LTD

The Hon. B. A. CHAMBERLAIN (Western Province)—At the present time can the Minister for Minerals and Energy advise the House whether the Government has a fixed position in relation to the minimum price for power for the Alcoa smelter at Portland?

The Hon. D. R. WHITE (Minister for Minerals and Energy)—As the Premier pointed out to the other House, a package deal has been arrived at and discussions are

occurring with third parties in respect of the package agreed to jointly by the Government and Alcoa of Australia Ltd.

GOVERNMENT OFFICE SPACE ACCOMMODATION

The Hon. B. W. MIER (Waverley Province)—I ask the Leader of the House, as Minister of Public Works: As the State Government is a major renter of office space in the City of Melbourne, what standard of accommodation space per person applying to public sector employees meets the required standards set down by State authorities?

The Hon. E. H. WALKER (Minister of Public Works)—I thank the honourable member for the question; it is one that concerns me. The figures that have been prepared in recent times indicate that 84 per cent of Victorian Public Service accommodation is in the central business district and 71 per cent of that accommodation is leased. In other words, the vast majority of accommodation is in the central business district and the vast majority of that is leased.

Rental payments in 1982-83 were \$18.5 million and the forecast is that they will exceed \$25 million in 1983-84. It is a serious issue and the Government has addressed it directly.

I can indicate that the previous Government was entirely lax in its accommodation standards. I point out that the analysis the Government has done indicates that the Federal standard runs at 15 square metres an officer, the New South Wales standard runs at 16.5 square metres an officer and the Victorian standard is running at a little over 20 square metres an officer—a huge excess because of lack of control.

The figures I have quoted are average figures and some departments have gone well beyond that. At the request of the former Minister of Public Works, the Honourable Jack Simpson, Cabinet recently decided on a more reasonable allocation of office accommodation of 15 square metres an officer, which will be applied immediately. All Government accommodation is being analysed and departments are proposing to the Government ways in which they can meet those reasonable standards. The Government believes the public should not be put

to the levels of costs that the previous Government put them to because of lax administration.

Once the over-all target is reached it is estimated that \$6 million will be saved in 1983 by applying reasonable standards that should have been applied years ago.

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 of Parliament:

Abattoir and Meat Inspection Act 1973—No. 202.
Chiropractors Act 1968—No. 213.
County Court Act 1958—No. 207.
Dentists Act 1972—No. 196.
Environment Protection Act 1970—No. 208.
Financial Institutions Duty Act 1982—No. 199.
Fisheries Act 1968—No. 205.
Forests Act 1958—Nos 198 and 203.
Hospitals and Charities Act 1958—No. 206.
Land Act 1958—No. 211.
Lotteries Gaming and Betting Act 1966—No. 209.
Motor Boating Act 1961—No. 210.
Mt Hotham Alpine Resort Act 1972—No. 212.
Public Service Act 1974—Nos. 200 and 201; PSD Nos. 52, 53, 55, 56, 57, 59 and 61.
Racing Act 1958—No. 214.
Second-hand Dealers Act 1958—No. 204.
Wildlife Act 1975—No. 197.

MEDICAL PRACTITIONERS (CONDITIONAL REGISTRATION) BILL

The debate (adjourned from September 14) 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. W. R. BAXTER (North Eastern Province)—The National Party remains opposed to the desire of the Government to lower the standards set for medical practitioners registration in the State. It is interesting that Mrs Kirner should interject and concede that she is prepared to offer to migrants in Victoria a standard that is lower than that which she desires for other citizens.

The National Party will not have a bar of that principle at any price. It is concerned that the Opposition has changed its view and taken a Pontius Pilate attitude on the basis of an extremely sketchy and "two-bob-each-way" synopsis from the Medical Board of Victoria. The National Party will persist in its opposition to the Bill and will vote

against it. It does so on the grounds of considerable ill feeling among the migrant communities in the electorate I represent and, no doubt, other migrants throughout Victoria who believe they are being offered a second-class service.

The measure is surprising when one considers the large post-war immigration programme in Australia. Such legislation was not introduced in the 1940s, 1950s or 1960s which suggested that a lower standard was not needed in order to provide appropriate medical care. I am at a loss to understand why such provisions are necessary now. If one reflects on that post-war period, when many doctors came to Australia from the occupied countries of Europe, one realizes that those who fled to Australia after their nations became captive sought strenuously to become registered as medical practitioners in Victoria. Often those doctors may have had a high standing in the medical profession of their former countries, yet registration was refused here on good grounds.

Now this Government is proposing to lower those standards and to allow people to come into the country whose qualifications or command of English are not such that they would normally gain registration and give them unconditional registration. The medical fraternity in Wangaratta has been in contact with me in the last couple of days expressing its alarm. The arguments were well canvassed in the debate in the autumn sessional period when the proposed legislation was previously before the House. I do not propose to go over that at length, except to say that the National Party believes in upholding the highest possible medical standards. It does not accept that a valid case has been made on this occasion. The National Party appreciates the needs of the ethnic community but it believes it is better served by maintaining the highest standards, to which citizens in this State have long been accustomed.

The Hon. G. A. SGRO (Melbourne North Province)—Referring to what Mr Baxter has said, I point out that the Government is not trying to provide fewer services for the migrant community but better services. Mr Baxter should know that many people who have been many years in Australia do not receive the services which they require.

I congratulate members of the Liberal Party because three months ago they were opposed to the Bill, but they have realized their mistake.

The Government is not trying to bring in cheap doctors with lower qualifications. I inform Mr Baxter that the world is much bigger than Australia. There are people in many parts of the world who have as good as, if not better qualifications than those adopted in this country. In Australia there are approximately 43 different nationalities and it is not a question of going to university to get qualifications; it is a question of understanding the people. That is why the Government and the Minister want to bring in doctors from countries of origin of the people who have come to live in Victoria. It is not a question of service; it is a question of professional jealousy.

The Hon. A. J. Hunt—No.

The Hon. G. A. SGRO—I should like to take Mr Hunt to the electorate I represent. Until the question of this proposed legislation arose, many doctors would not have a bar of the measure.

Recently a meeting was held and some Italians and Greeks spoke to those doctors and pointed out the problems that exist. The doctors said that they would like to help the Government in any way they could. They now accept the Bill. They are queueing up to help and support the passage of the Bill. They realize that the present medical services in this State are not adequate.

I remind Mr Baxter that I have just returned from Italy. Without any authority I once again visited three large hospitals in the south of Italy where I spoke to the director-specialists and asked whether they would be prepared to come to Victoria on a selective basis. My Government and I would strongly oppose opening the gate for any doctor to come here, but if the Medical Board of Victoria were to say that it required three or four specialists in a particular hospital, in a particular locality, the Government would accept that after proper investigation by the board, not by ethnic groups.

About 99 per cent of those doctors in Italy whom I asked said they would not be prepared to come here because they wished to serve people in their country. It is not a question of allowing a flood of doctors in

from all parts of the world. They do not wish to come here.

I hope that, with a Government to Government relationship and co-operation between medical specialists in this State and other parts of the world, some agreement can be reached so that the suffering that exists at present in this State can be alleviated. I would be the first to object strongly to allowing anybody with a doctor's certificate to come here and practice with the ordinary people. However many migrants, especially migrant women, have problems communicating with specialists because of their language difficulty. If those women had doctors or specialists with whom they could communicate, many millions of dollars could be saved and on many occasions lives could be saved.

This is what this Bill is all about. It is not a matter of party politics. This Bill has not been introduced because ethnic groups have put pressure on the Government. The Minister has had discussions with the ethnic groups, and the Medical Board of Victoria has made recommendations. The purpose of the measure is to alleviate the suffering of many people in the community.

The Hon. W. V. HOUGHTON (Templestowe Province)—When a similar Bill was introduced in this Parliament in the last sessional period, I shared the misgivings that the National Party now expresses in terms of the Bill which is before the House today about the standards that might be acceptable to the Medical Board of Victoria in the case of overseas doctors speaking a language which was more readily understood by migrants than a language which most of our doctors speak. I was most concerned that they may have available to them the services of medical practitioners trained to a standard lower than we in this country expect from our medical graduates.

That was a proper concern because a doctor may speak a certain language but his qualifications may not be sufficient, and patients in the community who speak that language should not be subject to second-class medical service. In addition, when the Bill was produced in the last sessional period, no clear indication was given as to the board's view of the measure. Now honourable members have a report from the Medical Board—admittedly one which

Mr Baxter has criticized—which puts the point.

My experience of the Medical Board was that it was strict in its standards, and I do not think Australians should quibble with that. The standards of medical training in this State, even more than in many other States, are extremely high.

In the report the Medical Board states that in the past it has accepted only standards of excellence and not average standards in its dealings with applications by foreign medical practitioners to practise here. That is an excellent piece of news because, however hard I tried when I was Minister of Health to persuade the Medical Board to accept the standards of some of the applicants, the board insisted that the standards of those people were not up to scratch and that it would not register them. Now, it indicates that it is looking for not standards of excellence but standards which accord with the average excellence of medical graduates in Victoria.

The Hon. E. H. Walker—What is average excellence?

The Hon W. V. HOUGHTON—I know it is difficult to come to terms with but, as I have explained during the course of this debate, I hope that the standards are excellent, and if the standard of the average medical practitioner in Victoria is excellent and that the average standard of excellence is now acceptable to the board, I am pleased to hear that because I do not know why medical practitioners who are of the same standard should not be registered, particularly if this will help the migrant population. We must ensure that the migrant population is not subject to any standards of medical care which are less than we have become used to. I assume that medical practitioners are registered to practise in Victoria and that their practice will not be exclusive to the migrant population. There is no reason why Australians of every race and culture should not have the availability and concern of doctors who are in fact registered.

Up to now, nothing except problems of communication has inhibited the availability of medical services provided by Australian registered practitioners.

With some reluctance now, as Mr Sgro indicated, the Liberal Party has changed its

opposition to the Bill as a result of the report received from the Medical Board of Victoria. It was proper that the Medical Board report should have been produced prior to Parliament agreeing to the Bill. The Liberal Party impresses on the board, through the Minister of Health, that the standards must not in any way be less than those standards that are acceptable for medical practitioners registered and trained in Victoria.

The House divided on the motion (the Hon. F. S. Grimwade in the chair).

Ayes	30
Noes	3
Majority for the motion	27

AYES

Mr Arnold	Mr Lawson
Mrs Baylor	Mr Long
Mr Birrell	Mr Mackenzie
Mr Connard	Mr McArthur
Mrs Coxsedg	Mr Pullen
Mr Granter	Mr Reid
Mr Hayward	Mr Sandon
Mrs Hogg	Mr Sgro
Mr Houghton	Mr Storey
Mr Hunt	Mr Walker
Mr Kennan	Mr Ward
Mr Kennedy	Mr White
Mr Kent	
Mrs Kirner	
Mr Knowles	
Mr Landeryou	

Tellers:

Mrs Dixon
Mr Henshaw

NOES

Mr Wright	Tellers:
	Mr Baxter
	Mr Evans

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

WERRIBEE SHIRE HALL BILL

The debate (adjourned from September 14) on the motion of the Hon. R. A. Mackenzie (Minister for Conservation, Forests and Lands) for the second reading of this Bill was resumed.

The Hon. R. I. KNOWLES (Ballarat Province)—The Opposition does not oppose the Bill. The background to it is interesting. The first area selected for a hall to serve the Shire of Wyndham, as it was then known, now the Shire of Werribee, was located in the wrong position because it was not close enough to the railway station and the shire council purchased an area of freehold land by selling the former site. Part of

the conditions of the purchase of the new site was that the land be vested in the shire for the sole purpose of the provision of the shire hall and offices and that, if at any time it were to be sold, the land would revert to the Crown.

Approximately seven or eight years ago, the Shire of Werribee had outgrown these offices and built new premises at the civic centre. The former shire hall to which the Bill refers has not been used over those years. Certainly, I am aware that seven or eight years ago the then shire council approached the Premier of the day, Mr Hamer, seeking an agreement with him that the council could sell the old site, that the proceeds would go to Treasury and that the Premier would then make an *ex gratia* payment to the shire to enable the shire to use those proceeds for a community project.

I am not sure what has happened in the meantime to that commitment. I understand that the National Trust classified the whole section and that there is still an area of Crown land behind the hall.

The Minister, in his second-reading speech, indicated that the Shire of Werribee had agreed to an arrangement that he put to it, that the old shire hall and offices be used for community groups and that the land behind be developed for commercial purposes. I am under the impression that that land is to remain Crown land, which will be leased.

I am wondering why the Government does not honour the previous commitment of selling that land and allowing the proceeds from that sale to go to the shire for recreation and other community purposes. This was the spirit of the agreement entered into with the Government. Those matters do not relate to the Bill which repeals the Wyndham Shire Hall Act 1892.

I raise those matters with the Minister, and I would appreciate his comments on them.

The Hon. D. M. EVANS (North Eastern Province)—The National Party agrees to the passage of this Bill. I checked with the Shire of Werribee as late as this morning to find out whether the proposals advanced in the Bill and in the second-reading speech were suitable to the local people. The history of this Bill has been well outlined by Mr Knowles, and that same history was

repeated to me this morning. At the same time, it was clear that the council had some reservations as to the eventual fate of the land, the way it could be used and the council's ability to profit from its investment in 1892.

It was clearly spelt out to me that the council's first desire had been to totally demolish the old building, to redevelop the land and to sell it and use the proceeds for municipal purposes within the Shire of Werribee. It was stopped from doing so by the classification of the National Trust and by the caveat placed on the land in 1892 that, should the land be no longer required for the purposes for which it was purchased by the council, it should revert to the Crown.

This is an unusual provision. Should this course be followed, it would be the first time it has happened in the history of Victoria. I understand that the Shire of Werribee is reluctant to give up real estate to the value of \$500 000, and I understand that reluctance. However, the shire has adopted by planning ordinance that one-third of the land be used for public purposes, which effectively preserves the old building.

I am interested to know whether the balance of the land can now be developed and some commercial planning assigned to it so that some financial profit can be brought into the council's coffers. The Minister needs to address this, if not in the House today, then as soon as he takes advice from his officers. If a decision is made that the land can be developed and become an income earning asset for the council, then that would be a very satisfactory solution. It may be the intention of the Minister.

As I indicated, the National Party supports the Bill.

The motion was agreed to.

The Bill was read a second time.

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—

By leave, I move:

That this Bill be now read a third time.

I thank honourable members for their support of this very small but interesting Bill. It is unique. I do not believe this situation has occurred elsewhere in the State whereby the Crown has allowed a shire to sell Crown land that was vested in it and purchase

another site. The land is freehold land and the council was very anxious at one stage to remove all the buildings on the site and to develop the whole lot commercially. The Government, and a few members of the Werribee community, believe, because of its historic significance, the building should be retained. After discussions with the council, this Bill resulted.

Honourable members may not be aware that the Act provides for the council to do what it wants with the rest of the land. It can develop it commercially, as stated in the Bill. All benefits from the sale of the land will revert to the shire. It is a good solution to a problem and one which all parties are very pleased about.

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

ELTHAM LAND (AMENDMENT) BILL

The debate (adjourned from September 14) on the motion of the Hon. R. A. Mackenzie (Minister for Conservation, Forests and Lands) for the second reading of this Bill was resumed.

The Hon. W. V. HOUGHTON (Templestowe Province)—This Bill will enable the miniature railway, which is operating in the Eltham Lower Park, to extend its operation by the provision on an extra track. This organization has been operating in Eltham Park since about 1960, and in that time it has built up a tourist facility, which is an attraction to local and visiting people, of a model railway. It is excellently done and it provides recreation for a number of people. Surprisingly, many of them are railway workers who have shown interest in this work during their recreation time.

The people who are involved are well known to local people. In fact, they themselves are local people: Max Coleman who is the liaison officer; the president of the society, Jim Wilcox; and Rob Quaife, the shire engineer, who has spent twenty years in constructing model steam engines, and who has given a great deal of time to this project.

During last year, 75 000 people paid to use the railway. Another member of the model railway group, Mr Bill Purt, has also spent 20 years building steam engines and

Mr John Bone has built a new model steam engine in the past couple of years.

During its operations, the group has received support from both the former Government and this Government. In order to complete its proposed extensions of this interesting layout—and the extensions will be made on the land with which the Bill deals—the group sought a further contribution from the Government; a contribution that I am glad to say both this and the former Government were prepared to make.

It is extraordinary that people who spend a fair part of their days in railway or other engineering works should choose to spend their relaxation time in the same environment by helping with this miniature railway. I do not suppose many members of the community would spend their leisure hours doing what they do during working hours.

The Hon. D. R. White—That is what we are doing here, extending our hobbies.

The Hon. W. V. HOUGHTON—I am glad that when the Minister goes home at night he thinks of nothing but minerals and energy.

The Hon. D. R. White—I think about the rural areas of Templestowe.

The Hon. W. V. HOUGHTON—I am glad about that. I am sure that the Minister will have taken his children or possibly even his grandchildren to the miniature railway. If he has not, he should. He will receive a very warm welcome from the hospitable people who run the facility. The Opposition has no objection to the Bill.

The Hon. D. M. EVANS (North Eastern Province)—The National Party also has no objection to the Bill. I have checked the matter with the Eltham Shire Council. It has been dealt with by a committee of the council and the council is in agreement with the measure. Mr Houghton, who lives in the area and obviously has a great deal of interest in playing trains, has detailed the attractions and benefits of the facility and there is no way in which the National Party would want to stand in the way of Mr Houghton's pleasure. The National Party supports the Bill.

The Hon. M. J. ARNOLD (Templestowe Province)—I join with my fellow member for Templestowe Province in commending the Bill. The Diamond Valley

Railway Ltd is a fine organization that is supported by a worthy and hard-working group of men and women. I also join with Mr Houghton in inviting all honourable members to take their children and grandchildren out to Eltham Lower Park to enjoy the benefits of the electorate of Templestowe Province and the Diamond Valley Railway. I have been there myself and have had the pleasure of driving the train, sitting up at the front of the engine, and one or two of my children have been out there with me.

The Hon. M. A. Birrell—That is a great leadership position, isn't it?

The Hon. M. J. ARNOLD—I always lead from the front, no matter whether it is in tourist matters or here in the House. The railway was established in Eltham Lower Park in 1960, through an agreement with the park committee. The formal licence agreement was executed between the park committee and the railway in 1961 and that was renewed in 1968. In 1973 the railway approached the Eltham Shire Council, which is now the committee of management, in an effort to obtain security of tenure. After lengthy negotiations between the railway, the council and the then Minister of Lands, a special Act of Parliament was passed giving the council power to grant a lease over the existing area. The formal lease agreement was entered into on 3 February 1977 for the period of 21 years.

Just last year, the railway celebrated its 21st birthday. The celebrations were held in the appropriate manner, with brass bands, speeches and refreshments being provided. Quite a sizeable crowd was attracted. I believe, on a Sunday, up to 1700 people use the facilities and ride the train. The railway provides a focal point for entertainment for people in the area and it is rapidly becoming a tourist attraction for Victoria. Due to the increasing popularity of the railway, approaches were made to the Eltham Shire Council in 1979 seeking an extension of the railway. The council agreed to the extension, with the issue of appropriate permits, and gave written permission for the works prior to the formalization of the leasing agreement.

The growth rate that railway has enjoyed was not foreseen in earlier days and the Diamond Valley Railway Ltd has sought this additional lease, firstly, for security of tenure. The railway, from its own financial

resources and with the help of Government backing, has already completed two bridges and a 140 feet tunnel, costing nearly \$50 000. The future extensions to be made to the railway are estimated at \$30 000. A long-term lease will provide the proper security for the project, so that it can be properly operated and developed.

The extensions will double the capacity of the railway and future growth will be ensured for the coming years. The company believes the lease is necessary for the sake of administrative uniformity and the proposed amendment to the Eltham Land Act will place all the land reserved for miniature railway purposes under the one piece of legislation and the one lease agreement, a far simpler arrangement than having one lease and one licence for differing periods.

The railway is regarded by the Victorian Tourist Commission and other bodies, such as the Melbourne Tourism Authority, as one of the greatest attractions for tourists in Melbourne and there is no doubt that its patronage will increase in the future. I share the view of Diamond Valley Railway Ltd that the measure will resolve some of the difficulties and problems the railway has faced in connection with its proposed extension and future growth and with uniformity of administration and, therefore, I commend the Bill.

The motion was agreed to.

The Bill was read a second time.

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—By leave I move:

That this Bill be now read a third time.

I thank the honourable members on both sides of the Chamber for their support of the measure. Mr Houghton, both as an honourable member representing the province and as a former Minister of Lands, has a great deal of understanding of the situation and my colleague, Mr Arnold, who also represents the province, realizes the value of the railway.

I had some doubts when the matter was first raised by the two representatives of the Government party in that area and I was concerned about putting aside public land for a specific purpose. However, I visited the site and rode around on the railway and was most impressed. Many of these types of

activities are carried out on a shoestring and completed poorly, but this railway has been established in a most professional fashion. It is a scale model of an actual railway, complete with stations, sheds, bridges, signals and all the other things that go with a railway. It has been extremely well done and, when I realized that people would not be deprived of the use of the picnic area, I could see no reason why the measure should not be prepared. I again thank all honourable members for their support.

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

INSTRUMENTS (BILLS OF EXCHANGE) BILL

The debate (adjourned from September 14) on the motion of the Hon. J. H. Kennan (Attorney-General) for the second reading of this Bill was resumed.

The Hon. HADDON STOREY (East Yarra Province)—The Bill is a small one designed to bring up to date the proceedings under which action can be taken against debtors in a summary procedure where the debtor must seek leave to defend the action and on the failure of obtaining that leave, judgment is entered. No doubt the provision was originally introduced because the majority of such claims are based on dishonoured cheques or other bills of exchange for which no defence can be offered.

The second-reading speech points out that the time prescribed for seeking leave to defend an action under the Act is extremely short. It appears that this has led to inconvenience because debtors have not had time to seek leave within the prescribed period. The Bill extends those time limits. The original time limits prescribed were eight days if the defendant lived within 80 kilometres of Melbourne, or sixteen days if he lived in the wider region. For the period of eight days, the Bill substitutes the period of sixteen days and for the period of sixteen days, it substitutes the period of 21 days.

Oddities exist in the Bill, and I will mention some of them. The extension of the eight-day period to sixteen days is an extension of eight days. The sixteen-day period is extended by only five days. I do not know why those periods have been chosen. It was suggested in another place, on behalf of the Opposition, that it would be much easier if

the time limit were prescribed for the whole of Victoria; I will raise that matter during the Committee stage.

In the second-reading speech, the Attorney-General stated:

The Bill also provides for the consolidation of the jurisdiction of the County Court to deal with summary proceedings on bills of exchange.

I do not understand what that sentence means. There is nothing in the Bill to explain it, and I will be grateful if the Attorney-General could offer an explanation during the Committee stage.

The Bill extends the jurisdiction with respect to the Instruments Act to the Magistrates Court. Having regard to the large jurisdiction of the Magistrates Court these days and the fact that it is more desirable to extend the procedure to the jurisdiction of the Magistrates Court. Some procedural problems may arise because, by having access to the Magistrates Court it may be necessary to seek leave to extend the prescribed time limits within which to defend but, no doubt, that will be attended to in the rules made under the provisions of the Bill.

With those few comments and questions, which I will pursue further in the Committee stage, I indicate that the Opposition does not oppose the Bill.

The Hon. W. R. BAXTER (North Eastern Province)—Having considered the Bill, and in light of the fact that the Deputy Leader of the Liberal Party has considerable legal knowledge, the National Party supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6279 s. 3)

The Hon. HADDON STOREY (East Yarra Province)—During the second-reading debate, I asked to which clause, if any, a comment in the second-reading speech was directed. I ask the Attorney-General to answer that question.

The Hon. J. H. KENNAN (Attorney-General)—I cannot assist Mr Storey in relation to that question. I must put it down to a rhetorical flourish by the gentleman who wrote the speech.

The clause was agreed to.

Clause 3 (Amendment of No. 6279 s. 5)

The Hon. HADDON STOREY (East Yarra Province)—During the second reading-debate, I asked some questions about clause 3. I asked why one period was extended by eight days and the other period was extended by only five days. I also suggested that it would be preferable to have the same time limit for the whole of the State. I have not moved a formal amendment on the matter because I am prepared to accept the view of the Attorney-General on this proposition, but I put it to him that it would be more desirable and easier for everyone to follow if one time limit was specified.

The Hon. J. H. KENNAN (Attorney-General)—I am grateful for the views of Mr Storey, and there is some force in what he says. In an age of speedy communications, the distinction between being within or outside a radius of 80 kilometres from the GPO may not be significant. Unfortunately, in relation to transfer of land matters the Parliament presented the view that it is of great importance.

Possibly the compromise of the closing of the gap from eight to five is not a bad measure. Although there may be common sense in what Mr Storey says, I am not disposed at this stage to interfere with the Bill.

I believe sixteen days in relation to those living within 80 kilometres is reasonable, and it is probably not unreasonable to allow the extra five days for those who live beyond 80 kilometres.

The clause was agreed to, as was clause 4.

Clause 5 (Amendment of No. 6279. Repeal of s. 13 (2))

The Hon. HADDON STOREY (East Yarra Province)—Clause 5 repeals section 13 (2) of the principal Act, and I ask the Attorney-General whether he is aware of the reasons for the repeal of that sub-section.

The Hon. J. H. KENNAN (Attorney-General)—It appears that it is redundant, if one examines the provision that will become sections 12 and 13. It definitely seems to be unnecessary, when one has regard to the effect of clause 2, which includes a definition of "action" in section 3.

The Hon. HADDON STOREY (East Yarra Province)—I think that would be the

explanation, but I wonder whether it has been fully thought through. Under the Bill it will be open to the Magistrates Court to deal with Instruments Act summonses, and section 13 (1) requires leave of the judge of the Supreme Court or the County Court to commence more than one action where there is a bearer or holder of two or more matured Bills. One would have thought, by reason of the extension of the procedure to the Magistrates Court, that perhaps that power could be extended to Magistrates Courts as well. I do not want to delay the Bill or suggest hasty amendments, but I would suggest that that matter should be examined.

The Hon. J. H. KENNAN (Attorney-General)—I think the matter raised by Mr Storey is worthy of examination. In relation to the first matter raised, as section 3 will include a definition of "action" in Part I of the Act, it is clear that it is appropriate that section 13 (2), which is within that Part, should be repealed.

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.

FISHERIES (AMENDMENT) BILL

The debate (adjourned from September 13) on the motion of the Hon. R. A. Mackenzie (Minister for Conservation, Forests and Lands) for the second reading of this Bill was resumed.

The Hon. B. A. CHAMBERLAIN (Western Province)—The Bill does three major things: Firstly, it provides for a new category of commercial fishing licence, which is referred to as a fish trader's licence; secondly, it deals in part with the regulation-making power concerning the taking of shellfish; thirdly, it provides for a 15 per cent surcharge on a large number of existing licences.

I pay tribute to my colleague in another place, Mr Richardson, the honourable member for Forest Hill, who undertook much research and consultation on this issue, and in another place he pursued a number of concerns in relation to the Bill.

The Opposition supports the Bill. The Government is acting largely at the initiative of the Victorian Fishing Industry

Council, which sees the need for the industry to promote its products by a further augmentation of the promotion fund which is generated by the proposals contained in the Bill. The Bill provides for the establishment of a new category of licences, a fish trader's licence. Proposed section 13 (13) provides:

A licence to sell raw fish for human consumption (hereafter in this Act called a "fish trader's licence") shall entitle the holder to sell from the premises, vessel or vehicle specified in his licence, to have in possession for sale or to send or deliver for or on sale raw fish for human consumption but nothing in this sub-section shall in any way limit or derogate from any entitlement to sell fish under any licence issued under any of the other provisions of this Part.

It is proposed for the first time that retailers of raw fish will be required to be licensed and to pay a licence fee. It is estimated that these licence fees will yield a minimum of \$96 000 annually. The fees provided for, in the case of an individual, are between \$100 and \$300, and in the case of a body corporate, between \$400 and \$1000, as prescribed by regulation.

I bring to the attention of the Minister the fact that many small businesses are run by bodies corporate. The impression one receives from this is that a body corporate is a large trading enterprise with considerable resources. In fact many family businesses, for taxation or other reasons, are organized through bodies corporate. A small family company may run a fish and chip shop business or whatever. The Bill proposes that a person or company that has traditionally operated a business through that type of mechanism will pay four times as much as an individual trader. I suggest that the licence fee should relate to the size of the operation rather than to the legal character of the body conducting the business. However, the starting figures provided for in the Bill—\$100 in the case of an individual and \$400 in the case of a body corporate—do not take that factor into account. I ask the Minister to address that issue.

There is also a problem in that fish and chip shops have traditionally sold small quantities of raw fish. Some people go to those shops and, for various reasons, buy filleted fish for preparation at home. Obviously, raw fish would be cheaper than cooked fish.

If a fish shop chooses to keep selling raw fish, it will now have to pay a minimum of

\$100 in fees, and in the case of a body corporate \$400 in fees. From my discussions with operators of fish shops that sell small amounts of raw fish, the likely result is that they will stop selling raw fish and will, therefore, deprive customers of the opportunity of buying raw fish in the traditional fish and chips shop.

If fish and chips shops do not sell raw fish, customers will be obliged to buy it in the cooked form, but will have to pay more which will push up the cost to the customer.

Clause 3 (4) of the Bill provides for an amount equivalent to 70 per cent of the total fees paid for fish traders' licences to be appropriated to the Victorian Fishing Industry Trust Fund. That proposition is supported by everyone.

The Victorian Fishing Industry Council believes the amount to be retained by the Government—namely 30 per cent—is a reasonable amount to cover the costs of administration and policing the legislation. A concern does arise due to the fact that the money is only transferred in October of each year.

Proposed new sub-section (4) of section 15 of the principal Act states:

“(4) For use in promoting the sale of raw fish for human consumption there shall from time to time as determined by the Treasurer of Victoria be paid into the Victorian Fishing Industry Trust Fund established under section 15 of the Victorian Fishing Industry Council Act 1979 from moneys appropriated by Parliament for the purpose an amount equivalent to seventy per centum of the total fees paid for fish traders' licences under this Act together with an amount equivalent to the total amount of the surcharges paid under sub-section (5).

Concern was expressed by the Victorian Fishing Industry Council about the proposal to appropriate the money each October as that would mean interim funds would not be available for promotion, although another Act provides power for the Treasurer to make advances.

In a letter to the honourable member for Forest Hill in another place, Mr Heighway, Executive Officer of the Victorian Fishing Industry Council, states:

I am also concerned over the delay in appropriating funds in October of each year particularly as some of it will be raised up to 12 months prior to the appropriation. However, under the circumstances, it may be necessary to delay some promotional activity if an

advance was not forthcoming from Treasury. The next best thing to a Treasury advance is to delete any reference to October and the appropriations to be made as the money is collected.

The words that would enable the Treasurer to make an advance are, I believe, “there shall from time to time as determined by the Treasurer of Victoria be paid into the Victorian Fishing Industry Trust Fund”.

Can the Minister advise the House whether it is the intention of the Government to make progress payments to the trust fund as the money is received so that the industry will have the use of those funds for promotion purposes? That is the main reason behind these proposals.

In his second-reading speech, as recorded at page 148 of *Hansard*, the Minister makes reference to exemption when he states:

Exemptions are provided for those engaged in selling cooked seafood or raw oysters as part of a meal and for those premises engaged in the sale of cooked seafood products only.

I wonder where that exemption is to be found. I am not saying that it does not exist, merely that I have not found that exemption at the moment and I wonder on what basis the Minister made that statement.

Is the Minister aware that many ethnic restaurants sell uncooked fish other than oysters? If it is proposed that these restaurants should pay a surcharge as against restaurants that do not sell uncooked fish, that appears to be discriminatory. I should have thought that, if the Government had thought it out, it would have provided an exemption where raw fish is sold for consumption on the premises. If it is good enough to exempt oysters because they are normally consumed in an uncooked form, why should not the exemption apply to the uncooked fish consumed on the premises? I would like the Minister to consider that exemption.

In relation to the fish traders' licence, I point out that the honourable member for Forest Hill in another place raised the example of a wholesaler of fish who sells small amounts of fish to a large number of butchers, who in turn sell it to the public. I do not believe the question posed in another place was answered. It appears that what is proposed is that each of those retail outlets that only sell a small amount of fish will be obliged to register under these provisions

and to hold a fish traders' licence. Again, the effect of enforcing those provisions is to drive the fish trade out of those butcher shops where, presumably, there are no fish shops in the area that can provide a service to the public. I ask the Minister to indicate whether the Government has given any thought to that situation.

In his second-reading speech, the Minister made reference to the need to protect sensitive coastal areas and the breeding grounds, as it were, for shellfish. If one looks at the Bill, one sees only a peripheral reference to that issue in clause 5 which really contains the evidentiary provision which amends section 72 of the principal Act. The Minister also stated that the amending Bill would be supported by new regulations.

As honourable members are aware, the regulations came out before the Bill passed through all stages. It would be unkind of me to suggest that the Government mucked up that issue. I know the Minister would not expect me to raise that sort of issue, and I will not. The regulations which were announced on 3 August have caused concern among angling groups outside Melbourne.

The Warrnambool and District Anglers' Club wrote to the Minister on 12 September stating:

The amendment to the Shellfish Protection Act was received locally with hostility and concern. As notified in the Melbourne 'Sun' newspaper, its aim is to stamp out ongoing practices in the Port Phillip and Westernport Bay areas, mainly by the ethnic communities. This has caused concern to every angler, and we both support and understand the action taken.

Our main objection is that the Act should not have been directed at areas which do not suffer the same problem.

The club asked the Minister to receive a deputation, which he did last week. The deputation was led by my colleague, the honourable member for Warrnambool. No doubt the Minister will tell the House what he told that deputation, that he recognized the issues raised and there needs to be a distinction between areas where protection is sought.

The Opposition would like an answer to some of those issues. We support the passage of the Bill through the House.

The Hon. D. M. EVANS (North Eastern Province)—The National Party supports the

Bill, which contains three main provisions, the first being the establishment of new special licences to deal with an area of fish trading that has not been previously covered. Problems are involved, in that if the licence fees themselves become a revenue raising method, those who provide a service to the public and who trade in small quantities of fish may find that, due to the cost of the licence, their trade will become uneconomical and they will cease to carry out that function. That would be a serious situation.

Fish trading should be carried out freely and there should be as few restrictions as possible. It would not be a good idea to create a licence fee simply to raise revenue. The fee should be based on capacity to pay. A person who has a small trade in fish could not afford to pay too high a licence fee. However, it is a laudable aim of the Government to devote 70 per cent of the fee towards the betterment of fish trading and the promotion of fish generally.

The collection and administrative charges of the fee are estimated at 30 per cent. That assumes one or other of two things: Firstly, that the collection fees will be substantial or, secondly, that the licence fee levy will be small and the collection charge will take up a larger percentage because the total aggregate is small. The explanatory second-reading speech does not spell out that point, but it needs to be spelt out as soon as possible.

The money raised through the fees will be used to promote fishing in Victoria. However, clause 5 has created some concern where it refers to, "Or that any place is a recognized shell-fish habitat shall be *prima facie* evidence that the place is a recognized shell-fish habitat". That will give the officer, who is charged with some form of control over the catching or the taking of shellfish, a wide power to declare any place a recognized shell-fish habitat. Is it the intention to declare any place a recognized shellfish habitat? Why does the Government not declare all Victorian waters as being a recognized shellfish habitat? The powers and the restrictions contained in the regulations are the important issue.

The regulations and statutory rules were dealt with by the Executive in Melbourne on 2 August 1983 in the presence of the Minister for Planning and Environment and a couple of other Ministers, whose names do not appear on the document I have. They

are the normal regulatory powers which declare certain forms of sea and marine life as ones which cannot be taken without the relative permit. The regulations are of concern to those persons who wish to take shellfish to be used as bait. The National Party understands that where there is an overharvesting of fish resources the responsible Minister must take the necessary steps to prevent that occurring. Indeed, the National Party would argue that a Minister who did not take that course of action was not fully meeting his responsibilities.

The definition of overharvesting of resources involves a subjective judgment. The Minister would need to have evidence of overharvesting that would lead to a continuing downward pressure on the fish population, which could become an endangered species. If that downward pressure simply means a reduction of a plentiful and bountiful harvest, there would be fewer fish to catch and there would be fewer people searching for the fish. I am not a fisherman but I could not imagine anything more boring than fishing all day and not catching any fish but I can enjoy it when there are plenty.

The Minister for Conservation, Forests and Lands has recognized that there is a danger to shellfish. However, those children who may wish to pick up a few worms or a mussel or two for bait could find themselves, as occurred with some children who were caught yabbing in a dam a few months ago, at risk of being hauled up before the courts and prosecuted.

The Hon. B. A. Murphy—The Minister made provision for that.

The Hon. D. M. EVANS—I understand that, but it cost a few dollars to do so. However, the National Party draws attention to that factor. It is to be hoped that a certain amount of commonsense will be used in the application of the Bill. In other words, those persons who transgress the law to the detriment of shellfish, will be dealt with heavily. However, if a child happens to take a couple of mussels from the seashore, the inspector will turn a blind eye. The operative section of the Bill is not the Bill itself but the regulations. The National Party believes the Bill should pass.

The Hon. M. J. SANDON (Chelsea Province)—The Bill is a further reflection of the necessary change required in Victoria. The Victorian Fishing Industry

Council cannot carry out its functions without the necessary funds. However, before I pick up that point, could I make a suggestion in relation to the fear expressed by the National Party about particular aspects of the Bill being policed in a less than objective fashion? Looking at the Minister for Conservation, Forests and Lands, who will be in charge of the Bill when passed, all one could say is that the fears of the National Party are completely unfounded because all honourable members would endorse the Minister as having a large degree of commonsense.

The Victorian Fishing Industry Council has a number of objectives which include: The promotion of consumption of fish taken in Victorian waters; the development of new and existing markets; the encouragement and development of new fisheries, and the promotion of the education of wholesalers, distributors and retailers. Those objectives cannot be met without the provision of proper finance.

Hitherto in Victoria, the fishing industry has suffered from the lack of involvement by previous Administrations through the Victorian Fishing Industry Council. Victoria has an enormous natural resource in terms of the number of fish in Victorian waters. Those fish have never been exploited in the correct way.

The council's future operations will be of enormous benefit to the people of this State. Recently, I was fortunate enough to be asked to represent the former Minister for Conservation at an education seminar in Geelong on the nutritional value of Victorian fish. It is interesting that, now that we are nearing the end of the twentieth century, we have the ability to put men on the moon, but we have never, in this State, got down to analysing the resources we have at our front doorstep, the use of those resources and expanding and investing in them for the benefit of all Victorians. Of course, that is the direction now being taken by this measure. Marketing of Victorian fish has never been properly undertaken. This is the first step towards ensuring that it takes place, and it is a step that all fish lovers, and I can count myself as being in that category, welcome and endorse.

In answer to Mr Chamberlain, who is interjecting, I indicate that one has not been engaged in throwing spears; one has been

engaged in ensuring that conservation takes place so that when his children journey down to enjoy the facilities of Port Phillip Bay, they will be able to enjoy the shellfish that live in that environment. Therefore, I have been operating on behalf of not only my constituents but also Mr Chamberlain's as well.

As I suggested earlier, it seems ludicrous that, now that we are nearing the end of the twentieth century, there has really been no understanding by the hospitality industry of this State of what sort of resources are available. The Victorian Fishing Industry Council has taken a step towards ensuring that restaurateurs and people who work in hotels and so on start promoting the resources that Victoria has to offer. It is to the benefit of the State to harness and use the available resources.

I wish the Victorian Fishing Industry Council well. The members of that council are people whom I know are terribly interested in the fishing industry and who have innovative ideas. As was recently announced by the former Minister for Conservation, the council is currently exploring the idea of establishing a new wholesale fish market at Station Pier. Of course, Station Pier has been a white elephant in the past to the extent that it was barely used. Only about six or seven ocean liners dock there in any one year and an amount of some \$40 million has been invested by the Government in providing facilities which have not been fully utilized.

The Hon. D. G. Crozier—A few warships dock there from time to time!

The Hon. M. J. SANDON—Let us hope that that does not happen in the future—we do not want them here! I hope that resource at Station Pier will be used in a more productive way. I cannot think of a better way, rather than tying up nuclear warships, than to see it used in a more utilitarian way, so to speak, by a wholesale fish market. That would have the spin-off of not only providing an excellent outlet for the fishing industry but also an excellent outlet for tourism in this State.

Such a project could be perceived, and I am sure all honourable members would endorse the concept of having a fishermen's wharf for Melbourne based at Station Pier. Excellent transport facilities exist around the area, as well as the provision of excellent

car parking facilities. Those honourable members who represent areas bordering Port Phillip Bay could sail up on a Sunday afternoon to purchase fish or to eat seafood in some of the restaurants that are proposed for that area.

These projects ought to be endorsed and the Victorian Fishing Industry Council, with the funds that will now be made available to it, will be able to undertake these types of projects. This, in a small way, is a giant step towards ensuring that a hitherto resource of this State, what has not been harnessed and utilized, can be harnessed and utilized in the future.

The Hon. R. J. LONG (Gippsland Province)—I want to make a few comments about this Bill because after all, my colleague, Mr Murphy, and I represent the largest fishing port in Victoria, namely, Lakes Entrance. When the Minister began to make his second-reading speech on this Bill, I was rude enough to interject and suggest that he had the wrong second-reading notes.

I do not resile from that position because I suggest that the first five paragraphs of the second-reading notes have nothing to do with this Bill. The only provision in this measure that deals with the exploitation of shellfish is clause 5, which provides for the insertion into section 72 (2) of the principal Act of an evidentiary provision which assists proof in the courts. Apart from that, the rest of the paragraphs are meaningless.

I voice the same concern as my colleague, Mr Chamberlain, about the fees imposed for a fish trader's licence. There are many small businesses which incorporate themselves. They may consist of only two people, husband and wife, but yet, if they have done so for business purposes, those people will be penalized under this Bill because, instead of being required as individuals to pay a licence fee of between \$100 and \$300, they will be called upon to pay a licence fee of between \$400 and \$1000.

What might occur is that people, in order to escape that penalty, will seek to obtain a licence in the name of the individual and say they are acting as agents for the company and will, in that way, evade the proper payment required under the measure.

I am also concerned about the proposed new sub-section (4) to be inserted after section 15 (3) (b) of the principal Act. The last part of the proposed new sub-section is ambiguous in that it refers to appropriating an amount equivalent to 70 per cent of the total fees paid for fish traders' licences under the principal Act, together with an amount equivalent to the total amount of the surcharges referred to in proposed new sub-section (5). If one is taking 30 per cent administration fees for collection of the surcharge, that is inequitable because, after all, one is already collecting a licence fee and the fact that one must collect another 15 per cent should mean that no additional administration cost is involved. I say that because if that ambiguity is not removed, one is going to read the provision as meaning 70 per cent of what is paid under proposed new sub-sections (4) and (5). I suggest that it should be only 70 per cent of the amount that is paid for the sale of raw fish.

I also wanted to raise the concern of many country towns where the local butcher sells raw fish purely as a service to his customers. It might only be a minute amount that is sold by the local butcher. It seems to be a little harsh because, if that butcher is called upon to obtain a fish trader's licence and pay a large licence fee, it may well mean that he will throw that part of his business away, and the consumers will suffer accordingly.

I should also like to raise the question that my colleague, Mr Chamberlain, raised in relation to the sale of raw fish. I have already raised this matter with the Victorian Fishing Industry Council because, after all, this Bill was introduced as a result of recommendations by the council. That council wanted the Bill to be introduced for the purposes of promoting the sale of raw fish. I do not quarrel with that, in fact, I support it. However, many Japanese restaurants, as I understand it, sell raw fish as a dinner course, and I have been assured by members of the Victorian Fishing Industry Council that this Bill is not meant to require those restaurants to obtain a licence to sell raw fish for human consumption in that manner.

However, under the provisions of the Bill that restaurant will be required to obtain a licence if it is to continue giving that service to the public. I hope that the Government

has considered the matter by now because I know that the Victorian Fishing Industry Council has taken up the matter with the Government. I hope an amendment is made to enable the sale of raw fish in those restaurants to continue in the same way that many restaurants sell steak tartare.

The motion was agreed to.

The Bill was read a second time.

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—By leave, I move:

That this Bill be now read a third time.

I shall respond briefly to the points raised by Mr Chamberlain, Mr Long and other honourable members. This is an important measure and I thank honourable members for their support, in principle, of the Bill, even though they expressed concern over certain aspects. My understanding of the Bill is that even the few small businesses, such as the odd fish and chip shop that mainly sells cooked fish, but which sells raw fish also will not be exempt from the provision and will have to pay the fee as stated in the Act. I understand that it is not intended that Japanese and other ethnic restaurants that sell raw fish will be subject to the imposition.

Mr Chamberlain raised the matter of appropriations of money and the 70 per cent that is to be paid into the Victorian Fishing Industry Trust Fund. I understand also that it is the normal procedure for money to be appropriated into that fund from time to time so that it is an ongoing arrangement whereby the funds are paid in as they are collected. Concern was expressed by honourable members at the 30 per cent charge. In addition to meeting administration costs the charge will also allow the employment of additional staff and will go towards the provision of funds for the staff needed to police the provisions of the Act and the regulations that will be enforced.

Representatives of the sensitive coastal areas that were of concern, and the angler groups that Mr Chamberlain spoke of at Warrnambool, visited me and spoke with me and officers of my department. They were assured that there would be no alteration in their current methods, but they were concerned that certain areas around the coastline of Victoria, because of an increasing influx of people, were in danger of being

completely degraded and having ecosystems totally broken down. Those areas needed to be designated.

In relation to the Hopkins River and other areas around Warrnambool, the fishermen concerned were told that there were no worries at present, but if there were a significant influx of people, the Government would move to designate that area. They agreed to keep a close watch on the matter and to be careful in their operations and collection of bait and shellfish to ensure that damage does not take place. We agreed to keep a close liaison with those fishermen, to circularize information to them from time to time and to have regular meetings with them. They were quite assured about that matter.

I also assure Mr Evans that common sense will prevail in the designation of those areas. It is prevailing at present and although the regulations exist, they will not be enforced until 1 November. It will then be a matter of educating the public. People will be warned initially about the matter. There will be no sudden swoop with people being charged for breaking the law. The provisions will be introduced over a period. The council has also produced a number of multi-lingual pamphlets for distribution so that people from ethnic communities will be aware of the regulations.

I assure honourable members that everything will be done to ensure that the regulations are enforced in a sensible way. If people are in some way being victimized, I will be pleased to take up the matter. I give an assurance that every action will be taken to assist in those cases.

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

LOCAL GOVERNMENT (QUALIFICATION OF COUNCILLORS) BILL

The debate (adjourned from September 14) on the motion of the Hon. E. H. Walker (Minister for Planning and Environment) for the second reading of this Bill was resumed.

The Hon. A. J. HUNT (South Eastern Province)—On 19 April, the issues contained in the Bill were before honourable members. On that occasion, I dealt with the important concept of citizenship, with the beliefs accorded to it overseas and with the

gradual development of a sense of national identity in this country and indicated that the replacement of the concept of citizenship for the old concept of British subjects sets a great advance. I do not propose to go over that ground or to deal again with the history or philosophy of the subject. However, I do want to reaffirm that honourable members on the Opposition side of the House regard the concept of citizenship as an extremely important concept to this country.

We believe the concept of naturalization equality, which means the assumption of citizenship, is also an extremely valuable concept, and that we continue to support naturalization as a basis for election to Parliaments of the Commonwealth, the State or local government. It was a pity that speakers on the Government side of the House failed to take up the opportunity presented to them when we last dealt with the matter to discuss the concept of citizenship, or to give any attention to it whatsoever.

That concept, and its relevance to the debate, was entirely ignored then just as it has been ignored now by the Minister on a previous occasion when honourable members on the Government side of the House sought to appeal to racial sensitivity on a quite erroneous and misinformed basis and attempted to make political mileage out of it. That was unworthy of the Government.

The issue was entirely misconceived and did not represent the true position or deal in any way with the principles involved. In taking that course, many misrepresentations were made, which are recorded in *Hansard* of 19 April 1983. The Minister and other speakers made those misrepresentations, despite knowing the facts, and we hope that it will not occur in the debate today.

Honourable members on this side of the House have always supported the naturalization of citizens. We believe, by accepting citizenship and taking the oath of allegiance, those new citizens are paying this country the greatest compliment that could be paid. I feel humble every time I attend a naturalization ceremony and I hear settlers who are willing to surrender an old allegiance and to accept full citizenship of this country with all its obligations and entitlements. I know that it is a difficult thing for many of them to do.

I recognize that it is a wrench, but they know that they are not expected to give up all their ties and cultural heritage. After having lived for a certain period of time in this country and having decided that they intend to stay and desire to become citizens of this country, they do us a great honour by taking that step. It is an honour which I never fail to appreciate on attendance at naturalization ceremonies, nor have I heard members on the Government side of the House, or Federal Labor members, fail to appreciate the point.

Honourable members of all parties have referred to the importance of the step taken by settlers who take on citizenship and the contribution that it makes to this country. I, for one, want to say how grateful we are for the part played by migrants in Australia's recent history and in the longer term history of this country.

The great influx of migrants since the war has changed the character of Australia, and I believe it has been for the better. Some of our past mariners have disappeared; some still remain, but migrants have made an enormous contribution to the development of Victoria and Australia, to the development of our attitudes and to the progressive development of more tolerance and understanding of even such mundane things as the food we eat.

A child at school today regards people from other countries in a different way from what was the case 40 years ago. That change is a beneficial one and no one in this House would want to undervalue in any way the contribution that migrants have made, are making and will make to Victoria and Australia.

I have already said that we recognize it is a difficult step for many people to express commitment to a new country, but hundreds of thousands have taken that step and accept the full commitment to the country of their choice that citizenship entails. It is insulting to those who have taken that step to suggest that others in the future should not have to take that step as a condition of public office.

Honourable members on this side of the House, when in government, were responsible for the extension of the vote to rate-payers who had not yet taken the oath of allegiance. However, we stopped short of extending the right to stand for election to

council until they obtained citizenship because of the importance to this country of the concept that citizenship be a requirement of a person wishing to be elected to office representing the public at Federal, State and local government levels.

The misfortune was that the Government of Victoria, in presenting the previous measure, had failed to take account of the concept of citizenship, its relevance and its importance. The Government simply referred to the rule of thumb that in general the qualifications for an elector and for a person to be elected to office should be one and the same. Previously I dealt with the fallacy of that argument by stating that it is by no means a universal rule and that there are many exceptions to it throughout this country and the world.

Despite the fact that the importance of citizenship was argued fully by those on this side of the House, it was brushed aside and not even given the decency of proper consideration and discussion on the Government side of the House. This showed a lack of respect for the concept of citizenship and a willingness to undervalue it. It showed a failure to appreciate the concept at all.

It is clear from the comments of the Minister that the Government had not even addressed itself to the relevance of that concept, but the Government has no such excuse now. The concept and its relevance were clearly drawn to its attention at the time of the last debate and the press controversy which raged at that time and subsequently also drew it to its attention. However, the Government persists with the provisions of the Bill.

Why has it done so? The first possibility is that the Government is simply stubborn: That having had its failure to consider the issue drawn to its attention with the result of the principle being rejected it has decided that it is not going to put up with being defeated and is going to press forward as a matter of pride. That is an unworthy motive in view of the importance of the issue being discussed and reaffirmed today.

The Hon. E. H. Walker—It is a matter of principle, not just a matter of pride.

The Hon. A. J. HUNT—Honourable members will notice that the Government has not adverted to the principle of citizenship which is inexcusable in the light of its

history. The second possibility is that the Government is still seeking to appeal to racial sensitivities and to persist with the myth that the stand taken by the Opposition on the issue is somehow an attack on migrants. Every member of the Government knows that that is not true and is unworthy of the Government. The stand which the Opposition and the National Party have taken is based on a principle that was clearly stated and argued, and which was not at any stage answered by the Government.

The third possibility is that the Government is intent on moving steadily toward republicanism and, as part of its progress in that direction, it is deliberately undervaluing citizenship and, in the longer term, is prepared to abandon it. The Bill requires the abandonment of the oath of allegiance, an oath which is supported by the majority of people in the country and the majority of municipalities. The abandonment of the oath of allegiance appears consistent with the move to devalue citizenship and press forward towards republicanism. If that is the reason for persisting with the Bill, the Government is put on notice that the Opposition will have no part of it.

The fourth possibility is that the Labor Party under-values local government. If the Government is not moving towards the abandonment of citizenship as a requirement for election at a State or Federal level, to be abandoning it at the local government level means that it affords to local government a lesser place, that the Government does not accept local government as a true partner in the process of government in the State. Why have one value for two levels and not for the third? The Opposition is committed to the view that local government should serve as a full and equal partner in the process of government in this country, and that it will not be a party to under-valuing the role of local government.

The next possibility is that there is some truth in each of those four possibilities; there is an element of each in the actions of the Government in proceeding with the Bill.

The Hon. E. H. Walker—All utterly presumptuous on your part. Straw men!

The Hon. A. J. HUNT—The Leader of the Government in this place suggests that

I am being presumptuous. The Government has never come to grips with the concept of citizenship in dealing with the Bill. The Minister's second-reading speech does not even mention the issue. Already a declaration of duty is required of councillors upon assuming office. The Bill, therefore, is fraudulent in seeking to make it appear that there is a new declaration of duty. That new declaration is simply a means in disguise of abolishing the oath of allegiance to Her Majesty, the Queen. The Opposition upholds and re-affirms its belief in the importance of citizenship and in the requirement of naturalization as a pre-condition of service as a Parliamentarian or local government representative. The Opposition also supports the oath of allegiance by councillors and, therefore, intends to oppose the Bill.

The Hon. C. J. HOGG (Melbourne North Province)—The Leader of the Opposition in this place is wrong when he suggests that members on the Government side of the House did not attempt to address some of the questions involved in the arguments he raised about citizenship. When the House was last discussing similar measures, numerous members of the Government stated that they considered citizenship as earnestly and seriously and indeed valued it as much as did the Leader of the Opposition in this place. Those honourable members attested that they were extremely moved by the citizenship ceremonies that they had witnessed or taken part in, but they also raised other questions that bear mentioning again.

One matter that was raised was the anomaly that existed between British citizens who suffer none of the discrimination suffered by people born in non-Commonwealth countries and the acute anomaly through which I lived when, as Mayor of Collingwood and a non-Australian citizen, I carried out citizenship ceremonies on a regular basis. I have since taken out Australian citizenship because I gave considerable thought to the issue and because of many factors that operate on migrants from, say, southern European countries not taking out citizenship which did not operate on me.

Often southern European migrants—I use that group as an example—do not feel welcome in the Australian community. That attitude is changing as is the whole fabric of

society, but such attitudes as those we heard expressed in April in this House and the actions taken in defeating or substantially changing the local government Bills do not encourage people to participate. Various honourable members on the Government side of the House made some pertinent points about that at that time.

Australia has certainly changed much since the second world war and the Australian Labor Party's migrant policies and policies in general have picked up those changes and are sensitive to them. The Labor Party continues to be flexible and responsive. A number of honourable members on the Opposition side of the House are simply out of touch with the realities of the 1980s.

The Hon. C. J. Kennedy—They are racists!

The Hon. C. J. HOGG—I shall look at the concept of racism later. The Opposition is simply out of touch and I shall quote a small example from the debate held last April. At the conclusion of the evening's debate, I was chatting to an honourable member from the Opposition about the issues raised during the debate and this gentleman remarked that he really had not been able to understand clearly some of the points that members of the Government had been making. He said, "Who, after all, would be interested in standing for local government, if he or she were not an Australian citizen?"

The only example that springs to mind is an American airline pilot who was stationed here for a little while and who had an axe to grind. I believe many people in the Liberal Party and some on the Opposition benches in the House are out of touch with Australian society in 1983.

Local government involves everyone who pays rates directly or indirectly. It involves a whole set of responsibilities in this direction and should involve a set of rights. The right to vote, the universal franchise, was won. It should now be extended to the right to stand. Local government more closely than any other level of government reflects its own community and if an inner suburban, northern or western municipality for example is largely Greek, Turkish, or Italian in origin and the majority of people within that community are interested in supporting a particular candidate, whether

or not that person has taken out Australian citizenship, he or she should certainly have the right to stand.

I appreciate that the National Party in particular and indeed, the Liberal Party, since last April have done a lot of consultation with local government and that some time tonight correspondence from a number of shires and municipalities will be read once again into *Hansard* and the debate will yet again be prolonged.

The Government too has checked with the Municipal Association of Victoria and has received material from local government surveys, and the overwhelming number of councils which have large migrant components—that is, councils in the inner suburbs, the northern suburbs and the western suburbs—support the measure that the Government has introduced. Some of the councils which are supporting our measures—and I acknowledge that some have opposed and many have not responded—are the municipalities of Melbourne, Northcote, Brunswick, Fitzroy, Collingwood and Preston, and several others.

I support this Bill. Melbourne North Province has one of the highest migrant populations in this State and gives this measure full support. I believe it is important to consult with the councils and shires, but it is also important to consult with the ethnic communities. With respect, I suggest that the opposition parties have not done that. I have made inquiries throughout the ethnic community and find they have not been consulted. One small part of the consultative process has taken place but the very large part, which is the consultation with almost one-third of the population of this State, or at least their elected representatives, has not occurred.

I shall refer to some of the comments that appeared in the ethnic press in March and April when the local government Bills were so grossly amended by this House.

The Greek newspaper *Neos Kosmos* would have the largest circulation of any Greek newspaper in this country. On page 1, under the heading "Cain Government attempts to achieve important changes for migrants", it ran an article about local government Bills. The headline and subsequent article expressed quite clearly and

unequivocally support for the Government's proposed changes.

In the other large ethnic community, the Italian community, *Il Globo* and *La Fiamma* are the major newspapers. *Il Globo* is an extremely large and rather conservative newspaper. On 2 March it ran an editorial which raised some of the following issues: It called opposition members in this House racists and that was headlined "Racist in Victorian Upper House". It went on to say that non-naturalized citizens should be given the right to stand for council elections and it saw that as an extension of the right to vote. It talked about the Liberal and National Party elders, and that word is directly translated, throwing us back to the darkest years of racial intolerance. It queried why British subjects should have an automatic right to stand for election. It made the valid point that non-naturalized citizens pay rates, as they do taxes, and *Il Globo* concluded by saying that it hoped—the newspaper did not attack the National Party as it may have regarded the National Party as something of a hopeless case on this issue—and trusted that the Liberals would make every effort to ensure that the Bill was passed.

Now we have a chance to look at those issues again. As I suggest, consultation may well have occurred between local members and their municipalities and shires. I suggest there is also an element of vested interest in the *status quo* in this type of consultation. I would like to know from other Opposition speakers why the other ethnic communities have not been consulted, either on an individual basis or through their representatives.

Australian society, as I mentioned before, has undergone changes in this century but probably no greater changes than those it has seen since the second world war. The Australian Labor Party has always attempted to be sensible and flexible in its appreciation of the issues that must be addressed by local government. It believes the measures that are proposed today provide a chance for this House to demonstrate its sensitivity.

In conclusion, I quote from the Australian Labor Party policy on local government. It is an excellent policy with which it would be extremely difficult to disagree.

The Australian Labor Party believes local government deals with issues that affect the whole of society. It is responsible for expenditure drawn from the taxes of everyone. Accordingly, the Australian Labor Party says that the functioning of every municipality must be based on fair and democratic representation with opportunities to stand for election as a councillor being open to everyone.

The Australian Labor Party went to the polls with that policy clearly expressed, published, and circulated. I do not know how many times we may have to use the mandate argument but I use it again. We explain our policies clearly, we have a mandate for them and we have clear support for our policies, and the measures we are proposing in this Bill affect the areas of Victoria where these issues are particularly relevant.

I suggest that honourable members in this House have a chance today to undo some of the damage that was done because of the attitude they adopted last April. I sincerely hope that they will respond to that challenge and use that chance while they have time.

The Hon. K. I. M. WRIGHT (North Western Province)—As has been explained, the Bill contains two basic proposals. Firstly, non-naturalized migrants will be permitted to stand for local government and, secondly, the requisite for the elected person to swear an oath of allegiance to Her Majesty the Queen will be removed. Both those provisions were severely defeated when the Bill was last before the House.

It would be useful to place on record the various relevant parts of the Local Government Act, the Constitution Act and the amendments proposed so that honourable members have a better understanding of what is taking place. Section 54 of the Local Government Act provides:

No person elected after the commencement of this Act shall be capable of acting as a Councillor, except in administering the declaration hereinafter mentioned, until he has made and signed before one of the council a declaration to the effect following—

The declaration provides that the person taking the declaration will faithfully and impartially and to the best of his skill and

judgment execute all powers and authorities reposed in him as a councillor. Section 55 of the Local Government Act provides:

No person elected as a Councillor of any municipality shall be capable of acting as such until he has taken an Oath of Allegiance to Her Majesty, her heirs and successors.

The next step was the introduction of the Melbourne Corporation (Election of Council) Bill where clause 11 (i) contained a similar declaration to that in the Local Government Act. However, no oath of allegiance was prescribed in the Bill.

At that time, the National Party clearly stated that, although it was prepared to support the Bill, it would in no way go along with any provision for a more widespread application throughout the State.

On 9 November 1982, the Local Government (Municipal Council Elections) Bill was introduced and clause 2 provided that section 55 of the Local Government Act shall be repealed. Effectively that was the section dealing with the oath of allegiance to Her Majesty the Queen by a newly elected councillor. On 16 March 1983, the same Bill was introduced in the revised form and clause 2 made no mention of section 55 of the Local Government Act. This meant that the revised Bill would retain the oath of allegiance. Section 74C (4) of the Constitution Act provides, *inter alia*:

That a person . . . who is not a natural born or naturalized subject of Her Majesty . . . shall not be capable of being or continuing to be a councillor of a municipality.

The effect of this is that it permits a non-naturalized migrant to stand as a candidate for council. The Local Government (Qualification of Councillors) Bill 1983 dated 21 July 1983 provided in clause 2 that the Constitution Act 1975 would be amended as follows:

(a) In section 74C (4) for paragraph (e)—

That is the part which refers to the person who is not a natural born or naturalized subject:

there shall be substituted the following paragraph:

“(e) who has not taken and signed the Oath or Affirmation of the Office of Councillor in the Third Schedule;”

Following on from that is the detail of the oath and the affirmation. Clause 3 provided that the Local Government Act 1958 shall be amended as follows:

(a) For sections 54, 55 and 56—

Section 54 is a declaration and section 55 is an oath of allegiance—

there shall be substituted the following section:

“54. (1) A person elected as a councillor shall before he is capable of acting as a Councillor take and sign the Oath or Affirmation of the Office of Councillor prescribed by section 74C (4) (e) of the Constitution Act 1975 . . .

That traces the various steps that have been taken to eliminate the oath of allegiance to Her Majesty the Queen. I agree with the Leader of the Opposition that the second-reading speech provided only a sketchy explanation of the rationale behind the Government's action. I commend Mrs Hogg for supplying a little more information as to what is behind the thinking of the Government.

Only two reasons are supplied in the second-reading speech, firstly, that it acknowledges the contribution of the migrant population and, secondly, that local government is open to all. Surely a more appropriate or pertinent way could be found of acknowledging the contribution of the migrant population.

If the Bill is passed, it will remove the incentive for migrants to take the trouble to become naturalized. Basic requirements for naturalization are, firstly, residence in this country for three years and, secondly, a reasonable working knowledge of English. Surely it is a strange concept that a person can reside in this country for six months, in a State for three months and a municipality for one month and be able to stand for local government.

Local government is an important area. What would happen if you, Mr President, or I, or any other member of this House, went to Milan, Athens or Istanbul and sought to stand for election to a council? Can one seriously suggest that any member of this House, after being in one of those countries for six months or in a municipality for one month, would be able to stand as a candidate for a local government election in those countries? One should consider whether as candidates we would have

sufficient knowledge of the language or the issues which were before council at the time of the election.

In the intervening period since the defeat of the previous Bill, the National Party has consulted widely with municipalities and various members of the community. No new arguments have been presented. The National Party has received an avalanche of objections to the Bill. There are 211 municipalities in Victoria and the National Party received responses from most of them who say that they are emphatically against the Bill. The municipalities have led the National Party in this case.

The Hon. C. J. Kennedy—Name one!

The Hon. K. I. M. WRIGHT—I have all the names here. Mr President would not appreciate my reading through each of the letters. All the letters are the same; they strongly disagree with this provision. The municipalities would not have stood for it if the Opposition or the National Party had relaxed on this provision. Without exception, all the municipalities that wrote were against the proposed legislation. Most honourable members have correspondence from Returned Servicemen's League branches throughout the electorates they represent. Members of the Government party give the impression that all new Australians, migrants and ethnic groups reside in electorates in the suburban area.

I have news for those honourable members. There is a huge ethnic population in the North Western Province. I am pleased to say that they strongly support both Mr Dunn and myself at elections because they appreciate the representation given to them and the policies of the National Party.

I have been quite outspoken on this issue and no one in the province that I represent could doubt my views on the subject. With all those thousands of people born overseas and who are in the province that I represent, not one single person has come to me to say that the National Party is doing a bad thing in its policy on this issue.

I admire the perseverance of the Government in bringing the proposed legislation back to the House, but I cannot admire either the logic or the argument of the Government. Therefore, once again, the National Party will have to oppose the proposed legislation.

The Hon. H. G. BAYLOR (Boronia Province)—The House is discussing the basic principle of citizenship. It is basic to the Constitution of the country and it is cherished by all people throughout the world. People who, for one reason or another, lose their citizenship, some as a result of conflicts in their own countries and those who are stateless as a result of war, those who have lost their sense of belonging along with their citizenship, cherish that sense of belonging and citizenship that they have regained in another country.

Citizenship confers a sense of belonging on a person. Those born in Australia automatically have it; for others who, for various reasons, move about the world and decide to settle in another country and to make a second country their home, it is natural that, as a full participating citizen of the adopted country, they would take out citizenship.

I do not understand the distinct reluctance of the Government to accept the basic fact that people want to have citizenship of a country and want to have a sense of belonging. No burden is placed on anyone who wishes to become a citizen of Australia. This is one of the easiest countries where one may become a citizen. In previous debates, it has been said that most other countries in the world impose far more stringent conditions on people wishing citizenship than does Australia.

Australia has had a strong programme of immigration over the years and it has welcomed people from many parts of the world. Australia has needed those people. They have brought much with them and have contributed enormously to the whole fabric of Australian society.

I am a proud Australian. Since becoming a member of Parliament and prior when I was shire president and a member of a municipal council, I welcomed countless people to the country as citizens of Australia. Those people had taken out citizenship of their own volition. It is noticeable that among those taking out citizenship, the people who took the first opportunity to do so came to Australia from countries experiencing conflict. Those persons are seeking their own identities and a sense of belonging. Naturalization fulfils those requirements. Honourable members will know that

many refugees from Vietnam and other war-torn Asian countries take the first opportunity available of becoming citizens.

Some people do not take out citizenship for many years after arriving in the country and it never ceases to amaze me at some citizenship ceremonies that some people have resided in Australia for twenty years or thirty years before deciding to take out citizenship. Those people would have their own reasons for waiting so long. Australia does not impose the requirement, as do some other countries, that if a person lives in a country for a certain number of years, that person must take out citizenship.

Mrs Hogg said that many migrants do not feel very welcome in Australia. By some strange quirk of logic, she has tried to convince the House that by allowing those people who are not naturalized to stand for public office without requiring them to be citizens overcomes their problem of feeling unwelcome. There is no logic in that. If a migrant feels unwelcome in Australia for whatever reasons—and I do not question the claim by Mrs Hogg that some migrants feel unwelcome—one of the best ways in which to overcome that problem would be to take out citizenship because it would give the status and the sense of belonging to the country that the person desires.

The question of citizenship is very important. It has much to do with the nationhood of the country. In world terms, Australia is a young country. It has one of the shortest histories compared with many other countries and it has had a very peaceful history. It has had no civil war and, fortunately, it has suffered none of the great conflicts of which one is so constantly reminded and which are occurring continually in other parts of the world. It is as a result of those conflicts that Australia receives many migrants.

At this time in Australia's history, when the country is on the brink of nationhood and of assuming a national identity and pride, when Australians are becoming far more nationalistic, the Victorian Government wishes to denigrate and retard that status of nationhood for which the country is reaching by placing no value on citizenship of the country.

I cannot understand the motivation for devaluing citizenship when all honourable members will agree that Australia is coming

of age and that it is a nation in its own right. It stands in the world on its own feet as a nation, yet the Victorian Government is saying that citizenship does not matter and that one does not need to be a citizen to take public office. That philosophy defies all logic and one can even question the lack of loyalty and national spirit in any such proposal.

Taking public office is a responsibility which carries with it trust drawn from the integrity given to public office by those people electing persons to office. Many people aspire to public office, and rightly so. That opportunity is and should be open to all people and with it the requirement of citizenship should be highly valued. I believe it is highly valued by both Australians and non-Australians.

Mrs Hogg made a sweeping statement for which I shall take her to task. She accused members of the Opposition of not consulting with ethnic groups and individuals.

In the electorate I represent, there is a large concentration of Italians, and I spoke to these people when this Bill was last debated. The Bill had a fairly good run in the local press and it was a talking point on many occasions when I met people. I say to Mrs Hogg, and to members of the Government, that every single person in the Italian community—and many of them are Italian-speaking—is of the view that a person should be a citizen of this country before standing for public office. No one said to me that it should not be necessary or it should not be required. The overwhelming view in the community supports the Opposition's stance on this matter. As good Australians everywhere would believe, if one is seeking to hold oneself up as a public person, the least that can be expected is that one should take out citizenship.

I find it puzzling that acquiring citizenship is placing a burden on a person. There is a simple procedure to becoming a citizen. One is not put in any difficulty or to any inconvenience. One simply makes application, satisfies the residential requirements, goes to a ceremony and swears an oath of allegiance. I cannot understand why there seems to be such resistance to becoming a citizen. I cannot understand the reasons. No reason has been supplied yet, and I hope the Government will be able to provide one. No logical reason has been heard except for

Mrs Hogg saying that migrants feel unwelcome in this country.

The other matter to which I wish to refer is the fact that the Senate Standing Committee on Constitutional Law Reform, which was an all-party committee, made this recommendation on page 8 of its report, where it states:

We consider that the acquisition of Australian citizenship, especially in the case of naturalized citizens, denotes not only a strong intention of permanent residency but in most cases represents a more accurate gauge of a person's commitment to a country than any set period of residence.

In other words, that committee was saying that becoming a citizen demonstrates a person's commitment to the country by his intention to make it his home, rather than by the length of time he resides in that country. That is an important thing and that is the criterion on which the Opposition is basing its argument. If one is to be a representative in office on behalf of other citizens of this country, it is not asking too much or placing too much of a burden on a person to become a citizen. As I said, there is overwhelming community support for this matter.

At citizenship ceremonies of late, I have heard my Labor colleagues who attended those ceremonies making "not bad" speeches in welcoming those people. They were rather patronizing speeches wherein they said, "You are now one of us". That is hypocritical because, according to the Bill, the Government is arguing that a person does not need to be a citizen to stand for local government. Government members are trying to have it both ways. It is typical of the Premier who is saying what people want to hear. He is saying one thing to one person and another to someone else. Government members are following on by saying what a great thing it is to be a citizen of this country and, "We welcome you", and yet this Bill denigrates that citizenship. It will be seen for the hypocrisy it is in the community at large, and most thinking people have been able to discern that.

The rights of citizenship need to be considered in terms of voting rights, but the question of passports comes into it. This Bill will deny the rights of non-naturalized citizens to hold an Australian passport, and

that is unfair. A person cannot have an Australian passport if he is not an Australian citizen. That could create difficulties for people, and unnecessarily so. It seems that the evolution of the whole citizenship concept of this country is a disloyal and anti-Australian view because it has nothing to do with people who are born in other countries or to people referred to as migrant people. It is an important, basic and fundamental principle of nationhood, and the Government is denying the rights of this country to reach its full nationhood by denying people the opportunity to become citizens. That is a totally unacceptable standpoint from the point of view of the community and for the majority of constituents whom I represent.

The Hon. D. E. HENSHAW (Geelong Province)—"No taxation without representation" was the cry that echoed around Boston many years ago. While I am not suggesting that ethnic groups or other non-naturalized groups are going to tip tea or wine into Port Phillip Bay, there is widespread concern about the views that have been expressed by the Opposition on this matter.

It is the Government's contention that any resident or ratepayer in the municipality has the right both to vote and to offer himself for election to a local council. It is an actual right, as I believe, for people to both vote for and to stand for council.

This Government has already moved strongly in the area of local government, firstly, to increase the franchise to adult franchise. It has moved to make voting in municipal elections compulsory and it is moving—in fact the legislation is about to be introduced—towards triennial elections. All these moves are making councils more representative of the people, more accountable to the people and are to be thoroughly commended.

I have put the argument in this Chamber before, that citizens who wish to contribute to local government should be encouraged and allowed to contribute.

The Hon. D. G. Crozier—When is a citizen not a citizen?

The Hon. D. E. HENSHAW—I am referring to residents and ratepayers of the municipality. We are concerned with two broad groups of people. The first are migrant

or ethnic groups and I have already explained that people in these groups have real concerns about the consequences of taking out naturalization within Australia. They foresee the victimization of relatives in their homelands and many such cases exist for southern European areas.

The Hon. H. G. Baylor—Can't you come up with something better than that?

The Hon. D. E. HENSHAW—These people have real concerns about taking out citizenship, and the Opposition is seeking to deny them the possibility of contributing to municipal life if they wish to do that.

The second group of people includes those who come to Australia in a work-related sense to take up a position for a number of years—perhaps an academic position at a university—to take on an engineering role at a company or to be a pilot with an airline. Many people who have been in Australia for ten or twenty years still want to return to the land of their birth in the future. There is no sensible reason why these people should be asked to renounce their own citizenship if they wish to contribute in some way to the municipality.

The community would benefit from contributions from these people. In previous debates a number of emotional reasons were put forward and a number of examples were given why the Bill should not be passed. Honourable members have asked whether such people have a responsibility to the municipality. I believe they do. Others have mentioned the possibility of non-English-speaking people being elected to municipalities. In some municipalities that might be appropriate, but those examples overlook the respect that one should have for the electorate to choose candidates to represent them in local government. People choose only candidates who are capable of representing them in local government in a responsible manner. It is inappropriate for Mr Dunn to suggest that in the electorate he represents non-English-speaking people might have difficulty in the local council because electors would probably not vote for such people.

I also point out that thirteen of the 211 municipalities have indicated that they are in favour of the proposed legislation. Remembering that in other municipalities the possibility of a non-naturalized person being nominated or elected to council is

extremely remote, it can be seen that those municipalities, which are largely those represented by the Opposition, are denying other municipalities the opportunity of electing the people they wish to elect. It should be considered by the Opposition that it is denying these people the right to serve the municipalities for a reason that does not exist.

Referring to the proposed oath of the office of councillor, I indicate that it has two advantages over the previous oath of allegiance to the Queen. The first is that it can be taken by non-naturalized citizens. The second is that it is a more simple, direct and straightforward statement for what, after all, is the most important function of a person holding office in a municipal council—to serve the best interests of the ratepayers in that council. By a convoluted argument one can say that swearing allegiance to the Queen means the same thing, but it is not obvious to the person taking that oath.

This oath is more meaningful and has more value and I challenge honourable members of the Opposition to indicate what is wrong with that oath. What are its demerits? It states:

... that I will faithfully and impartially according to the best of my skill and judgment execute all the powers and authorities reposed in me as a councillor by virtue of the Local Government Act 1958 and any other Act.

Bearing in mind that that Act is constituted under the powers of the Queen, one can see that all the problems mentioned are covered.

The House did itself and the Government in general a disservice last April by not passing the motion. I urge the House to pass the Bill.

On the motion of the Hon. ROBERT LAWSON (Higinbotham Province), the debate was adjourned.

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

The sitting was suspended at 6.26 p.m. until 8.5 p.m.

MINISTERIAL STATEMENT

Melbourne Metropolitan Planning Scheme

The Hon. E. H. WALKER (Minister for Planning and Environment)—I desire to make a Ministerial statement with respect

to Amendment No. 150 (Part 1) to the Melbourne Metropolitan Planning Scheme.

A development strategy for the metropolitan area will be introduced by an amendment to the Melbourne Metropolitan Planning Scheme on Tuesday, 20 September.

Amendment No. 150 (Part 1) is the first of a number of amendments designed to establish order in our future development, an order which calls for a vigorous central Melbourne, slower growth in the outer urban area and increased activity in a number of selected suburban centres. Essentially, it seeks to contain urban growth, to make optimum use of existing resources and better use of the immense public and private investment in the metropolitan area.

It recognizes the role of central Melbourne as the major activity centre of the metropolis and the need to make it a more exciting, more interesting and attractive place. It also recognizes that the majority of the population lives in the suburbs, and an increasing proportion works there. Consequently, the need to organize suburban growth and to improve the suburban environment is a key factor of the strategy.

The amendment introduces a series of objectives and a strategic framework into the planning scheme. It agrees in principal with the Melbourne and Metropolitan Board of Works' proposals for the metropolitan area. It will provide a guide for decision making by both the Government and the private sector. Where necessary the Government is prepared to step in and facilitate proposed developments that are consistent with the strategy.

REASON FOR THIS STRATEGY

The strategy for the metropolitan area was prepared over a number of years in consultation with the community. It is designed to achieve objectives in five areas: Efficiency, equity, employment, energy and environment.

1. Energy

By encouraging concentrations of activity and some increases in population density, and by providing better access to a choice of public transport services, the strategy will help to develop a city that is less dependent on the private car, and could

continue operating efficiently should private transport be less readily available. It also takes account of the 20 per cent of households in Melbourne which do not at present have access to a car. It is consistent with the objectives of the energy plan and transport plan prepared by the Department of Minerals and Energy and the Ministry of Transport.

2. Equity

The strategy aims to help all people in the community obtain better access to facilities and urban services. The planning of both residential growth and job expansion in areas that are better served by public transport helps provide better access to activities within the metropolitan area. The Government has recently made considerable efforts to achieve more equity in urban development. For example, it recognized the particular attention required by the western suburbs of Melbourne and a joint action programme to improve the environment in the west has been under way for some time, involving the Melbourne and Metropolitan Board of Works, the Environment Protection Authority and the Department of Planning—now the Ministry for Planning and Environment.

3. Environment

Essentially the strategy confirms the earlier corridor-green wedge plan, and helps protect our natural resources and areas such as park lands, farm lands and river valleys. It also helps minimize pollution. It recognizes our heritage of historic buildings and areas, particularly in the inner city and suburbs. A recent separate amendment to the Melbourne Metropolitan Planning Scheme ensures that any alterations or demolitions in historic inner areas are properly assessed. Special studies of the Yarra and Maribyrnong rivers have also been under way for some time. The recent restructure of Government departments has brought together the Department of Planning, the Environment Protection Authority, the Victorian National Estate Committee and the Historic Buildings Council, which will assist in co-ordinating action to preserve and enhance our environment.

4. Employment

The Government is conscious that every attempt must be made to facilitate the creation of new jobs in the community. This strategy helps make the establishment of new enterprises and small businesses easier, by allowing mixed uses and home occupations. It also seeks to provide for financial and other services to locate near businesses in the suburbs, and at the same time provide a better distribution of job opportunities in the suburbs at accessible locations, which could help efforts to reduce unemployment in these areas. By grouping new offices and shops together, the plan gives scope for additional services such as accountants and restaurants to establish. The plan will strengthen the operation of suburban businesses. It is expected that by encouraging a higher density, more urban lifestyle in some places, new types of jobs may be created to better service the residents' lifestyle.

5. Efficiency

Amendment No. 150 aims at making the most efficient use of all levels of services and facilities provided by Government and private enterprise. In difficult economic times, when we must cut back on Government expenditure, and any expansion of facilities is hard to justify, it is imperative to make even better use of existing and new services. By emphasizing development within the existing built-up area, the strategy encourages better use of what we have, rather than providing expensive additional services such as water, sewerage and transport to new areas with only small populations. In short, the strategy is designed to reduce the exalating costs of urban sprawl.

MAIN ELEMENTS OF THE STRATEGY

The Central Business District

The Central Business District is the most important activity centre of the metropolis. It is to remain the focus for Government, tourism, finance, entertainment, cultural activities and specialist shops. The Ministry for Planning and Environment is investigating ways of making the central area more exciting and pleasant to be in, and is undertaking extensive design, landscape and pedestrianization studies. At present I am responsible for State level planning controls

over the city, to enable the Government to play a more direct role in its development.

District Centres

The fourteen major centres which have been designated for development are: Box Hill, Camberwell Junction, Cheltenham/Southland, Dandenong, Footscray, Frankston, Glen Waverley, Greensborough, Moonee Ponds, Oakleigh, Prahran, Preston, Ringwood and Sunshine. These are to be community centres second only to the central business district, providing a range of facilities and services to people living in the surrounding regions. Government offices, shops, personal and business services, libraries and other municipal facilities will be encouraged to locate within them. New medium density residential developments will be encouraged close by so that as many people as possible will have easy access to each centre.

Development of these centres will be encouraged by direct Government action where appropriate, for example by integrating transport services, and by encouraging new public facilities to be located at such centres. As the centres grow they will naturally draw more services.

The Government has not approved the proposal to nominate six centres in outlying areas as district centres for the future. It is not clear yet that major centres will be required or are appropriate in these areas. Much depends on the extent of future outward growth, and on the success of the centres included in the present announcement.

Residential Diversity

The metropolitan strategy recognizes that many people in Melbourne will continue to want and to choose a detached house and land in the suburbs. It also recognizes, however, that there will be an ever increasing proportion of small households of one or two persons in the community—the elderly, younger couples without children, single parents and singles. The special housing needs of one and two person households, which comprise 46 per cent of all households in the metropolitan area, and 71 per cent in a suburb like Hawthorn, need to be provided for. The strategy envisages a variety of ways of creating small housing units, not just blocks of flats and cluster housing

that already exist. Details of the types of small units to be encouraged have yet to be finally resolved.

Fringe Areas

Newly developing areas at the fringe of Melbourne are to be better planned. The co-ordination of community and physical services with development is encouraged by the strategy. Planners are trying to overcome the situation where services such as public transport, education and sewerage lag behind houses and people.

Preferred Development Areas

The strategy encourages development close to rail and tram services, and in locations that can be serviced by bus, so that people will have a choice of transport and the city will become less reliant on use of the private car. At the same time development will be more compact and efficient, and expensive outward sprawl will be contained.

Phasing the release of areas for new development on the fringe of Melbourne will be related to the availability of transport and other community services.

WHAT HAPPENS NEXT

Part 1 of Amendment No. 150 to the Melbourne Metropolitan Planning Scheme involves broad principles for future growth. A further report by the Ministerial panel set up to hear public submissions and views on the proposals is still being drafted. It relates to the more detailed provisions affecting particular parcels of land, which will have to be considered finally by the Board of Works and the Government. Other planning scheme changes yet to be agreed include the boundaries of each district centre, dual occupancy of housing, metropolitan countryside conservation, the road hierarchy, new car parking provisions, details of small and home business location provisions, and identification of those matters of metropolitan significance which will be determined normally by the Melbourne and Metropolitan Board of Works and the Government as distinct from local councils.

Local councils have a major part to play in promoting the strategy. They are still able to encourage development and look after local needs relating to their environment, traffic requirements and design matters. It

is expected that councils will prepare detailed local plans which promote development consistent with the strategy and move closer to Government objectives for the suburbs.

FURTHER ACTIONS

Co-ordination

Integration of the metropolitan strategy with plans and strategies of other Government departments such as housing, transport, energy and water supply is a key factor. The Government is currently investigating the best means to ensure the consistency of these major strategies for the use of our resources and provision of services, and a special report on means of achieving co-ordination will be submitted to Cabinet in a few weeks.

Central Business District

Preparation of a planning scheme for the central city is already under way.

District Centres

The required degree of Government action at the fourteen district centres will vary according to their physical and economic potential for development, and the initiatives already undertaken by local councils and other Government departments. Some serve as natural sub-regional centres, and are important as a focus for transport, and so have a long-term potential to expand their role as suppliers of a variety of services and providers of a variety of jobs. Other centres are smaller and in close competition with nearby commercial centres. In these locations there is less opportunity for expansion of commercial activity, but scope for improved community service provision.

At a number of centres such as Frankston, Greensborough and Camberwell, local councils are well advanced with their planning. At others such as Sunshine, Box Hill and Oakleigh, the Board of Works and other State Government departments are already involved. Greater involvement by the board and the Ministry for Planning and Environment can be expected where Government assistance in planning and implementation can facilitate a centre's role in its suburban region. Investigations of these centres are under way and will identify their market potential and scope for retailing, office

development and other improvements in community service provision, housing opportunities and transport services. These analyses will identify potential for growth and Government actions necessary to assist the operation of the centre within the metropolitan region.

Other Centres

The strategy does not imply that no growth will be permitted outside the designated centres, but it does provide a framework for that growth. While encouraging new suburban developments to locate within or adjacent to the designated district centres, the strategy recognizes that different needs require different types of centres. For example, a weekly food shopping trip is usually made to smaller convenience centres, and emergency or daily food items are bought at the corner store. Provision must be made for this sort of variety.

In addition, planning needs to take account of the street transport service to link local and district centres.

Further work on the extent and nature of retailing office development which is appropriate in areas outside district centres is being carried out by the Board of Works and the Ministry for Planning and Environment. This builds on the Technical Advisory Committee work on retailing, the board's impact of Suburban Activity Centre Study, and the Ministry's examination of suburban office development. This work should lead to new development proposals, and in some cases to facilitation of Government services.

POLICIES FOR OFFICE AND RETAIL DEVELOPMENT IN THE METROPOLITAN AREA

While this work proceeds, policies already adopted by the Government in relation to decisions on development proposals will continue. In relation to proposals for land within district centres for which no physical plan exists, it is important that as far as possible major sites for development or redevelopment are not committed to less than optimum use. The economic potential of sites within district centres should be discussed as widely as possible and the means for facilitating a grander scale of development investigated.

In relation to proposals for areas beyond district centres, it is appropriate to maintain the existing policy of discouraging the creation of further activity modes, except in developing fringe areas. Consolidation of activity centres of all types is preferred.

"Net community benefit" should continue to be the principle matter of concern, including balancing new services and jobs with losses elsewhere.

In relation to retailing, change of function of centres should be subject to close scrutiny, the need for economic constraints on refurbishment of older centres should be accounted for and the relationship of development proposals to any existing local authority strategy examined.

In general terms the intents of the existing Ministerial guidelines remain. I do not require strict adherence to the guidelines—only so far as it is necessary in each case to insure that the planning authorities are provided with information additional to their own, sufficient to enable assessment of net community benefits.

I am pleased to announce this major step forward in the planning of metropolitan Melbourne. The preparation of the strategy has taken many years, but Amendment No. 150 (Part 1) is only a beginning. Implementation is now the crucial challenge—one which Government and the community must meet in the long-term interests of the State.

On the motion of the Hon. B. A. CHAMBERLAIN (Western Province), it was ordered that the Ministerial statement be taken into consideration on the next day of meeting.

HOSPITALS SUPERANNUATION (AMENDMENT) BILL (No. 2)

The **PRESIDENT** (the Hon. F. S. Grimwade) announced the receipt of a fair print of this Bill with a message intimating that, during the consideration of the Bill, the Assembly had agreed to the following resolution with which they desired the concurrence of the Council:

That the proposals contained in the Hospitals Superannuation (Amendment) Bill (No. 2) be referred to the Economic and Budget Review Committee for inquiry, consideration and report.

On the motion of the Hon. E. H. WALKER (Minister for Planning and Environment), the resolution of the Assembly was agreed to.

It was ordered that a message be sent to the Assembly indicating the decision of the House.

STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL

The **PRESIDENT** (the Hon. F. S. Grimwade) announced the receipt of a fair print of this Bill with a message intimating that during the consideration of the Bill, the Assembly had agreed to the following resolution with which they desired the concurrence of the Council:

That the proposals contained in the State Employees Retirement Benefits (Amendment) Bill be referred to the Economic and Budget Review Committee for inquiry, consideration and report.

On the motion of the Hon. E. H. WALKER (Minister for Planning and Environment), the resolution of the Assembly was agreed to.

It was ordered that a message be sent to the Assembly indicating the decision of the House.

VERMIN AND NOXIOUS WEEDS (RE-ORGANIZATION) BILL

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

LOCAL GOVERNMENT (QUALIFICATION OF COUNCILLORS) BILL

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

The Hon. **ROBERT LAWSON** (Higinbotham Province)—Soon after the conclusion of the second world war, the Federal Labor Government made a momentous decision that eventually altered the composition of Australian society. For the first time in history, Australia actively sought migrants not from the British Isles but from Europe and the Mediterranean basin.

I have been asked by interjection whether the Liberal Party agreed with that decision at the time. I have been giving the Federal Labor Government the credit for the beginning of this policy. The Liberal Party must also be given credit because when it came into power it carried on the policy that has been one of the successes of Australian history, in as much as all sectors of politics concur in the desire for an active policy of immigration.

The result has been that, whereas formerly about 98 per cent of the population of Australia was descended from persons who had emigrated from the British Isles or were actually born there, this situation has changed beyond recognition and now a very large proportion of our population comes not from the British Isles but from other parts of the world. It has reached a stage where we are proud to say that in Melbourne we can dine out for four years at a different restaurant every night without having to visit the same restaurant twice.

The fact that we have such a vigorous cultural diversity in this city is due in large part to the number of migrants who have come here and brought their own culture, their own cuisine and their own way of living, much to the betterment of our society.

Neither the Federal Labor Government nor the Federal Liberal Government brought these people here as transients. They were not brought here as visitors. They were brought here in the hope that they would settle here and become truly Australian citizens—that is, that they would take out naturalization papers and, with pride, truly become Australians.

I remind Mr Mier and Mr Kennedy that a citizenship ceremony will take place next Tuesday night—not a sitting night—at Moorabbin Town Hall. I remind these honourable gentlemen that a few thousand of their constituents are also residents of the City of Moorabbin. If they care to go along to the Moorabbin Town Hall next Tuesday, I am sure the Mayor will be pleased to welcome them and invite them to sit on the stage during the ceremony.

It is often the practice at these ceremonies to call upon members of Parliament to speak. Perhaps Mr Mier or Mr Kennedy will speak to the people in the audience who are proud of what they have done, who are very proud of the fact that they have just

taken the oath of allegiance, who are very proud of the certificates given to them to prove conclusively that they are Australians, and very proud of the fact that their children can no longer say that they are Australians, but their parents are not. That is often a joke in the homes of migrants.

We do not want these people to believe we do not think much of Australian citizenship. Will those honourable members say that the Victorian Government is in the process of denigrating their citizenship and cheapening it.

We maintain that only people who make a definite commitment to the country and take out naturalization papers and become true citizens should be entitled to stand as municipal councillors. If we alter our stand on this matter by permitting non-naturalized persons to become municipal councillors, it is only a short step to permitting non-naturalized persons to become members of State Parliament and another short step to allowing them to become members of Federal Parliament.

The Opposition is not prepared to take that first step. The Opposition believes Australian citizenship should not be cheapened in any way.

Australian citizenship is too important to migrants who become Australian citizens. Australian citizenship is too important to the Opposition and the Australian community. For that reason, the Opposition opposes the Bill.

The Hon. G. A. SGRO (Melbourne North Province)—Tonight the National Party and the Opposition have tried to turn the clock back 20 to 30 years. When I arrived in Australia 32 years ago, the term "Australian citizenship" was never used. In those days migrants were told that they had to assimilate.

I was sick when I heard Mr Lawson and other members of the Opposition refer to migrants as having made a great contribution to Australian culture by introducing spaghetti and souvlaki. Mr Lawson would gladly feed himself at the different Italian and Greek restaurants, but in his eyes the people who run those restaurants are not good enough to stand for council elections.

However, under previous Liberal Administrations, it was all right for migrants

to pay their rates but not to stand for council elections. After I arrived in Australia, for 21 years the Federal Liberal Government refused to allow me to become an Australian citizen, yet I had not committed any crime.

If every migrant became an Australian citizen tomorrow, the National Party and the Liberal Party would remain in opposition forever. Approximately 70 per cent of Australian migrants support the Australian Labor Party. Indeed, Mr Kennedy has often urged the Labor Party to convince migrants to become Australian citizens, and that has been the policy of the Labor Party for many years. When the Labor Party came to power in 1972 in Canberra, within six months more than 120 000 migrants, who had not bothered to become Australian citizens for 20 to 30 years, overnight applied to become Australian citizens. That was because at last Australia had a humane Government and many migrants wanted to become Australian citizens because they felt they had a Government which understood them.

Why has the Government introduced the Bill? Why has the Minister for Local Government in another place, insisted on the proposed legislation? Indeed, half the population in the area represented by the Minister for Local Government are persons who were born overseas. The Minister for Local Government has organized many public meetings in the past twenty years, urging migrants to become Australian citizens, but he could not convince every one of them.

Many migrants have, for different reasons, not become Australian citizens. I cite the example of religion. Many migrants, for religious reasons, are not allowed to renounce their own country. The reason is not because they do not want to become Australian citizens but because they are not allowed on the grounds of religion.

Most migrants who have been here for 20 to 30 years are good citizens. It is the view of the Labor Party that those migrants should have a chance to become involved in local government.

The Liberal Party no longer has the guts to tell migrants that they should assimilate into Australian society. Look at me, Mr Deputy President; could I become like you? I have lived in Australia for the past 32 years and Australian society has not changed

me. Indeed, Australian society has no hope in the world of changing me. That is reality.

The aim of the Bill is to allow migrants to play a role in the affairs of local government. Last night, I attended a meeting in Coburg. More than 400 people were at that meeting and many migrants came in for solid criticism because they do not play a role in the affairs of local government. Victoria now has a Government and a Minister for Local Government who is urging those migrants to come forward and join in local government. Yet the Liberal Party and the National Party tonight are telling migrants that they are not allowed to become involved in local government. That is hypocritical. The National Party and the Liberal Party are not popular with the migrant community.

Mr Deputy President, when you spoke earlier on behalf of the constituents of the North Western Province, you said that you represented a large proportion of migrants in that area. However, I have visited the area you represent and I have not heard you once ask the migrants in that area what they think of the proposed legislation, which, if passed, will allow migrants to play a role in council elections. It is not good enough to tell the House that no one has told the migrants about the proposed legislation.

The Hon. W. R. Baxter—That is not true, it was in the newspapers and on the local radio stations.

The Hon. G. A. SGRO—Those radio stations and newspapers are controlled by the National Party, which never lets country people know what is going on. It is nonsense for the Liberal Party and the National Party to oppose the Bill on the ground that migrants must become Australian citizens.

Migrants choose to come to live in Australia and not in England. Approximately 90 per cent of Australian migrants are asked at citizenship ceremonies to pledge allegiance to England but they would not know where England is. If I were to ask those migrants to pledge allegiance to Italy, I would be called a traitor and all sorts of names. Migrants pledge allegiance to Australia by choosing to live in Australia and nowhere else. The Liberal Party and the National Party should be ashamed for asking migrants to renounce their country not for the sake of either Australia or the State

of Victoria but for the sake of another country, namely, England.

I would be the first to say tomorrow that, if migrants were asked to pledge allegiance to Australia, most of them would, apart from those who could not for religious reasons. However, the Government is not asking migrants to do that and that is why the Bill is before the House.

The Minister for Local Government in another place, has urged migrants to take part in local government. However, once migrants become involved in local government they will automatically see the need to become Australian citizens, but that will not occur until they are encouraged to become involved in local government. I am not talking about those people who arrive in Australia today and leave tomorrow, I am talking about people who have lived in Australia for many years. I am talking about people who have taken up permanent residence in Australia, I am not talking about tourists and people who live in Australia on a temporary basis.

The Bill is aimed at those migrants who have lived in Australia for many years. It is a shame that this issue has divided the community.

The divisiveness has been caused by the Liberal Party claiming that the Bill is un-Australian. Mr Birrell interjects and says, "Hear! Hear!"

The Hon. M. A. Birrell—I said, "You have!"

The Hon. G. A. SGRO—It is the Liberal Party that has caused divisions. When Mr Birrell became a member of the House, he commenced his maiden speech by saying that he well remembered a former Prime Minister, the late Sir Robert Menzies. I have a different memory of Mr Menzies, who was the Prime Minister of Australia for 21 years. Mr Menzies would not allow me to visit my sick mother, who has since died.

He refused me citizenship. Therefore, Mr Birrell and I have different memories of Sir Robert Menzies. He can have him!

The Bill has divided the community and my argument has always been that unless we ask migrants, the people who have been in this country for many years, to step forward and take an interest in local government affairs they will remain non-Australian

citizens forever, and that is not what the Government wants. It is not a big price to pay.

The Hon. A. J. Hunt—What about the requirement for citizenship in order to stand for Parliament?

The Hon. G. A. SGRO—That is a political matter. The Labor Party had some discussions on that matter also, but agreed not to go ahead with it because it is a political matter. However, the local government issue is a different matter altogether. Members of the Opposition must remember—and the Opposition will have to give an answer pretty soon because the Government will keep repeating its argument—that it is the migrants who come to Australia. It is no good for the Opposition to ask and insist that migrants renounce their native countries for another country. They would do that tomorrow for Australia. Therefore, I urge honourable members to pass the Bill.

The Hon. D. M. EVANS (North Eastern Province)—Honourable members have listened to an impassioned speech by Mr Sgro. There are honourable members in this Parliament who respect Mr Sgro for his integrity, honesty and sincerity. That is how honourable members have judged a member who came to this community from another country and who has made his way here. However, there are many people who have come to this country and who deserve similar respect. There are people who have been born in this country and who have not received that respect because they have not earned it.

What Mr Sgro has said is that, regardless of the state of citizenship within this country, regardless of the state of commitment to this country, regardless of the willingness of a full commitment to this nation, a person should still have certain privileges. There are those in the community, as I believe there are in every community on earth, who believe, in order to have the full rights and privileges of citizenship, that one must make a full commitment to that country. I had the opportunity, during the past couple of months, of going overseas, as a number of members of Parliament do from time to time. I started my visit in Canada and the west coast of America. I saw there a multi-cultural society with people from many races and nations as citizens and civilians in that community. Australia is

similar to that sort of community, but yet I understand that, in the United States, which is one of the great nations on earth and one of the great nations in history, in order to stand for election as President of that nation, it is necessary for one to be born an American citizen. That is a restriction on who can stand for election. The Minister of Agriculture interjects with a silly comment about having to be a millionaire. That is not the point. Perhaps one needs to have money and backing in order to be elected as President, but one certainly does not need to be a millionaire to try.

I then went on to England and spent some time there. Mr Sandon, who is interjecting, would be well aware that they do not have local government in England; they have a system of county government, which is different. I then visited the country from which Mr Sgro originally came, Italy. It is a fascinating place and one which I found of great interest and value. One of the comments that was constantly made to me, and which I heard being made to other people, was that if you are not happy with the way things were done—and tourists do have a bit of a bad time when visiting places, including Italy—you are in Italy now and you do what Italy does. It is the old saying, "When in Rome, you do as the Romans do".

I found a very real national pride and an understanding that the citizens of that nation had certain privileges and certain ways of doing things. I do not believe people of Australia are any different and the sooner Australians develop a national pride and understanding the better it will be. Those who came into this country are welcome here but people want them to make a commitment to this country as soon as they possibly can, and when they do so and accept the rights of citizenship, the sooner they will become part of the nation.

Australians will welcome them and will wait only a very little time to give them the full rights of citizenship. Mr Sgro, by interjection, brings up the matter of England. I frankly believe it is right and proper that the people who come to Australia from the British Isles should also be required to go through the naturalization procedure. I think that proper and correct, despite the ties of blood that I and other members of this House may have with people from that nation. The British people ought to be

treated no differently from those who come from other countries.

Not only was the impression that I have given to the House one which I obtained in Italy—the country to which Mr Sgro proudly belonged, and from which he came to Australia and took up citizenship here, and no doubt of which he has fond memories—there is no doubt that there is a real national pride in that country, and so there should be. I had no doubt that one had to prove one's credentials and make a commitment to Italy before one could be accepted. I do not think there is anything wrong with that. It is not racial; it is pride in one's antecedents and race, pride because that pride brings a standard of behaviour that makes one worthy of being a citizen in that country. I see nothing wrong with that either.

Therefore, until a person is prepared to commit himself, surely it is not appropriate to take part in the government of that nation. I have heard many people say that there are members of the migrant community who believe, as does Mr Sgro and other members on the Government side of the house, that immediately a person lands in this country—and that will be the effect of the measure as I understand it—he should be able to stand for local government. I accept that one probably will not get elected in that case, but one would still have the right to stand if the Bill was passed. The important thing is the principle.

I wondered whether I did not have the message right. I knew I had heard those comments from the other side of the House, but I was not sure. I tried to check this out with a couple of people I thought might know the answer. I checked with a man, who is a Czech, and who is a naturalized citizen of this land. He made a success of his life in Australia and is a local government councillor. I asked him and his wife about this and they said, "No, no person should accept the privilege of being in local government until they have accepted a commitment to this land by taking citizenship. That is our view and we have done those things." That is what they said to me.

I also checked with a prominent citizen in the large Italian community at Myrtleford. I asked what the situation was like there and put to him the two proposals. I said, "The view of my party and my view is

that we should not support the proposed legislation. What is the view of your people? Are we right or wrong?" The well-respected member of that community said to me, "You are right. Members of the Italian community believe that is the way it should go. There should be a commitment to the country before one gets the right to stand for local government." The National Party has taken the stand that it has because it has pride in Australia. It welcomes people from overseas, more than just for their souvlakis and spaghetti, and I indicate that spaghetti was in Australia before Mr Sgro.

Honourable members interjecting

The DEPUTY PRESIDENT (the Hon. K. I. M. Wright)—Order! Mr Sgro has made his contribution, to which the House listened attentively, and I invite him to give Mr Evans the same opportunity.

The Hon. D. M. EVANS—I appreciate the points that have been made, but I believe the Parliament needs to make a decision on the matter. I have certainly done my best to explain the reasons for taking the decision I have taken, which is to whole-heartedly support the view that there needs to be some commitment to this land before a person obtains the additional privileges of citizenship. Unless privileges are attached to citizenship, I do not think citizenship has full meaning. That has to be understood. If no privileges are attached to it, it has no meaning and, if it has no meaning, this nation lacks pride.

It is not a matter of whether we welcome new citizens; we do. As many honourable members have said, we invite them in three short years to make their commitments to this nation and to take a full part in it. As I said, there is no reason why a person who comes from Italy, Vietnam, Japan or anywhere else who becomes an Australian citizen cannot, in due course, become Prime Minister of this nation. There are not many nations where it can be said that the highest office in the political spectrum is available to a person from another country who has adopted the country at some time.

To say that Australians do not welcome people to their land is utter nonsense. To say that because all the privileges of citizenship are not available to a person immediately when he lands on these shores, that person has not been warmly welcomed by

this nation, is absolute and utter nonsense. The principle is clear. I do not consider there is widespread support for the provisions of the proposed legislation. I firmly believe the people whom I represent in my constituency, from whatever walk of life and from whatever nation they or their parents came, would support the stand that has been taken. For that reason, I intend to vote against the measure.

The Hon. M. A. BIRRELL (East Yarra Province)—One of the most important and significant developments in the Australian nation over the past 40 years has been the influx of a significant number of migrants. Australia, and more particularly Victoria, has gained from that influx. We have been enriched culturally and socially and, as many honourable members have pointed out, that influx has been of enormous benefit to the nation and this State in an economic sense. I point out these matters because, unfortunately, a few people in the past have construed the debate on the proposed legislation as failing to appreciate or recognize the contribution of ethnic communities. I recognize their contribution, as does the Liberal Party.

My deep concern about this Bill is that its prime effect is to diminish the value of Australian citizenship. I shall quote from a newspaper that the Australian Labor Party usually regards as very much sympathetic to its general cause. The *Age* editorial of 24 March 1983 stated:

The Opposition is not unreasonable in insisting that, as required for State and Federal Parliament, and as in almost every other country, membership of local government should be confined to natural born or naturalised citizens. Notwithstanding the Government's apparent attempt to curry favor in the ethnic communities, such a restriction is neither a slur on immigrants nor a lasting disability . . .

The *Age* went on to state that immigrants of good character who intend to settle in Australia become eligible for nationalization in due course. It then stated:

If he is not prepared to become an Australian citizen, then he should not expect to qualify for public office. For the Government to insist on devaluing Australian citizenship and to make a constitutional issue of this in its dispute with the Legislative Council is foolish and will only lower its esteem in the eyes of most Victorians.

I say "Amen" to that. The *Age* editorial, like many people have done, has pointed out that the proposed legislation goes too far. It effectively does two things. Firstly, it devalues Australian citizenship and, secondly, it attacks the importance of the third tier of Government, namely, local government.

I have received many representations from councillors and members of the public who strongly oppose the Bill. I understand that only 13 of the 211 municipalities in Victoria support the Government's proposal. The cities of Camberwell, Kew and Hawthorn, in the province that I represent, have called on me to dissociate myself publicly from the proposed legislation and asked me, along with the Liberal Party, to oppose it, as is our intention. One Government supporter in the debate said that the measure is supported by councils with high ethnic populations. That is arrant nonsense. Honourable members should ask the cities of Richmond and Broadmeadows for their opinions on the measure. They have said that the Bill should be defeated. The ethnic population in those areas is extremely high.

The central issue is whether one believes that Australian citizenship is a worthy concept in a modern democracy or whether it plays no role. The proposed legislation will mean that citizenship will not have the importance that it used to have. It will also mean that local government is less important than the State and Federal tiers of Government because it will have different criteria for entry than the other two tiers. This is most undesirable because the three tiers of Government should be equal in their stature. If it is not the intention of the Labor Government to change the rules at the State level and for its Federal colleagues to do so at the Federal level, it should make that declaration. If it does not do so, it is obviously saying that local government is second best.

Australian citizenship is essential for entry into the State and Federal Parliaments. It is a prerequisite for entry into those two representative forums. Why should local government be any less important? Why should that essential characteristic not apply in municipalities, as it does for State and Federal members of Parliament? Parliament should not try to devalue Australian citizenship.

I shall deal with the overseas experiences in this field and I shall also consider the importance of local government and the importance of being an Australian citizen.

The overseas experience indicates overwhelmingly that the vast majority of nations with a local government structure require candidates for local office to be citizens of the country concerned. The few differences that exist have largely depended on the status of local government. In other words, only where the status of local government is low, which is not the case in Victoria, are the criteria for councillors lower than for the respective national government.

All the major countries from which Australia takes its migrants have a requirement of citizenship as a precondition of service as councillors. In the countries from which major immigration occurs such as Italy, Greece, Great Britain and Yugoslavia, the requirement for citizenship exists, as it does here. It is also a prerequisite in the majority of states in the United States of America. The overseas experience is therefore similar to the present situation in Victoria. No moves have been taken to reduce the status of citizenship or to have local governments opened in the way that the Victorian Government wishes.

There is little public support for this Bill, as is evidenced by the response of municipalities to it. The Government finds that only 13 of the 211 municipalities in Victoria are prepared to support the measure. Obviously, the proposed legislation is extremely unpopular. The Opposition would like it to be withdrawn because it cuts at the heart of Australian citizenship, which has otherwise enjoyed overwhelming support in the community.

The importance of local government is under attack by the proposed legislation. Local government is a true and equal partner in the over-all system of government in Victoria and Australia. Its status is high and it can be said to be the tier of government that is closest to the people. If that is the case, local government should have the same entry criteria as the other two levels of government. It has an important role to play. Why should the game rules be changed now? The second area of importance which is under attack is Australian citizenship itself

because the Australian Labor Party Government is indicating its belief that citizenship is not as important as it was before.

One of my first duties as a member of Parliament was to attend a citizenship ceremony in Camberwell. It was an important and enjoyable occasion, not only for myself but also, obviously, for the participants who had waited a considerable period to participate in that type of event. It was a memorable exercise for all those who attended, and the local Australian Labor Party member of Parliament who addressed the function pointed out in glowing detail her party's support for Australian citizenship. How hollow were those words. Will she be able to say the same thing if the Labor proposed legislation is passed? Clearly, citizenship is not that important to the Australian Labor Party after all. The proposed legislation is perhaps the greatest attack on Australian citizenship that this Parliament has witnessed.

Naturalization means welcoming people to the Australian community and saying to them that they are now part and parcel of all the activities, decision-making, responsibilities and benefits that came from being an Australian citizen. It is important and citizenship has been promoted by State and Federal Governments for many years.

I take the opportunity of quoting from the current Federal Labor Government's brochure which has been widely distributed in support of Australian citizenship. The brochure is entitled, "Becoming an Australian Citizen," and it states:

Citizenship is the final step in a settler's identification with his new homeland. It is the step by which people from other lands become full and equal members of the Australian community, adding their heritage to ours.

Good citizenship prospers only when there is a full acceptance of the duties and obligations involved.

It goes on to state:

Australian citizenship enables you to take part in the affairs of the nation, as a voter or as a candidate for public office or for election as a member of Parliament. It ensures your right to apply for an Australian passport and your right to leave and re-enter Australia without the need for a re-entry authority.

This is a succinct outline of the desirability of becoming an Australian citizen. I should have thought it is something on which there would have been bipartisan support. I now

doubt the Australian Labor Party's commitment to citizenship.

The brochure goes on to state:

To become an Australian citizen you must be:

Willing to swear an Oath of Allegiance or make an Affirmation of Allegiance to the Queen of Australia;

Willing to obey the laws of Australia and fulfill your duties as an Australian citizen;

Willing to enrol on the Electoral Register (if you are not already a voter) and to vote at elections for members of the Australian and State Parliaments and at referendums;

Willing to serve on a jury, if called on to do so; and

Willing to defend Australia, should the need arise.

Clearly, they are the guidelines that we would all like to see all Australians embrace, and Australian citizens do so when they commit themselves to this country. Surely, we can ask nothing less of those people who ask to be councillors in our municipalities. If they are to represent their communities, surely they should take part in the Australian citizenship process. If they do not, then they are clearly not able or willing to make a sufficient commitment to our country.

It has been pointed out that this is not an issue where races and ethnic communities should be pitted against each other. It is clearly a question of the Australian nation. I hope honourable members can pull the debate around that discussion. It has been stated that the Australian Labor Party will use this issue as part of its fight against the Liberal Party in this Chamber. I quote again from an editorial in the *Age*, which members of the Government party would do well to read. The editorial of 24 March states that the State Government:

... has not chosen a sound basis from which to accuse the Opposition and National Party of being "racist and undemocratic" or the Upper House of being unduly obstructionist.

That is quite right. The proposed legislation is not the basis for that type of campaign. The Liberal Party will be more than happy to be held accountable for its principled actions regarding the Bill.

I conclude with a quote from the report of the Senate Standing Committee on Constitutional and Legal Affairs, an all-party committee that dealt with this issue in great detail. It could be said that if Victoria had

all-party committees of this stature, it could go a long way towards resolving these issues.

In 1981, the Senate Standing Committee produced a report entitled, "The Constitutional Qualifications of Members of Parliament." The report was unanimous across party lines and provided strong support for the value of citizenship as a criterion for people seeking public office. The report concluded:

We consider that the acquisition of Australian citizenship, especially in the case of naturalized citizens, denotes not only a strong intention of permanent residency, but in most cases represents a more accurate gauge of a person's commitment to a country than any set period of residence.

Indeed, it does. Australian citizenship should be a prerequisite for anyone to become a local councillor in Victoria.

The Hon. M. J. SANDON (Chelsea Province)—During the past hour, honourable members have heard a number of red herrings. That has been the basis of the propositions put forward by the Opposition. This is not an argument about citizenship; it is not a Bill about citizenship.

The Hon. A. J. Hunt—Yes, it is.

The Hon. M. J. SANDON—Mr Hunt has missed the point, as he often does. The Bill is about ensuring that people who live in this community have the opportunity of standing for public office. Of course, members of the Opposition find that objectionable. The Government believes if one works in the community, irrespective of one's background, one should be able to stand for public office and be judged by the people who live and work in the community.

Let us look at the record of the Liberal Party in the process of democracy and ensuring that the democratic rights of people are preserved. What did the Liberal Party do when Bills were introduced to ensure that the way people were elected to this Chamber was proper? It opposed it! The Labor Party and National Party ensured that far more democratic processes were adopted in this Chamber.

Throughout 1974 and 1975, the Liberal Party embraced any proposition it could to ensure that the democratic processes were thwarted, and that is what is behind the opposition to the Bill.

Members of the Liberal Party continually oppose a process whereby people can stand and be elected on democratic principles. They still cannot perceive what the democratic process is all about, and they want to keep working people from being able to stand and be democratically elected. That is what members of the Opposition are on about.

Why did no member of the Liberal Party say that it was wrong that English people can come to Australia and stand for public office, but not go through the process of citizenship?

The Hon. A. J. Hunt—You have not been listening. Why do you not check your facts?

The Hon. M. J. SANDON—Did Mr Hunt say that was incorrect—of course he did not. Members of the Liberal Party are again going in for double standards. They are not prepared to ensure that this State, at both Government and local government level, is elected in a democratic way. Why should not people who live and work in a community be able to stand for public office?

I invite honourable members to look at the range of activities in which local government is involved. Local government is involved with education, health, providing services for the aged and disabled, housing, community activities, sanitation, sewerage, urban renewal, public hall and civic functions and swimming pools. Local government is involved in the way the community is arranged, and it plays a significant part.

The Liberal Party is prepared to take taxes from people, but will not let them stand for public office. In effect, members of the Liberal Party are saying, "Unless you are a citizen, you can't stand for public office." That is a nonsense.

The Opposition is taking a hypocritical and sinister approach to the issue by allowing some migrants one view and other migrants a different view.

A number of comments have been made about the great contributions that have been made to our community by migrants. Government party members endorse those comments and welcome the contributions. However, at what stage have members of the Opposition consulted with people who represent migrant communities? Did any

members of the Opposition communicate with them? No, they did not.

Members of the Opposition have not even bothered to discuss the Bill with the migrant communities; they simply returned to their farming communities or Liberal councils and asked them what their views were. The answer was, "No, we cannot have that! We cannot have migrant people who have not taken out Australian citizenship! We cannot possibly have those people representing the community!" The Opposition is full of humbug and double standards, which have been shown up during the debate.

People who live and work in the community and pay their taxes should be able to stand for election to local government. That is a basic tenet of the democratic principle. That is what democracy is all about. The Opposition and the National Party do not agree with those democratic principles represented at local, State and Federal Government levels and that is their main objection to the Bill.

The Hon. N. B. REID (Bendigo Province)—The debate has pointed out a serious rift between the Victorian Labor Party and the Commonwealth Labor Government. I have a document called "Becoming an Australian Citizen: The facts you need to know". The document asks an important question: Why become an Australian citizen? The House has just listened to Mr Sandon make a short speech—he did not seem to have his heart in it—on why we should allow migrants the right to stand for local government.

The Hon. G. A. Sgro—Would you give the document a date please?

The Hon. N. B. REID—The document was put out by the Commonwealth Government and published for the Department of Immigration and Ethnic Affairs by the Australian Government Publishing Service, Canberra, in 1980. The document states:

Why become an Australian citizen?

Australian citizenship enables you to take part in the affairs of the nation, as a voter or as a candidate for public office or for election as a member of Parliament.

It is important that those three aspects are grouped together. What in fact is "public office"? I would like to quote from *Words and Phrases Regally Defined*, by John B.

Saunders, a Barrister-at-Law whose definition of a "Public office" is:

... any office under the Crown or under the charter of a city or municipal borough or under the Acts relating to local government or public health or public education ...

The document produced by the Commonwealth Government describes what public office is and it includes representation or election to a position where one represents a city or a municipality. It is clear that that is what is intended in the document as being one of the reasons why one should become an Australian citizen.

With the conflict between the Victorian branch of the Australian Labor Party and the Federal Labor Government, it is clear that one is out of step; I am sure it is the Victorian State Government. Early in the debate, honourable members heard Mrs Hogg state that seven municipalities with which she had had contact were all in favour of the proposal put forward by the Victorian Labor Party. The Bendigo Province, which I represent, includes 25 municipalities in whole or in part. I have not received any correspondence whatsoever supporting the proposal, but I have received many letters against it.

The Bendigo Province is extremely large and it has migrant representation. Two examples are Kyabram and Echuca where, in those fruit growing and dairying areas, the ethnic community is represented by people who have been here for not only one, but two, three and, in some cases, four generations. They have accepted the Australian way of life and have accepted the fact that they want to become Australian citizens. Those people want to play a full and meaningful role in the affairs of the nation either as voters or as candidates for election to public office, or perhaps even to stand for election to Parliament. Those people are against the proposal of the Government.

It is interesting to listen to members of the Government party comment about other ethnic communities and say that those people want the right to stand for public office and the right to participate in the affairs of the nation. If honourable members consider some of the countries from where Australia has drawn many of its newcomers and settlers, for example, Italy, Greece, Yugoslavia and even Great Britain,

they must realize that it is absolutely imperative that migrants take out citizenship if they wish to settle here or participate in local government elections or elections to Parliament. Yet the reverse is happening in Victoria, where members of the Government party support the proposal put forward by the Labor Party that those who migrate to Australia have the right to stand for local government without first taking up Australian citizenship.

The document produced by the Federal Government clearly spelled out the attitude of the Federal Government. It states that if one becomes a citizen of Australia, one has certain responsibilities, some of which my colleague, Mr Birrell, spelled out. Not only does one accept certain responsibilities when one accepts Australian citizenship, but one also attains certain privileges. One of those privileges is that under Australian law, one is entitled to the same rights as those who were born in Australia. That is an extremely important privilege. Some of us are fortunate to have been born in Australia and we take those rights for granted.

Honourable members on both sides of the House have been to citizenship ceremonies and have had the opportunity of seeing people accept Australian citizenships and take the citizenship oaths. In doing so, those people not only accept the responsibilities of this great country but they also benefit from the privileges that come as a result of that citizenship; they are entitled to whatever rights a natural-born Australian has.

Over a number of years the role of local government has changed. For some years, local government was regarded as part of the three tiers of government, but its main function was to ensure that the roads were in good shape and, if there was a bridge over a creek or river, that the drains were clear. That role has changed and local government now has a much broader task in the field of government. It is the area of government which is the closest to the people. Local government receives the immediate response of the consultation with local communities to understand and interpret the needs of local communities. It is best able to administer government at the closest possible level to the community.

In the past few years local government has provided services to the people for the

people, and it has changed dramatically. Being an Australian citizen involves certain responsibilities and privileges. If one wants to stand for local government and have that close inter-relationship with the community, one must accept those responsibilities and the privileges.

Earlier this evening, Mr Sandon made great play on the public office aspect but, unfortunately, he has left the Chamber. I trust that the House understands what public office is and that it entitles one to stand for a local municipality or to sit as a representative for that area. Mrs Hogg stated that she had had contact with only seven municipalities which were in favour of the proposal of the Government.

The electorate I represent is one sample of the State. Any law that is made in this Parliament must be effective throughout the State. One has only to look at one electorate, Bendigo Province, to see the opposition to the Government's proposal. I am sure that other honourable members have spoken to their municipalities and discussed this issue with them. They are almost of one accord that they want people to become part of Australia, and the quickest and most effective way of doing that is to accept the responsibility of becoming an Australian citizen. It is clear to me that the thoughts that are being put forward from the municipalities throughout Victoria support that view.

Mr Sandon was talking about double standards. It is quite obvious that there is some form of double standard running within the Australian Labor Party movement because, on the one hand, the Victorian Government promotes the view that it is not necessary to attain citizenship to stand for election to public office, in this instance in local government, but, on the other hand, in the Federal scene there are large volumes of publicity inducing people to become Australian citizens. This is not the only document. The document, "Becoming an Australian Citizen," portrays a theme that is running through the Federal Government at present. There has also been a substantial television and advertising promotion.

The first page of this document uses the words "Australia invites you." Not only is the Federal Government seeking it as a criterion, but it is also saying, "When you come

to Australia we invite you to become part of this country, to accept that you become an Australian citizen and that you share in the total benefit of Australia." We have exposed a double standard between the State Labor Party and the Federal Labor Party on this issue and it is clear that there are other forces at work within the Victorian Branch of the Australian Labor Party which are promoting this cause.

The Hon. R. I. KNOWLES (Ballarat Province)—It seems that this proposed legislation is about the fundamental basis of our society and how, in fact, we are to be governed. That is not to underestimate the sensitivity of the issue. I fully accept the point that is being made by members opposite, that it is an extremely difficult decision for those who have migrated to this country to decide to renounce their allegiance to their mother country and to accept allegiance to this country. It is certainly true that a debate similar to that which has occurred tonight would not have occurred prior to the second world war. It is only because of the significant migration that has occurred to this country, with all of the advantages that have accrued to this community, that we are facing this issue tonight.

The Hon. R. A. Mackenzie—Would you renounce your citizenship to sit on the Naples City Council?

The Hon. R. I. KNOWLES—That is not the issue, and I will come to that if you will bear with me, Mr Minister. I recognize that it is a difficult decision for people who have migrated to this country to make, but we are saying, "You must make a decision either to hold your allegiance to the country from which you came or to accept Australian citizenship with all that entails". It is not a question that has just arisen in Victoria; it has been considered at the Federal level. In 1975 the Joint Committee on Foreign Affairs of the Senate and the House of Representatives confronted this issue and it was further examined by the Senate Standing Committee on Constitutional and Legal Affairs in 1981. To counter some of the accusations that have been made from the other side of the House about comments of the Opposition being racist, I will read out the members of that committee. They were Senator Alan Missen from Victoria, Senator Gareth Evans from Victoria, Senator David Hamer, Senator Christopher Puplick,

Senator Michael Tate and Senator John Wheeldon; not the sort of prominent people in our society who would be accused of racist tendencies. If anything, one would not find a group who would argue more vehemently and strongly against the concept of racism which accusation has been thrown at this side of the House by some speakers opposite.

That committee accepted and recommended that any person who is under an oath of allegiance, obedience or adherence to a foreign power or is a subject or citizen or is entitled to the rights or privileges of a subject or citizen of a foreign power, shall be incapable of being chosen or of sitting as a Senator or member of the House of Representatives. Honourable members would easily understand why a situation like that may occur at a Federal level, given the responsibilities of a National Government. Why should it be any different at either a State or local government level?

In 1976, the Australian Constitutional Convention in Hobart made two important decisions. The first—and it is worthy of paying tribute to the contribution made by the Leader of the Opposition, the Honourable Alan Hunt—was that local government should be embodied in the Australian Constitution. That decision was accepted by all States.

All States agreed that they would give constitutional status to local government, to recognize that local government is an equal partner with the other two tiers of Government. Indeed, the former Victorian Government led the way in writing that recommendation into legislation. The second important decision made at that convention was that Australian citizenship should be the basic qualification for membership of Parliament.

Having accepted that local government should constitutionally be a third tier of government, the same convention accepted that Australian citizenship should be the basic qualification for membership of Parliament. Given that context, one could readily acknowledge the council table as a Parliament in the Australian context.

In 1981, the Senate Standing Committee, to which I referred, accepted that principle and recommended that it be embodied in

legislation, that the acquisition of Australian citizenship, especially in the case of naturalized citizens, denotes not only a strong intention of permanent residency but also in most cases represents a more accurate gauge of a person's commitment to a country than any set period of residency, which was the previous qualification. Consequently, and contingent upon the adoption of the test of citizenship, which the committee proposed, it also recommended that the period of residency required by the Commonwealth Electoral Act be deleted. That was a significant development, which was accepted by an all-party committee at the Federal level.

I assume that members of the Government party would not try to portray Senator Gareth Evans as one of the reactionaries in the community. However, it is the proposal of members of the Government party that different criteria should apply at the level of local government despite the fact that their Federal colleagues have accepted local government as being an essential part of the constitutional structure of Australia.

Mrs Hogg, in her contribution to the debate, made much play of the fact that, as a non-Australian citizen, when she was Mayor of Collingwood, she performed naturalization ceremonies. That, I would readily acknowledge, is perhaps not the most desirable consequence. It does raise serious questions about the way Australian society has been structured. That issue has also been canvassed at the Constitutional Convention to which I referred and it was agreed to by the Commonwealth Government and all State Governments that Australian citizenship should be the only criterion on which someone is judged as being eligible to stand for public office.

As part of that process, last year the Victorian Government passed the Constitution (Qualification of Electors) Act, which was part of that process. The Commonwealth Government has enacted legislation under which one must be an Australian citizen before one can stand for public office. However, the Victorian Government has decided not to accept that simple proposition.

If there are double standards involved in the debate, they rest fairly and squarely on the shoulders of the Government, which has introduced a Bill to allow persons other than

Australian citizens to stand for public office. Members of the Government are now claiming that the Opposition and the National Party are saying that it is right and proper that one must be an Australian citizen before one can stand for public office and throwing that claim back at the Opposition and National Party as being a double standard. It makes an absolute mockery of any sense of logic or common sense.

It is not a matter of how many municipalities either support or oppose the Bill. It goes to the basis on which society will be structured and the procedures that society will use to elect those persons who will govern society. As previous honourable members have said, the role of local government extends far beyond the provision of streets, footpaths and drains. Local government is a central part of determining Australian society.

If the Government pursued the concept embodied in Federal legislation, one could argue about it, but why pick on local government? The views expressed by members of the Government party are not shared by the present Federal Attorney-General. Why should it be suggested that the qualification for standing for public office ought to be different for another level of government from what applies at the State and Federal levels of government.

The Bill is nothing more than a gimmick which some members of the Government party are trying to use in an endeavour to portray members of the Opposition as being racist. I take strong objection to that accusation, and I am sure that that view is shared by all of my colleagues.

It is of fundamental importance, if this country is to have any pride, that one of the requirements Australians are entitled to ask of any person offering himself for public office is that he has made a commitment to this country and that he does not share his allegiance to this country with any other country. That applies irrespective of whether the other country is Britain, America, India, South Africa or any other country in the world. It might be a very noble prospect to think that the world could reach the day when there are no separate nationalities. That is a long way off but, in my view, the pace-setter for achieving that result should not be local government in Victoria.

I am strongly opposed to his measure not because, as has been suggested—and I take strong objection to the suggestion—that I am insensitive to the problems faced by migrants in this State. I accept that it is a most difficult decision that migrants must make to forgo their previous citizenship and accept Australian citizenship. I understand the difficulty that entails. It will not resolve that problem by cheapening Australian citizenship. For those reasons, I strongly object to the measure and urge the House to reject it.

The Hon. J. W. S. RADFORD (Bendigo Province)—It gives me great pleasure to speak on the measure. It is most remarkable that, because the Labor Party has to pay off bills and settle old scores for some thirteen councils, honourable members have this Bill in front of them. That involves the balance of the 198 councils that were asked to comment on the matter and, as my colleague, Mr Reid, mentioned earlier, in Bendigo Province, no comments in favour of the Bill were received from them. However, there have been many comments against it.

Indeed, it is incredible that members of the Labor Party seem to feel that they have the God-given right to speak for migrants. There are many migrants in the Bendigo Province, and it has been my pleasure to meet many of them. It is interesting that, despite what the Labor Party is saying, at Federal level, the Labor Government has placed restrictions on immigration. I also find the feeling that many who have been naturalized here would see the actions that were taken in the past as being devalued by the suggestions that have been put forward by the Government. When one looks around the State, one sees the names of many people and places which indicate the past ethnic origins of people who have settled in this country and contributed so much in the past. One only has to look around the mining maps to discover Italian diggings, American diggings and Chinese diggings. There are Swiss groups around Daylesford as well as Italian groups. It is remarkable that the highest mountain in Australia should be named Mount Kosciuszko after a Polish hero. That is certainly not an Anglo-Saxon name.

The fact that the Government has taken this stand demonstrates that it has a very

short view and that it has not looked back into the history of the country and the people who live here. When one examines the Bendigo area, one finds that many fine contributions have been made by the Chinese settlers of old. Indeed, where would the Bendigo Easter fair be without the magnificent Chinese dragon? As a member of Parliament who has given support in the community to ensure that this dragon is presented as part of the cultural heritage of Australia and that other Chinese artifacts will in future be suitably preserved and displayed in Bendigo, I respect their heritage. It certainly shows the important role the Chinese community has played not only in the Bendigo area but also in many other areas of the State. When reading about what naturalization means, it is important to take note of the words quoted by Paul R. Wilson in a study conducted on behalf of the Academy of Social Sciences in Australia in 1973, when he said, *inter alia*:

... although a sense of identity or desire to identify with the new country might not always be a major reason for applying for naturalization nevertheless that sense of identity followed; that naturalization was the biggest single act in bringing about a sense of identity with the Australian community, and an increased interest in its institutions and politics.

It is remarkable that the Labor Party wants to denigrate and downgrade this sense of belonging in the community. It is a great pity that the Government has seized the opportunity of introducing the Bill to cheapen it. With the importance of local government, the fact that it has been recognized by the Federal Government which is paying directly to local government 2 per cent of the personal income tax raised, which is expended directly to benefit the community, honourable members should realize that there is a very responsible role to be played by local government. That role has been taken by local government in the past and will certainly be taken in the future. I am quite sure that that responsible role will not be assisted by creating a situation, as is being suggested by the Bill, where people can virtually arrive in this country and receive certain rights which their country of origin certainly would not extend to any honourable member of this House if he or she visited their country. It is a pity that, for the sake of a few debts that a certain group of the Labor Party is trying to pay off, the Government has put this Bill

before the House. I certainly intend to vote against it.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I am of the opinion that the second reading of this Bill is required to be passed by an absolute majority.

As there is not an absolute majority of the House present, I ask the Clerk to ring the bells.

The required number of members having assembled in the Chamber—

The House divided on the motion (the Hon. F. S. Grimwade in the chair).

Ayes	20
Noes	21

Majority against the motion	1
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AYES

Mr Arnold	Mr Mier
Mr Butler	Mr Murphy
Mrs Cocksedge	Mr Pullen
Mrs Dixon	Mr Sandon
Mr Henshaw	Mr Sgro
Mr Kennan	Mr Walker
Mr Kent	Mr White
Mrs Kirner	
Mr Landeryou	<i>Tellers:</i>
Mr Mackenzie	Mrs Hogg
Mr McArthur	Mr Kennedy

NOES

Mr Baxter	Mr Knowles
Mr Block	Mr Lawson
Mr Chamberlain	Mr Long
Mr Connard	Mr Radford
Mr Crozier	Mr Reid
Mr Dunn	Mr Storey
Mr Evans	Mr Ward
Mr Granter	Mr Wright
Mr Hayward	<i>Tellers:</i>
Mr Houghton	Mrs Baylor
Mr Hunt	Mr Birrell

PAIRS

The Hon. A. J. HUNT (South Eastern Province) (*By leave*)—I desire to raise a matter relating to the practices of this House. Two members of the Opposition have been absent today in circumstances known to the Government. Mr Bubb has been absent, with a pair, representing Parliament at the Australian Administrative Staff College at Mt Eliza. Mr Guest has been absent, with a pair, because of the serious illness of his son. The Opposition relied on the pairs that were granted. It is important to the running

of Parliament that arrangements for pairs be honoured.

I have not known a situation in this House where pairs have previously been dishonoured. If that happens, mutual trust is lost and the smooth working of the Chamber becomes an extremely difficult business. Any government or any opposition that dishonours pairs or other traditions of the House places itself in an extremely difficult position. Mr Landeryou never dishonoured an arrangement for pairs. I was informed by the Leader of the House, after the division bells had begun to ring, that he was calling off pairs. That situation is not in accordance with arrangements that have existed between the parties for as long as Parliament has existed. It is not in accordance with the traditions of this House and it is not the co-operative way in which this House ought to be run.

I know that it has made no difference to the result of the division, but it is important to the questions of tradition, principle and mutual trust. Had warning been given, it would have been possible to recall those two members to vote in the division. The interjections being made from the Government side of the House, including some from the Ministerial bench, indicate that those honourable members do not appreciate or understand the traditions of the House, but I expect the Leader of the House and the Government as a body to understand and respect those traditions.

VERMIN AND NOXIOUS WEEDS (RE-ORGANIZATION) BILL

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—I move:

That this Bill be now read a second time.

Its purpose is to make amendments to the Vermin and Noxious Weeds Act 1958 to give effect to a structural reorganization of the administration of the vermin and noxious weeds functions of the Department of Crown Lands and Survey.

The reorganization has been designed to satisfy the proposal to combine two divisions of the department, namely the Division of Crown Land Management and the Division of Inspection and Vermin and Noxious Weeds Destruction, in the interest

of improving the effectiveness and efficiency of the department's over-all land management programmes and services.

The structure of the Division and Inspection of Vermin and Noxious Weeds Destruction has remained unaltered for a period of 60 years. However, a change in the administration of the Act was made in 1959 when the Vermin and Noxious Weeds Destruction Board, the Central Advisory Council and district advisory committees were established.

The Division of Crown Land Management was established in 1974 to manage uncommitted Crown lands and Crown reservations and to provide professional advice to committees of management, lessees and licensees on land use and management.

The majority of the staff of both divisions is decentralized but not regionalized as control remains in Melbourne. Preliminary investigations by the department in 1980 and 1981 indicated that there are deficiencies in the structures of both divisions.

The existing structure in the Division and Inspection of Vermin and Noxious Weeds Destruction provides a fragmented central control over the functions of the division, certain powers being held by the Minister of Lands, the Vermin and Noxious Weeds Destruction Board, the Secretary for Lands and the Superintendent of Vermin and Noxious Weeds Destruction respectively. This division has a field staff of 790 persons.

The Division of Crown Land Management is understaffed in that its field force consists of only 22 permanent persons. Because of the differences in the structure and the specific duties of the staff of the two divisions, the field staff of the Division and Inspection of Vermin and Noxious Weeds Destruction are not available to assist with land management matters.

A Public Service Board review in 1981 recommended amalgamation and reorganization of the two divisions, the abolition of the Vermin and Noxious Weeds Destruction Board, and that the Central Advisory Council be renamed, restructured and re-directed.

Before any action was taken to implement those changes, a Public Service Board Manpower Effectiveness Review of the whole of the department was conducted in

early 1982. That review agreed to the changes, but, in addition, recommended that the department's head office and field structure be developed to include regional entities each headed by a regional director, who would be in charge of all the functions of the department in the particular region of the State.

The recommendation provided for a reduction in manpower of 30 persons, no net increase, preferably a net decrease in funding, and that there should be a general improvement in the effectiveness and efficiency of the combined division's land management programmes and services.

A departmental task force, having representatives from the Public Service Board and the Victorian Public Service Association, submitted a detailed reorganization proposal to the Public Service Board which, with minor amendments, was approved in November 1982. The Bill gives effect to changes which are part of the actions necessary to implement the reorganization proposals.

The main thrust of the Bill is to abolish the existing bodies and to replace them with bodies designed to satisfy present day needs and philosophies. The bodies which will be abolished are the Vermin and Noxious Weeds Destruction Board and the Central Advisory Council. The office of Superintendent of Vermin and Noxious Weeds Destruction will also be abolished.

The Vermin and Noxious Weeds Destruction Board was originally established to upgrade research and to set vermin and noxious weeds destruction policies and priorities. The research task has been achieved by the now self-sustaining Keith Turnbull Research Institute. Although the board has achieved much in policy and priority formulation, it is felt that nowadays these functions should more appropriately be a direct departmental responsibility. The Central Advisory Council is a body established to advise the Minister or the board on all matters relating to the control and destruction of vermin and noxious weeds.

The bodies which will be created under provisions in the Bill are the Land Protection Council and eleven regional advisory committees. The Bill also replaces the existing provisions in the principal Act in respect

of district advisory committees with provisions suitably amended, having regard to the proposed reorganization.

The Land Protection Council will have as its members the Minister for Conservation, Forests and Lands, who shall be the chairman, an executive member appointed by the Governor in Council, who has expertise in the fields of vermin and noxious weeds control and agriculture, a representative from each of the regional advisory committees, and a person nominated by the Victorian Farmers and Graziers Association.

That council will provide a direct source of experienced farming and grazing advice and recommendations, in the vermin and noxious weeds destruction context, to the Minister. It will also provide a means by which rural advice can be integrated into departmental research, policy and operational planning at the head office level.

A regional advisory committee is to be established in each of the eleven regions of the State to provide a direct source of rural advice and to make recommendations, mainly in the vermin and noxious weeds destruction context, to the department. A committee will be comprised of one representative from each district advisory committee within the region and regional officers of the department appointed by the Minister.

The existing system of district advisory committees will be retained, but the number of such committees is to be reduced from 140 to 105 to match a proposed reduction in districts. There will be no loss in the service provided to the rural community. Rather, with a regional system, there will be a much more effective use of manpower and resources.

The proposed three-tier structure is matched to the proposed departmental structure and will be highly interactive with it.

The provisions of the Bill enable a structural reorganization in respect of the functions of vermin and noxious weeds which will give more regional control in accordance with the Government's regionalization policy. The Bill also places the reduced central control with the Minister and the Secretary for Lands.

The opportunity has been taken to amend the provisions of the principal Act so that

proper interest charges and charges for hiring of tools and equipment can be fixed from time to time by the Minister, to convert penalties expressed in monetary terms to penalty units and to repeal section 29 which no longer serves any purpose.

Section 29 of the principal Act makes provision for the State to contribute towards the costs incurred by municipalities in the metropolitan area in carrying into effect any by-law for the destruction of noxious weeds. The section is no longer applicable as the provision in the Local Government Act for making such a by-law has been repealed.

I point out that nothing in this Bill will affect the Government's decision to establish a new Department of Conservation, Forests and Lands, which is in the course of being implemented. I commend the Bill to the House.

On the motion of the Hon. H. R. Ward, for the Hon. R. I. KNOWLES (Ballarat Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, October 4.

ADJOURNMENT

Grain freight rates—Permissive occupancies on Glenelg River—Insurance on property destroyed in bush fires—Indemnification of Country Fire Authority officers on chemical spillages—Technical and further education boundaries—Dredging of Port Phillip Bay—State Electricity Commission power lines—Childrens' surnames—Mercury in Mordialloc Creek—Tallangatta Primary School—Mineral Springs Advisory Committee—Library subsidies—Wheat harvest

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

That the House do now adjourn.

The Hon. B. P. DUNN (North Western Province)—I refer the Minister of Agriculture to a meeting which took place at War-racknabeal attended by some 400 grain growers from throughout the Wimmera and Mallee areas. The meeting took place this morning, and the grain growers were out for blood. Members of the Government party should have been there to cop it. The Minister of Agriculture and the Minister of Transport did not attend the meeting.

The Hon. D. R. WHITE—Parliament was sitting!

The Hon. B. P. DUNN—As usual, the Minister for Minerals and Energy has gone off half cocked. The meeting had finished by one o'clock.

The Hon. D. R. WHITE—What time did you get here?

The Hon. B. P. DUNN—I arrived in time to take part in today's sitting. The Minister for Minerals and Energy should realize that if Ministers of the Government make decisions in the comfort of their Cabinet room, they must face the music. They are gutless and the Minister for Minerals and Energy is as gutless as any of them.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! Matters raised during the debate on the motion for the adjournment of the sitting cannot be debated either by the honourable member raising the matter or by interjection.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—On a point of order, I take exception to the remarks made by Mr Dunn, and I ask him to withdraw them.

The PRESIDENT—Order! I ask the Minister to advise me what Mr Dunn said.

The Hon. D. R. WHITE—Mr Dunn is well aware of the words he used. He can make up his mind whether he wants to withdraw them, but I take exception to them.

The PRESIDENT—Order! I invite the Minister to advise me of the words he objects to.

The Hon. D. R. WHITE—The forms of the House are such that when an honourable member takes exception to words used by another member of the House, the President requests that member to indicate whether he is prepared to withdraw. The onus rests with Mr Dunn to indicate whether the words to which I take exception will be withdrawn. If he does not withdraw, I will mention the remarks to you, Mr President.

The PRESIDENT—Order! I rule the point of order out of order.

The Hon. D. R. WHITE—On a further point of order, in reference to myself and Ministers of the Government, Mr Dunn said that I was as gutless as any of them, and I take offence at that expression.

The PRESIDENT—Order! I ask Mr Dunn to withdraw the remarks.

The Hon. B. P. DUNN (North Western Province)—I am quite happy to withdraw the remarks. However, unless Ministers of the Government are prepared to face the music in country areas of Victoria, they should not make decisions in the comfort of their Spring Street offices.

The meeting this morning was hostile because the Minister of Transport was not there; nor was any representative of the Government which made a political decision to rip millions of dollars off the grain industry of Victoria—a cold decision to increase grain freight rates by 15 per cent.

Will the Minister take into account the four resolutions that were carried by the meeting at Warracknabeal today—firstly, to emphatically reject the rail freight increase of 15 per cent imposed by the State Government; secondly, to reject the 8.5 per cent increase by the Grain Elevators Board, again imposed and directed by the Government? Those are the two specific resolutions on which I ask the Minister to comment. Thirdly, I ask the Government to deregulate road transport in Victoria to give grain growers the opportunity of using other transport for their grain. The grain growers at their meeting were angry at being lumbered with an imposition of this kind, which is a direct taxing measure on the grain industry, and it has been shown, from figures taken out by the National Party, not to be required to meet the transport costs of grain by rail or the Grain Elevators Board costs in respect of this year's harvest.

The Hon. B. A. CHAMBERLAIN (Western Province)—My question to the Minister for Conservation, Forests and Lands relates to the permissive occupancies on the Glenelg River, a matter which is well known to the Minister's two predecessors, as the issue has been on the go for almost fifteen years. The Minister may be aware that there are a large number of permissive occupancies on the Glenelg River in respect of which formal termination notices were given many years ago and termination comes into effect from the beginning of next year. A large number of people are affected and are concerned that the basis on which the original decision was made is no longer valid, and they would like the opportunity

of putting a view to the Minister. The Minister's predecessor, the Leader of the House, the former Minister for Conservation, inspected the area some time ago and confirmed the previous decision but did not take the opportunity of speaking to representatives of the occupiers.

I ask the Minister whether he is prepared to visit the area and receive a deputation from the affected occupiers so that he can receive a personal and up-to-date assessment of the situation and their views on this contentious issue.

The Hon. J. L. DIXON (Boronia Province)—I raise a matter with the Treasurer, the responsible Minister in this House being the Minister for Minerals and Energy. This matter concerns insurance pay-outs to victims of the Ash Wednesday bush fires, and the specific case I refer to is that of a Miss Brenda Harrison who purchased a house at Bailey Road, Cockatoo, in 1981. She insured this property with the Mutual Life and Citizens Assurance Co. Ltd and specifically chose that company because she believed it to be a large and reputable insurance company. Miss Harrison had discussions with the company and insured the house for the agreed valuation of \$25 000. After that she spent a considerable sum in renovating the house; it was reblocked, rewired and otherwise renovated. After twelve months, the company suggested that the valuation be increased and the agreed sum was \$29 000 in May 1982.

On 16 February 1983, the house was burnt and totally destroyed. Miss Harrison expected to have no problem with the insurance pay-out on the property. Unfortunately, she has spent six months having three different assessors assess the ashes on the block of land. She was subjected to an aggressive interview by a Mr Kevin Halse from Shepparton Loss Adjustors.

The final outcome of this long period of harassment is that Miss Harrison finally received an offer of \$16 488 as the total insurance pay-out for the property. The reason given by the company for this low figure was that the house was 55 years old and had probably depreciated, even though the owner could prove quite conclusively that she had spent many thousands of dollars on improving it. In fact, in April this year, the company sent her a renewal certificate which

stated the property had appreciated in value to \$34 000.

Understandably Miss Harrison is upset. She has been living in a caravan on her property for six months during the winter. She has had independent estimates of the cost of replacing the house. One estimate was from a Mr Petry of Gembrook who had worked on the house and knew it well. He estimated that it would cost \$49 500 to replace the house as it was before the fire. A Mr Garry Vertigan of Lilydale estimated \$43 500.

Miss Harrison is not asking for the replacement value; all she asks for is the \$29 000 to which she assumed she was entitled. I believe that would be petty cash to the company.

I would like the Minister to ask the Treasurer to achieve justice for this woman as soon as possible.

The Hon. N. B. REID (Bendigo Province)—I raise with the Minister for Conservation, Forests and Lands a matter concerning officers of the Country Fire Authority who are called out to clean up chemical spillages on roadways. The former Minister for Conservation is well aware of this matter and there has been much correspondence on it between municipalities and the Country Fire Authority. The Municipal Association of Victoria has sought legislative indemnity for personnel of the authority.

The Hon. E. H. Walker—This matter should be directed to me as Minister for Planning and Environment.

The Hon. N. B. REID—In that case, I direct it to the Minister for Planning and Environment. As the Minister would be aware, the Municipal Association of Victoria has sought indemnity for officers of the authority who are called out to clean up chemical spillages.

The Minister for Police and Emergency Services recently responded and said that there is no need for legislation as it would be most unlikely that fire brigade personnel would be prosecuted. I seek from the Minister an assurance that the Government will introduce legislation to indemnify against legal liability members of the authority who act responsibly in cleaning up chemical spillages.

The Hon. R. J. LONG (Gippsland Province)—I raise a matter with the Leader of the House who will recall that, on 15 June this year, this House debated the Post-Secondary Education (Amendment) Bill, and he may recall that the Leader of the Opposition pressed him in relation to changes of regional boundaries in respect of TAFE boards. The honourable gentleman will recall having given an undertaking that no changes would occur without consultation, and that undertaking is recorded in page 2891 of *Hansard*.

There are currently two TAFE boards in Gippsland. I am now informed that the Minister of Education has unilaterally decided that TAFE boundaries will follow the education boundaries, and that will result in there being only one TAFE board in Gippsland. No consultation has occurred.

I ask the Leader of the House what he proposes to do in relation to the undertaking that he gave to the Leader of the Opposition that consultation would occur. Is this simply another phase in the Labor Party's objective of achieving anything at any price?

The Hon. M. J. SANDON (Chelsea Province)—I raise a matter with the Minister for Conservation, Forests and Lands. Honourable members will appreciate that I have a deep interest in Port Phillip Bay; in fact, on the day that I entered this Parliament I raised the question of dredging and its impact on the environment of the bay. I have maintained and pursued that interest.

I have had long, detailed discussions with amateur fishermen and dredge owners. Recently I went out to sea with dredge owners to have a first-hand examination of the impact of dredging on the bay.

Will the Minister consider extending the area in which dredging can take place which at present is 400 metres offshore? As a result of discussions I have had with all interested parties, they agree with self-regulation in the area up to ten metres depth. It would seem to me that, since the dredge owners and operators and the fishermen are prepared to accept that compromise it would be something for the Government to examine.

If one examines a map of Port Phillip Bay, one realizes that, if no dredging were allowed in the area less than ten metres depth, it would leave free the major fish

breeding grounds in the bay. This would please both the amateur fishermen and the dredge owners. Would the department give an undertaking that dredging will be disallowed in areas less than ten metres depth? Further can a scientific investigation be conducted into the long term impact of dredging in the bay?

The Hon. D. G. CROZIER (Western Province)—I raise a matter within the administrative purview of the Minister for Minerals and Energy relating specifically to the powers of the State Electricity Commission to require landowners to ensure that single wire earth return lines are kept free of interference by way of growing timber or, for that matter, standing timber. Last Friday, at the invitation of citizens of Dorodong in the Shire of Glenelg, the honourable member for Portland and I visited the area and were shown at first hand the matters of concern to citizens. Dorodong is one of the more remote towns in the province represented by Mr Chamberlain and me.

The Hon. D. R. White—Are these private lines?

The Hon. D. G. CROZIER—It is a single wire earth return line. These are both commission lines and not private lines. The problem is that a South Australian developer is presently engaged and has been engaged in some fairly extensive *pinus radiata* afforestation. The pine planting conducted by the entrepreneur appeared to us and to the residents to encroach upon the recognized commission easement in one case, and, in another case, the pine trees were planted directly under the line.

I have taken up the matter with the regional manager of the commission who informs me there is some dispute about the legality of the latter easement. Therefore, the powers of the commission in this case are somewhat circumscribed. There are two problems about which I request the Minister's advice: Firstly, the immediate problem posed by that particular legal uncertainty, which is all the more urgent because, in the opinion of local landowners, unless that particular easement is secured by the end of this summer period, some of the pine trees may reach the wires. That would be a totally unacceptable risk during the summer season. It poses a potential fire hazard as does the other easement where younger pine trees

are planted, in the opinion of Mr Mackellar and me, far too close to the commission easement.

The second problem concerns the exact powers of the commission in requiring landowners, where a single wire earth return traverses any land which is in timbered country or afforested country, in requiring those lines to be kept clear.

I suggest to the Minister that if, on further research, he considers the powers of the commission to be in need of strengthening, I would be confident he would have the assistance of the Opposition in any amendment he may consider to be appropriate.

The Hon. H. G. BAYLOR (Boronia Province)—I raise a matter for the attention of the Attorney-General concerning the Registration of Births Deaths and Marriages Act. The problem concerns a married couple where the wife has elected to use and maintain her maiden name. This couple has now had a child and they want to register the child's name in the joint names of the mother and the father. The couple has been told by the registrar that this will not be possible.

I read the Act and saw that it was not possible. The Act states that the father is the person in whose name the child should be registered. I suggest that, in this day and age of equity and equal opportunity, the Attorney-General might consider a situation where the wife's maiden name and the father's name could well be hyphenated or coupled together in some way to register their child's birth and use both surnames.

The Hon. ROBERT LAWSON (Higinbotham Province)—I raise for the attention of the Minister for Planning and Environment a matter concerning the Environment Protection Authority. The Minister will recall that I have spoken earlier on the subject of mussel farms at Beaumaris, and the mercury within the mussel farm system. A letter from the Mordialloc-Beaumaris Conservation League has drawn my attention to the Nautilus Street drain and the Mordialloc Creek. The letter states that there is a danger of mercury entering the bay from those two outlets. I urge the Minister to draw to the attention of the Environment Protection Authority the danger of mercury entering the food chain from these sources.

The Hon. W. R. BAXTER (North Eastern Province)—I draw a matter to the attention of the Leader of the House, representing the Minister of Education. I have received representations from a number of primary schools in the electorate I represent, particularly the Tallangatta Primary School. I visited the school yesterday and discovered that the school is concerned about the short deadline provided by the Education Department for the return of submissions, statistics and so on. The school is concerned that, when circulars are received, there is little time in which to prepare the information. The school appreciates the opportunity for consultation and values the courtesy being extended to it to enable it to have an input into the decision-making process. However, the school is concerned that the deadlines are such that they require the convening of a special meeting of the school councils.

This poses some difficulty in the more remote and mountainous parts of the electorate, particularly during the winter months. I suspect the fault lies, not with the initiators of the paperwork in the department in that when they decide to circularize schools and set a deadline, plenty of time is allowed, but that the process of preparing the circulars for distribution takes considerable time and the deadline is reduced.

I make it clear that the school is not complaining about its involvement, but believes that if it is to make a considered report and to involve the school community in the preparation of any report, more time ought to be given. I invite the Minister to draw the attention of his colleague to this problem. I have had precious little success in writing to the Minister on a number of issues. I suspect from the type of answers I have received from his Ministerial advisers, that the Minister seldom reads the letters I write.

The Hon. J. W. S. RADFORD (Bendigo Province)—I refer the Minister for Conservation, Forests and Lands to statements he made towards the end of 1982 about a citizens' representative from Daylesford being appointed to the Mineral Springs Advisory Committee. The Minister wrote to several Daylesford district organisations seeking nominations and several names were supplied for consideration. Will the Minister

advise whether a decision has been made on the citizens, representative to be appointed to that committee?

Further, I would appreciate being advised when the appointment will be announced. I would like the honourable gentleman to confirm whether as reported in the *Ballarat Courier* of 6 September 1983 the Shire of Daylesford will be directed or authorized to sign leases without first being consulted regarding a lease for the Bath House at Hepburn.

The Hon. G. P. CONNARD (Higinbotham Province)—I direct my remarks to the Minister for Minerals and Energy as the representative of the Treasurer in this House. I refer to subsidies to regional libraries. The honourable gentleman will be aware that these subsidies finance the dealings of the regional libraries and their staff salary commitments. In the last financial year, the subsidies have been paid to libraries quarterly instead of annually. I have received communications from several libraries on this change.

The Mordialloc-Chelsea regional Library states that the first quarter payment scheduled for 1 October 1982 was not received until 24 December 1982 and the following two payments on 24 January 1983 and 4 May 1983 and that the third quarter due in July has not been received. This poses a serious problem for the financing of regional libraries.

Accordingly, I request the honourable gentleman to ask the Treasurer what he will do about the fact that municipal libraries are receiving quarterly subsidies up to five weeks late and whether he expects these libraries to obtain overdrafts to finance their activities.

Further, I would like the honourable gentleman to ask the Treasurer what extra consideration will be made to the libraries now that they have lost the interest previously payable on the Government's annual grants.

The Hon. H. R. WARD (South Eastern Province)—I refer the Minister of Agriculture to an article in today's *Age* entitled, "Bumper wheat outlook marred by price gloom." The article deals with the expected bumper crop of from 18 million to 19 million tonnes of wheat following one year of drought and one year of excessive rainfall

and with the important matter of the world grain fight that is likely to occur because of the over-supply of the United States of America and the northern hemisphere generally. Further, the wheat industry is likely to experience problems of wheat diseases and insect and weather damage caused by the excessive rainfall.

I ask the Minister of Agriculture to inform the House whether these problems are under proper surveillance in the interests of wheat growers and whether he has had discussions with the Chairman of the Australian Wheat Board and his Federal counterpart on these problems.

The Hon. E. H. WALKER (Minister for Planning and Environment)—Mr Reid referred to a matter for the Environment Protection Authority, which is now under the jurisdiction of the Ministry for Planning and Environment as a result of the redistribution of Ministerial functions. The matter deals with the local indemnity of spoilage and clean-up after fires. This matter has concerned volunteers of the Country Fire Authority. I have written many letters to local members of Parliament and to the authority.

My advice from the Environment Protection Authority legal advisers is that it is preferable not to offer a direct indemnity for Country Fire Authority volunteers but to say to them clearly that they have the assurance of the Government that neither the Country Fire Authority nor its members will be prosecuted on the matter of clean-up after fire. I know that it appears more simple to offer indemnity but my advice is that it is not the best way and that it is better to offer an assurance, which I have done. Perhaps Mr Reid has received a letter of that kind.

The Hon. N. B. Reid—No, I have not.

The Hon. E. H. WALKER—Many honourable members have. That is the legal advice that I have and, if the honourable member wishes, I shall provide more information on the matter because I know that it is of concern.

Mr Long referred to a statement that I made during debate on the Post-Secondary Education Bill earlier this year and I agree that I did make the comment that no

changes would occur on Technical and Further Education boundaries without consultation. I did so on advice of the Minister of Education and those were the words I was directed to use on boundary changes. I offer the honourable member the assurance that I shall take the matter up with the Minister of Education because it is my understanding that he intended that there should be consultation. I shall have an answer prepared for Mr Long. I do not disagree with the statement that he made.

Mr Lawson asked about mussel farms in the province that he represents. He is really referring to the prospect of heavy metal pollution that could occur from the Nautilus Street drain or the Mordialloc Creek. It is a genuine concern. In the past, I have been concerned particularly about the Mordialloc Creek because on occasions there have been measures of cadmium and other heavy metals at the mouth of the creek. The honourable member is concerned that mussel farming will be affected. I shall ask the Environment Protection Authority to respond to the question before giving the honourable member an answer.

Mr Baxter referred to time for consultation and to concern he has had with schools in the province that he represents and he suggested that I ask a question directly of the Minister of Education. I cannot promise that in the first instance. I know that officers of the Education Department scan *Hansard* closely so, rather than respond directly to Mr Baxter, I give my assurance that I shall follow the matter up if he does not obtain a response in any other way. I do not want to make an immediate offer of direct communication with any Minister because life is too short as it is and I do not think I can carry that promise through.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—Mrs Dixon spoke of the case of Brenda Harrison relating to the fire at Cockatoo and the damage done to her property. The cause of concern to her mind was that she had not fully recovered the amount of insurance entitlement. I shall take that matter up with the Treasurer and, if it is relevant, with the Attorney-General.

Mr Crozier referred to the powers of the State Electricity Commission to require electricity lines to be cleared country-wide generally and specifically in the case of the Shire of Glenelg and the development of a

pine plantation which is close to an electricity easement and what can be done to secure the easement. I shall take that matter up specifically with the State Electricity Commission tomorrow.

On the general proposition of what can be done to reduce fire hazards throughout the country and whether the State Electricity Commission has adequate powers to deal with private lines and to secure its own lines, it is clear, as I am sure the honourable member appreciates, that there is some ambiguity in that matter.

Despite the difficulties in drafting proposed legislation, the Government expects to introduce a Bill during this session of Parliament on this matter. On behalf of the Government, I express gratitude for the remark that the Opposition would take steps to deal with the matter expeditiously, sharing the mutual concern of the community to reduce the prospect of fire hazards this summer as a result of trees being close to or touching on electricity lines.

Mr Connard referred to library subsidies for regional libraries and the payment of quarterly subsidies allegedly being five weeks late. I shall take up that matter with the Treasurer and provide the honourable member with an answer in due course.

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—In reply to the matter raised by Mr Chamberlain about the occupation of properties along the Glenelg River, I am sure he is aware that what is occurring on the Glenelg River is not unique. All over the State there are these illegal occupancies of Crown land, whether it be along the Glenelg River, Cape Conran, Gippsland, in the high country, or the Murray River, and also along the foreshores of Port Phillip Bay—I refer to boat sheds and bathing boxes. It was the intention of Mr Chamberlain's Government to ensure that these occupancies were removed. A decision was made recently by the Land Conservation Council, and they were given fifteen years to remove these occupancies. That time is about to expire, and there is concern that the hour has come.

It is the Government's intention to remove over a period all these occupancies that are illegal, unless they can be proved to be of historical or public value, where they may in some instances be left, but only in

very special circumstances. A working party has already investigated the huts on Crown land. I will send Mr Chamberlain a copy of that working party's report and I will be interested to hear his comments.

So far as receiving a deputation from the people there, despite what Mr Dunn seems to think, Ministers of this Government are not frightened to discuss these contentious matters with members of the rural community. Mr Dunn is also well aware that, with Parliamentary sittings, it is not always possible to meet with people.

I can assure Mr Chamberlain that I will be happy to receive a deputation. I will be going down to Portland to open the yacht racing later this year and I will see if I can take the opportunity of looking at the huts first hand.

Mr Sandon raised a matter in regard to mussel dredging. I am aware of his keen interest in Port Phillip Bay—he showed my colleague, Mr Walker, the bottom of the bay some time ago—and also his concern about the effect of dredging. The view put forward by him through the fishermen, and the other people with whom he has had discussions, is confirmed by officers of my department. A feasible way of regulating this activity would be by placing a 10 metre depth criterion upon it. I will give that serious consideration.

Regarding the need for more scientific investigation on the effect of dredging on the floor of the bay, within the confines of the budgetary constraints which are upon us I will endeavour to do as much as I can in that area because it is of concern to a great many Victorians.

Mr Radford raised two matters, one related to the appointment of a citizen representative on the Mineral Springs Advisory Committee. After serious consideration, and looking at a large number of names from various organizations, a decision was made last week. Mr Radford must realize that I have to appoint something like 4000 committees of management. I will not mention the gentleman's name I have in mind in case it happens to be the wrong one, but a decision has been made. The gentleman has been notified and I will give Mr Radford the name tomorrow.

With regard to my giving directions to the Shire of Daylesford and Glenlyon to make a lease available to the proprietor of the boat house in that area, Mr Radford ought to realize that I did not instruct the shire as such. I instructed the shire as a committee of management. A committee of management is appointed by me and from time to time I have to direct committees of management to carry out certain activities. It is within the realms of my portfolio to do so. In this case the matter was urgent and I issued directions to that shire to carry out certain instructions, so what the honourable member says is correct.

The Hon. D. E. KENT (Minister of Agriculture)—Mr Dunn asked me whether I was aware of a meeting of 400 grain growers which took place at Warracknabeal today under the chairmanship of my nephew. I might mention that I received no invitation to be present, and judging by the intemperate nature of the remarks of Mr Dunn, it would have served no purpose to be present, because if it is any reflection of the tone of the meeting, it reflects no credit on those who were present. The matter that he raised is the subject of a notice of motion tomorrow, and if Mr Dunn is prepared to present it in an appropriate way, he will get appropriate answers.

Mr Ward raised the subject of wheat. There could still be a bumper wheat crop, there has been some expectations that the price may not be as high as would have been expected earlier. On the other hand, the recent reports of drought in the United States of America have improved the prospects. I had discussions this evening with Mr Max Moore-Wilton, the General Manager of the Australian Wheat Board, and he

is very confident about the marketing prospects, although he believes, because of recent events, it may be some time before Russia is a substantial buyer.

So far as the problem of crop production affected by disease, particularly strike rust, I was in conversation with the sales manager of Bayer Australia Ltd last Friday evening, and he assured me that they were obtaining as rapidly as possible sufficient supplies of chemicals to deal with most of the crops in Victoria. He further assured me that as soon as it arrived it would be out on the properties the next day.

Disease in crops is the responsibility of the Department of Agriculture in Victoria, and I can assure Mr Ward that every attention is being given to it on a daily basis. Mr Dunn should be well aware of the attention that this Government is paying to the wheat growers. Every day there have been meetings of large numbers of wheat growers, who would be only too happy to be the recipients of the advice and the assistance provided by this Government through the Department of Agriculture.

The Hon. J. H. KENNAN (Attorney-General)—The property and services matter to which Mrs Baylor relates is more appropriately addressed to the Minister for Conservation, Forests and Lands, but I am happy to answer it. I share Mrs Baylor's concern about this issue, as does the Government. It has been a matter of discussion within the Government for some months, and I will take up the matter with the Minister for Property and Services and provide Mrs Baylor with more details at a later time.

The motion was agreed to.

The House adjourned at 10.49 p.m.

QUESTIONS ON NOTICE

TEACHERS' SALARIES

(Question No. 124)

The Hon. B. A. CHAMBERLAIN (Western Province) asked the Minister for Planning and Environment, for the Minister of Education:

(a) What is the cost to the State budget in a full year of increases in teachers' salaries since 3 April 1982?

(b) What is the estimated cost in a full year of increases currently being sought by Victorian teacher unions?

(c) Will teacher salary increases affect the Government's ability to provide funds for school maintenance and furniture and equipment?

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

(a), (b) and (c) The estimated cost in full year of the 4.9 per cent salary award effective 28 August 1982 was \$54 516 810 with cost this financial year assessed as \$45 693 950.

The salary costs associated with these awards are mutually exclusive from any funds provided for the maintenance of school furniture and equipment and therefore do not effect any allocations in that area.

The Hon. B. A. CHAMBERLAIN (Western Province)—The answer is patently wrong. In the question, I asked: What is the cost to the State Budget in a full year of increases in teachers' salaries since 3 April 1982. The figure given in the answer was some \$45 million. I understand three separate increases were made—after I made inquiries through the Treasury—and the annual increased cost of teachers salaries as a result of those increases is \$225 million per annum. Could the Minister check the answer to that question?

The Hon. E. H. WALKER (Minister for Planning and Environment)—I will be

happy to have the matter checked with the Minister to whom the question was addressed and the person who provided the response.

GOVERNMENT SECONDARY SCHOOLS IN HIGINBOTHAM PROVINCE

(Question No. 190)

The Hon. G. P. CONNARD (Higinbotham Province) asked the Minister for Planning and Environment, for the Minister of Education:

In respect of each Government secondary school within Higinbotham Province—(i) what was the 1982 enrolment; (ii) what is the 1982 staffing schedule entitlement; (iii) what is the 1982 special needs component; (iv) what is the anticipated 1983 enrolment; (v) what is the new 1983 staffing schedule entitlement; and (vi) what is the 1983 special needs component?

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

The Minister of Education advised the honourable member by letter dated 25 July 1983 as follows:

	1982 Confirmed enrolment	1982 Staffing entitlement	1982 Special Needs component	1982 Staffing establishment
High school				
Beaumaris	299	26.9	0.5	27.4
Bentleigh	424	34.2	2.3	36.5
Brighton	715	49.1	1.6	50.7
Cheltenham	607	43.0	3.1	46.1
Hampton	437	33.6	1.9	35.5
Highbett	313	27.6	2.8	30.4
Mentone Girls	795	54.0	2.6	56.6
Moorabbin	278	26.4	1.6	28.0
Beaumaris	398	31.4	0.4	31.8
Bentleigh	428	33.1	1.7	34.8
Brighton	729	49.8	3.1	52.9
Cheltenham	630	44.3	3.2	47.5
Hampton	452	34.4	2.7	37.1

	1982 Confirmed enrolment	1982 Staffing entitlement	1982 Special Needs component	1982 Staffing establishment
High school				
Highett	333	27.8	2.5	30.3
Mentone Girls	811	54.4	4.6	59.0
Moorabbin	251	23.7	1.1	24.8

TEACHER ON DRUG CHARGES

(Question No. 243)

The Hon. R. J. LONG (Gippsland Province) asked the Minister for Planning and Environment, for the Minister of Education:

(a) Was a teacher by the name of Mr John Mark Mackay Wood-Ingram on the staff of Mallacoota Consolidated School during 1982 and was he, during that year, convicted of an offence involving drugs?

(b) On what date was Mr Wood-Ingram transferred to Bairnsdale High School, and what was the reason for such transfer?

(c) Is Mr Wood-Ingram at present on leave; if so—(i) when did he apply for such leave, and what reasons were advanced in support of his application; (ii) what is the nature of such leave; and (iii) was the leave application handled by the Minister of Education; if not by what other officer or officers was it granted?

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

The Minister of Education advised the honourable member by letter dated 2 August 1983 as follows:

(a) Mr Wood-Ingram was a teacher on the staff of Mallacoota Consolidated School during 1982 and during that year he was convicted of an offence involving the use and possession of marijuana.

(b) Mr Wood-Ingram was transferred from Mallacoota Consolidated School to Bairnsdale High School from 29 November 1982 on the instructions of the Director-General of Education.

(c) Mr Wood-Ingram is at present on leave from the Education Department: (i) his application for leave was dated 21 January 1983 and he sought leave without pay for the 1983 school year to study for a Graduate Diploma of Drama in Education at the Melbourne State College; (ii) he was granted leave without pay for the 1983 school year to undertake tertiary study; and (iii) the leave application was granted by the Acting Assistant Director of Secondary Education (Personnel) in accordance with normal procedures.

PUBLICATIONS PRODUCED BY MINISTRY FOR ECONOMIC DEVELOPMENT

(Question No. 277)

The Hon. G. P. CONNARD (Higinbotham Province) asked the Minister for Minerals and Energy, for the Minister for Economic Development:

(a) How many publications are produced by the Ministry for Economic Development, and at whom are they aimed?

(b) What are the names of the publications distributed, and what cost is involved?

The Hon. D. R. WHITE (Minister for Minerals and Energy)—The answer supplied by the Minister for Economic Development is:

Publication (monthly):

Link: An eight-page 'new technology' journal which transfers information relating to Government assistance, support agencies, available finance, scientific support for industry, industry's requirements, and business information.

Readership: A mailing list of approximately 5000, most of which are direct requests from industry, science, finance, engineering, accountancy, government departments, instrumentalities, politicians, support agencies, tertiary institutions, consultants, patent attorneys, quantity surveyors and educationalists.

Cost: Printing; 30 cents per copy, Distribution; 40 cents per copy.

Publication: (Irregular—approximately four times annually):

Business Bulletin: A six-page newsletter containing information of use to business; activities of government which relate to the economic development of the State; examples of industrial, commercial and other successes.

Readership: Business, Government. Circulation 4000.

Cost: Printing; 30 cents per copy, Distribution; 30 cents per copy.

Production: Suspended for 1983-84.

Annual Report: 1981-82. 100 copies produced for Cabinet, Government departments, libraries and made available to others on request.

Cost: \$2.50 each

Investment Facilitation Pamphlet: 2000 copies for potential investors and developers.

Cost: 98 cents each

Several reports were printed in small quantities.

Wednesday, 21 September 1983

The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 10.38 a.m. and read the prayer.

PERSONAL EXPLANATION

The Hon. E. H. WALKER (Minister for Planning and Environment)—I desire to make a personal explanation. Last evening, when the second-reading debate on the Local Government (Qualification of Councillors) Bill went to a division, a situation arose in which I apparently rejected the long-standing and important pairs principle of this House. What occurred was the result of a misunderstanding on my part. I thought the Leader of the Opposition in this place had at least 2 hours notice of my intention to require all members of the Government to vote on that issue. I now know that was not the case, and I assure the House that I have no intention of breaking the pairs principle, either now or in the future. I have discussed the matter with the Leader of the Opposition and he understands my position. We have arrived at a satisfactory resolution to the matter.

At the earliest opportunity, I will assure Mr Guest and Mr Bubb that no insult or break of good faith was ever intended, and I shall make that apology to them personally.

QUESTIONS WITHOUT NOTICE

ACTS OF PARLIAMENT

The Hon. A. J. HUNT (South Eastern Province)—I ask the Attorney-General whether it would be practicable within the next fourteen days for him to ascertain and advise me of the number of Acts of Parliament and regulations currently in force in this State.

The Hon. J. H. KENNAN (Attorney-General)—I undertake to do that.

MEAT INSPECTION SERVICES

The Hon. B. P. DUNN (North Western Province)—Will the Minister of Agriculture inform the House of the current state of negotiations regarding the development

of meat inspection services in Victoria towards a single meat inspection service; what effect will that have on meat inspection costs, and is there any truth in the fear that a number of abattoirs in Victoria will be forced to close in the near future as a result of changes to meat inspection services and the costs that will flow on to the abattoirs?

The Hon. D. E. KENT (Minister of Agriculture)—Last week, the Prime Minister wrote to the Premier, indicating the Federal Government's willingness to enter into negotiations for the transfer of meat inspection services to a single inspection authority under the Department of Primary Industry. An inter-Government committee is working on bringing about a smooth transfer of meat inspection services. It will probably be completed in approximately nine months. As Mr Dunn is aware, inspection costs have risen in common with other costs. It is not likely that any reduction in abattoirs in Victoria will occur, and any reduction will not be the result of a single meat inspection authority. A huge surplus of abattoir numbers exists in Victoria and, inevitably, some closures will occur because of the inability to maintain standards. It is not a matter related to the transfer of meat inspection services.

BOARD OF WORKS RESTRUCTURE

The Hon. B. W. MIER (Waverley Province)—The Ministry for Planning and Environment will recall that Mr John Mant has prepared a report entitled, "Options for Restructure of the Melbourne and Metropolitan Board of Works" at the request of the Cabinet sub-committee, of which the Minister is chairman. I understand that submissions have been received. Will the Minister advise the House what processes are to be used to arrive at a decision?

The Hon. E. H. WALKER (Minister for Planning and Environment)—Honourable members will be aware that the Mant report recommended three options for the Government to consider. The basic options are: Firstly, to leave the board as it is; secondly, to create a metropolitan authority responsible to the Melbourne electorate, with additional existing State Government functions; and, thirdly, to abolish the board and distribute its functions to State and local

government. Four models were suggested for that option.

Numerous worth-while suggestions have been received from a wide range of people and groups. I compliment the Municipal Association of Victoria, which has taken the matter seriously. It has completed four regional seminars on this issue, and it will make a detailed submission shortly. In order to accommodate the work of the association, the Government has extended the deadline for the receipt of submissions until 30 September.

The Cabinet sub-committee, which is considering the matter, has set up an analysis group to examine the submissions and report to the Government. The analysis group includes the four Ministers involved—the Minister of Transport, the Minister of Water Supply, the Minister for Local Government and myself—a representative of the Municipal Association of Victoria and the four authors of the report. The Government is approaching the matter with an open mind; it does not have a pre-determined decision on this matter, and it will take into account all submissions made to it.

GRANTING OF IMMUNITY TO CROWN WITNESS

The Hon. HADDON STOREY (East Yarra Province)—I refer the Attorney-General to a question without notice asked last week by Mr Landeryou whether the Attorney-General would take steps to give effect to the Government's undertakings in regard to the prosecution of all people concerned with the "Gallagher affair", in which the Attorney-General invited Mr Landeryou to give him details so that he could follow up the matter.

Will the Attorney-General now advise the House whether he has followed up that matter and what steps, if any, he will take to give effect to the Government's undertaking?

The Hon. J. H. KENNAN (Attorney-General)—I have received a report on the matter from the Director of Public Prosecutions. In relation to Mr Landeryou's question, the Ministerial statement indicated that both the givers and the receivers would be subject to legal sanction. As the House would know, a number of givers have

been dealt with and convicted, and charges have been brought against two alleged receivers.

The matter Mr Landeryou raised related to the authorization of the indemnity. The answer is that the Director of Public Prosecutions signed the indemnity, which I have sighted. The proceedings are now under the control of the Director of Public Prosecutions in pursuance of his functions under the Act, and he is carrying out his functions in the normal way. I think it inappropriate for me to comment further as the proceedings are continuing this week in the Magistrates Court.

SALE OF DARTMOUTH TOWNSHIP

The Hon. W. R. BAXTER (North Eastern Province)—Will the Minister of Water Supply outline the current situation concerning the sale of Dartmouth township? Is it a fact that the River Murray Commission had incorporated the anticipated proceeds of such a sale in its budgetary plan for the current financial year but that the sale is now at risk because of interference in the terms and conditions of the sale by an unrepresentative caucus committee?

The Hon. D. R. WHITE (Minister of Water Supply)—I understand that there were two prospective tenderers but, unfortunately, one party to the tender process has died so that there is now one party to that process. I am not aware whether the River Murray Commission had planned to absorb the potential receipts from the sale into its annual accounts for either the financial year ended 30 June 1983 or the financial year ending 30 June 1984. At the moment, discussions on the matter are occurring between the State Rivers and Water Supply Commission and the prospective tenderer.

HUTS ON CROWN LAND

The Hon. C. J. HOGG (Melbourne North Province)—Will the Minister for Conservation, Forests and Lands advise the House concerning huts on Crown land?

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—The situation was mentioned in passing during the debate on the motion for the adjournment of the sitting last night. As honourable members are aware, a large number of huts

are established on Crown land—I refer particularly to those that were established without permits or occupancy rights, such as cattlemen's huts—and are licensed for private use.

The Government is concerned that some of these huts are now being used commercially and is acting to control the proliferation of illegal huts. A common approach is necessary. In the past, the various land managers have treated the situation quite differently, and changes in land tenure following recommendations by the Land Conservation Council have added to the problem. In many cases, the owners of the huts no longer use or maintain them.

The Government established a working party comprised of representatives of the land management agencies and the environment assessment sections of the Ministry for Planning and Environment. That working party held a series of discussions, received submissions from interested parties and also had a public meeting where interested persons could voice their opinions.

The report of the working party was released last week and copies are available from the Forests Commission. The main recommendations were, firstly, that public lands and the facilities on them should, so far as possible, be available to the whole community; secondly, that sites of historic and cultural value should be protected; thirdly, that each agency should review the condition and tenure arrangements of huts on land under its control; and, fourthly, that illegal huts should be removed. The recommendations are under consideration and I commend the report to honourable members.

SUPREME COURT JUDGES

The Hon. B. A. CHAMBERLAIN (Western Province)—Will the Attorney-General advise how many additional Supreme Court judges will be released to the Melbourne civil list for the balance of this year as the result of the Government's decision to cut out the country circuits of the Supreme Court?

The Hon. J. H. KENNAN (Attorney-General)—The answer is hard to calculate. Part of the reason for the lack of civil lists in the country areas is due to the increase in

crime. For instance, in Bendigo the November circuit will be wholly taken up with a criminal trial. An arrangement has been made by the Chief Justice in relation to circuits next year which will result in between one and two additional Supreme Court judges being available in the city.

Mr Reid might be interested to know that I received a deputation concerning Bendigo circuits led by Mr David Kennedy, the honourable member for Bendigo in another place, who has been extremely diligent in this matter. Honourable members may know that the Government has under consideration the expansion of the County Court jurisdiction. As I have indicated to the House previously, I will monitor the effect of that change should it come about and other changes that are under examination, including the work of the civil justices committee, before making a final decision on the total number of judges and the circuits for next year. I can assure the House that the arrangements have some flexibility. They are not necessarily permanent arrangements and I will monitor the distribution of the work load between the city and the country areas and the County and the Supreme courts over the next six months.

ALPINE RESORTS

The Hon. D. M. EVANS (North Eastern Province)—I refer the Minister for Conservation, Forests and Lands to the development of the alpine areas and the availability of ski resorts and the sport of skiing to the general population which, I understand, is Government policy. Because of the lack of ability of current ski resorts to cater for the increasing demand and the importance of transport into the ski resorts to cater for existing and future demand for ski resorts, will the Government carefully examine projects such as that proposed at Mount Smythe Pty. Ltd. for an underground railway to service Mount Loch, Mount Feather-top and Mount Hotham as an alternative to the current transport system?

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—The Government is very much aware of the problems associated with alpine resorts. As the honourable member is aware, Parliament currently has proposed legislation before it to establish an Alpine Resorts

Commission which I hope will be able to bring about more control in the area, as well as provide the expertise for proper management, and address some of the important problems, especially the transportation of people to and from the mountains.

I have seen the submission concerning the Smythe underground railway from Harrietteville which I believe converts to a gondola type apparatus. The honourable member can rest assured that the Government is concerned about transport problems.

This year the ski resorts saw a marked difference in the methods of transportation. Fewer cars have visited the mountain, despite the increase in demand, particularly at Mt Buller. This year, more buses were used and people are turning more to that type of transportation to travel up the mountain. I assure the honourable member that the Government will seriously consider the matter.

ENERGY PROGRAMMES

The Hon. L. A. McARTHUR (Nunawading Province)—Will the Minister for Minerals and Energy inform the House of any recent or further step he has taken to co-ordinate energy programmes in Victoria?

The Hon. D. R. WHITE (Minister for Minerals and Energy)—As honourable members will appreciate, despite the calls of Mr Block and others for evidence of some economic strategy and plans in Victoria, when the Labor Party came to office in April last year, the cupboard was bare. There was no evidence of any considered strategy in any of the major economic portfolios.

As a result of the absence of any considered energy policy during 27 years, the Labor Party Government has developed a considered approach and a number of initiatives have been taken. The number of specific initiatives is varied and includes the establishment of the Home Energy Advisory Service to co-ordinate energy advertising among the energy utilities, the transfer of the Energy Information Centre from the Gas and Fuel Corporation to the Department of Minerals and Energy and the participation of the energy authorities in the preparation of the Government's energy plan, which I

am sure will interest Mr Block and Mr Hayward, among others, who will note that similar initiatives are occurring in a number of portfolios where initiatives were previously absent. Attempts are being made to co-ordinate those efforts.

In that regard, the Government has taken steps also to establish a Victorian Energy Development Committee. In that context, I take the opportunity of paying tribute to the work of Mr Kevin Doyle of the Gas and Fuel Corporation not only for the development of that programme, which has been responsible for the Home Energy Advisory Service, the Energy Information Centre and, subsequently, the Energy Sales Centre programme to be presented later in the year, but also for his exceptional marketing flair and his contribution to the corporation over a number of years which, more recently, has been of benefit to the Government's policies.

CORPORATE AFFAIRS OFFICE

The Hon. M. A. BIRRELL (East Yarra Province)—As the 1982-83 State Budget provided for the appointment of 81 additional staff for the Corporate Affairs Office, I ask the Attorney-General how many additional staff have been appointed since last year's Budget was announced?

The Hon. J. H. KENNAN (Attorney-General)—I shall ascertain details of that and advise the honourable member in due course.

SOLAR ENERGY

The Hon. B. T. PULLEN (Melbourne Province)—Given the Labor Party's strong commitment to the development of renewable energy resources, will the Minister for Minerals and Energy state what steps have been taken by the Government to develop solar energy industries in the State?

The Hon. D. R. WHITE (Minister for Minerals and Energy)—I am pleased to announce that solar energy industries now have preferred industry status under the guidelines of the Victorian Economic Development Corporation following discussions between the Department of Minerals and Energy and the Ministry for Economic Development. The solar industry is seen to benefit the community substantially with its employment generating prospects, which I am sure all honourable

members will appreciate, and particularly those honourable members north of the Great Dividing Range.

The growth of solar industries offers capital opportunities, industrial wealth and export potential to ASEAN countries. Recently, the Government completed a market survey on public attitudes towards solar energy and its prospects. The Government sponsored six Victorian solar companies to participate in the International Solar Energy congress in Perth and initiated a national study to review solar testing and labelling requirements. It is conducting a number of policy studies in given areas of importance, including the identification of markets and of assistance to the solar industry. It is also funding prospective commercial activities being undertaken by a number of companies and it is hoped that, as a result of the sponsorship, a number of new products will emerge on the market in Victoria.

It must be noted that at present only 1 per cent of energy consumption is for renewable energy sources and the potential is far greater in Victoria, given that in Western Australia 20 per cent of the new household formation uses some form of renewable energy source and similar figures are beginning to emerge in the Northern Territory. Our Tariff levels are much lower in Victoria, but there is nevertheless potential for greater commercial and domestic penetration for these products. The Government is anxious, with the co-operation of the Economic Development corporation, to assist that industry to develop in Victoria.

COURT ACCOMMODATION

The Hon. N. B. REID (Bendigo Province)—I ask the Attorney-General what is the state of the current negotiations with the Commonwealth for the use of a jury court in the Federal Court building and also how this will help to reduce the delays in the Supreme Court civil list if no extra judges are appointed.

The Hon. J. H. KENNAN (Attorney-General)—The state of negotiations with the Federal Government is that we are negotiating.

An Honourable Member—Mr White has taught you very well.

The Hon. J. H. KENNAN—I am glad of the interjection because the question gets

worse from the point of view of members of the Opposition. The short answer is that we are not in urgent need of that building in the next few months, because the Government has taken possession of 741 Little Bourke Street—Higgins House, as it is now called—and there will be four extra courts there. That accommodation will provide for up to an additional three County Court judges, should they be required. Honourable members will be aware that the Government has honoured its election promise to appoint two extra County Court judges, which it has done since April last year. In a short period, we will have accommodation for an extra three County Court judges. The Chief Justice of the Supreme Court advises me that there is accommodation within the Supreme Court for one extra judge.

So far as the accommodation problem is concerned, by the end of this year we will have accommodation, if necessary, for an extra three County Court judges, which would give us up to fourteen criminal jury courts.

Mr Storey would be aware of the evidence given by Chief Judge Waldron to the Legal and Constitutional Committee as to the aims of the Government in relation to setting up the fourteen criminal jury courts at any one time, which would help to further decrease the backlog, into which we have already made substantial inroads.

In relation to the Federal Court building, it is a disgrace that during 27 years of government the previous Government took no action to try to get those premises back. This Government has initiated action to try to recover those premises to which it is entitled. The previous Government had peppercorn rent paid in respect of that building, which was a disgrace. That is another example of a waste of public moneys and we are now taking steps to try to recover that building.

Mr President, this was the fifth Dorothy Dix question to me in a row from the Opposition. It must be a record for the Opposition. In relation to the question that was asked by Mr Reid, the Commonwealth does need, and has said, that it requires some time to make arrangements for alternative accommodation for the courts that it is presently using and I hope we will reach an amicable settlement in the next few months

in relation to the needs of both the State courts and the Federal courts.

PARLIAMENT AND THE EXECUTIVE

The Hon. A. J. HUNT (South Eastern Province)—By arrangement with the Leader of the House and the Leader of the National Party, by leave, I move:

That there be laid before this House and incorporated in *Hansard*, a copy of each of the following documents:

- (i) Statement on "Relations between Parliament and Executive" prepared and circulated by the Hon. A. J. Hunt for consideration;
- (ii) letter from the Hon. A. J. Hunt to the Premier dated 15 September 1983 in connection therewith; and
- (iii) letter from the Hon. A. J. Hunt to the Solicitor-General of the same date also in relation thereto.

The motion was agreed to.

The Hon. A. J. HUNT (South Eastern Province) presented the documents in compliance with the foregoing order.

It was ordered that they may be laid on the table.

The documents were as follows:

RELATIONS BETWEEN PARLIAMENT AND EXECUTIVE

There is no doctrine of separation of powers in the Westminster system. The Prime Minister or the Premier of the day holds his office by reason of the fact that he can command a majority in the Lower House of the Parliament and retains that right only whilst he can command that majority. His ability to act with authority in executive matters derives solely from the fact that he is backed by the Parliament and the same holds equally true of his Cabinet and Ministers.

The Government as a whole holds office at the will of Parliament and is accountable and responsible to it.

In the American system the position is entirely different. There is a separation of powers between the executive and the legislature: the chief executive, whether President or Governor, is not directly responsible to the legislature: because of the different constitutional framework and the division of powers, it at times becomes necessary for the legislature on the one hand, or the chief executive on the other to assert and seek to maintain their separate and respective powers when it is thought that the other is improperly intruding. To assist to safeguard the separate powers of the executive, in a way which does not arise in the Westminster system, the doctrine of "Executive Privilege" was developed: This doctrine has however no place in relations between the Parliament and the executive in the Westminster tradition.

Westminster parliaments have however long since recognized that the vitality and long-term maintenance

of both the parliamentary system and of cabinet government are inextricably intertwined, and conventions have been developed for their mutual protection. The executive for example recognizes its responsibility and accountability to Parliament and must not seek to set itself above it! The Parliament in return recognizes that the conditions necessary to enable the successful working of cabinet government must be respected by the Parliament, and presiding officers have always been alert to prevent intrusions which would improperly undermine the ability of the executive government to act with confidence and authority.

It is therefore well recognized that:—

(a) the deliberations in Cabinet must remain confidential;

(b) for the same reasons, Cabinet papers remain confidential unless released by the Government of the day—or after a Government has gone out of office—with the authority of the person who was Prime Minister or Premier at the relevant time;

(c) the Parliament cannot require or seek production of advice (as distinct from information) tendered by the Department to its Minister. The principle is that the Minister must take responsibility for his own decisions, which must stand or fall on their intrinsic merits. He cannot seek to divert criticism to officers upon the ground that he acted upon departmental advice; nor should he attract criticism simply upon the ground that he exercised a political judgment to depart from that advice;

(d) on the same principles, oral advice by officers to the Minister is confidential;

(e) factual information may be required from departments and officers but they should not be asked about their views on government policy;

(f) information supplied to Government on a confidential basis should remain confidential, except with the consent of the party who supplied it. This principle is now however modified for Victoria by the operation of sections 34 and 35 of the Freedom of Information Act;

(g) Parliament may not intrude where this might jeopardize security.

Other cases arise from time to time and these are judged in the light of precedent and overriding public interest. In making that judgment, the presiding officer bears in mind the delicate balance which must always be maintained between protection of the Executive against unreasonable intrusion and insistence upon Ministerial accountability to Parliament. These principles which have been developed by Parliament and its presiding officers over a long period apply with equal force to each House, and to committees of the Parliament and of each House.

In the light of the foregoing, no issue of "Executive Privilege" arises, or can arise between a Minister or his officers on the one hand and the Parliament or its committees on the other. Questions of confidentiality may and do however arise and these are settled in

accordance with the principles already referred to—and to mutual satisfaction in almost every case. Where a difference however arises as a result of which an officer faces a *bona fide* conflict between his obligation to answer frankly on the one hand or to maintain confidentiality on the other, opportunity will normally be afforded to the officer to take appropriate advice.

The question of the “privilege” which may be claimed by government in a court of law is a quite separate issue, even though this may be granted upon grounds which will often be similar to those upon which Parliament recognizes the need to maintain confidentiality. It is noted that because of the use of American precedents in argument in cases before the courts, the concept of “Executive Privilege” has sometimes been referred to in court judgments. Those court judgments do not however govern relations between Parliament and Government but rather between the Executive and litigants.

15th September 1983.

The Hon. John Cain, M.P.,
Premier of Victoria,
1 Treasury Place,
MELBOURNE, 3002

Dear Mr Premier,

re: Relations Between Parliament and Executive

In reference to your letter of the 7 inst., to the President of the Legislative Council, I enclose copy of letter of even date to the Solicitor-General and of statement referred to therein.

The issues raised are of vital long-term importance and I would appreciate your personal consideration before Wednesday next. You will see from the correspondence that it is not my desire that the matter should be dealt with in the Legislative Council on a partisan basis.

Yours sincerely,

A. J. HUNT
Leader of the Opposition (Council)

Enc.

15 September 1983

Mr H. C. Berkeley, Q.C.,
Solicitor General,
221 Queen Street,
MELBOURNE, 3000

Dear Mr Berkeley,

I read with interest the letter which you prepared for the Premier on relations between Parliament and the executive and the limitations which should apply to questions asked by Parliamentary Committees of departmental officers.

I appreciate that the material in the letter draws heavily on Sankey and acknowledge that it could be regarded as a general set of ground rules for public servants and Ministers called upon to give evidence

arising out of their official duties in courts of law and (with some reservations) before Royal Commissions and Boards of Enquiry. In the latter instance however, the rules might require some modification in the light of the terms of reference approved by the executive committees for the particular case and the extent to which these in any event implied or necessitated some waiver or departure from normal ground rules — as has indeed occurred in the current Hope Commission.

I do not however, consider that the letter is appropriate for defining relations between the government and its officers on the one hand and Parliament and its committees on the other for a number of reasons, including the following:

1. There is no doctrine of executive privilege as between Parliament and the executive in the Westminster system: nor should the transportation of that doctrine be encouraged.

2. It is not for the executive to seek unilaterally to lay down the limits of co-operation with Parliament and its committees: these limits depend upon conventions which have been collaboratively developed in the joint and long term interests of the parliamentary system, of Cabinet government and its integrity and of the public — and also in the sensitive interpretation of those conventions in the circumstances of the particular case.

3. Attempts by the executive to lay down those limits for its officers can only be divisive in appearing to assert the privilege of the executive as against that Parliament. It could unnecessarily create an atmosphere of, or potential for confrontation between the two (this is certainly doubly unnecessary in the prisons case, where the Government Party has the numbers on the Committee in any event, especially as the non-Government Chairman has no deliberative vote).

4. While the Government may perhaps intend that the “guidelines” be interpreted liberally, public servants generally will be inclined — in the interest of their own self protection at the very least — to err on the side of caution in their own interpretations and to seek to give as little information as possible, rather than as much as possible. The spirit of frankness which has always existed between public servants and officers could be jeopardised and the acceptance by parliamentarians which has always existed that public servants are assisting them fully, frankly and to the best of their ability will inevitably be lessened.

5. The potential for conflict between an officer’s duty to his Minister and his duty to answer questions lawfully put by a Parliamentary Committee will be immeasurably and unnecessarily increased.

6. Both Parliamentary Committees and officers appearing before them could easily be sidetracked by technical questions and legalistic arguments or concerns about whether or not questions should be put or answered. This is no idle fear in that both last week and this week the first witness before the Prisons Committee appeared flanked by two legal advisers — which is a quite unprecedented situation and which, if repeated, may cause committee enquiries to be greatly

more protracted. This is both unnecessary and aggravating. Questions of the propriety of particular questions have in the past been decided — in almost every case amicably — on the basis of common sense application of well known conventions to the circumstances and particular case. The result could well be to create a “them versus us” approach, as between Parliamentarians and the public in place of the co-operative spirit which has existed until now.

I enclose copy of statement on “Relations between Parliament and Executive” which I have prepared in the belief that it fairly sets out the broad nature of the conventions and the spirit in which they should be applied and would appreciate your careful consideration of them. I would also appreciate it if you would re-phrase your advice to the Premier in the light of this letter and the accompanying statement. It would be further appreciated if, with the consent of the Attorney-General, you could supply me with any comments you may care to make on the attached statement by Wednesday next, when the issues raised are due for discussion in the Legislative Council.

It is certainly not my desire that the Parliamentary consideration should take place in a partisan or confrontationist atmosphere; after all, the issues involved will be with us for many years whoever is in government from time to time.

Yours sincerely,

A. J. HUNT,

Leader of the Opposition (Council)

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

That the papers be taken into consideration on Wednesday, October 5, concurrently with Order of the Day, General Business, No. 37. Prisons Service Committee—Government’s guidelines for public servants attending before Committee—To be considered.

The intention is that discussion will take place between senior party Leaders on the matter and that the debate in the House not proceed until ample opportunity is given for the fullest attempts to be made at reconciliation of the slight differences of views that apparently exist.

The motion was agreed to.

PUBLIC TRUSTEE

The Hon. J. H. KENNAN (Attorney-General)—By leave, I move:

That there be laid before this House a copy of the report of the Public Trustee for the year 1981–82

The motion was agreed to.

The Hon. J. H. KENNAN (Attorney-General) presented the report in compliance with the foregoing order.

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

MINISTERIAL STATEMENT

Report of the Public Trustee

The Hon. J. H. KENNAN (Attorney-General)—I wish to make a Ministerial statement with respect to the report of the Public Trustee.

The Government is committed to the principle that public agencies should be accountable to the people of Victoria. This principle also extends to those agencies that exercise an independent function.

Although there is no statutory requirement to do so, I table the annual report of the Public Trustee for the year ended 30 June 1982, in order to facilitate the commitment to that principle.

In the period since the preparation of this report, certain initiatives have been undertaken in an endeavour to overcome the problems referred to by the Public Trustee. These include:

1. Discussions that have taken place between the Law Department, the Public Trustee, and my predecessor on the question of future directions of the Public Trust Office. As a result, agreement in principle has been given to a number of proposals put forward by the Public Trustee, which amount in essence to the planned expansion of the will making and deceased estates areas of the Public Trust Office.
2. Approval has been given for the purchase of word processing equipment required by the legal branch of the Public Trust Office. This equipment has now been delivered and is in operation.
3. A feasibility study has commenced within the Public Trust Office on the replacement of obsolete accounting machines with modern computing facilities as well as on the total information processing requirements of the office.
4. A management review of the Public Trust Office has been conducted by officers of the Management Consulting and Organizational Study Division of the Public Service Board and the Law

Department, the final report was completed in July 1983, and is under consideration by the Law Department, the Public Service Board and myself. The report aims to overcome problems faced by the Public Trust Office in providing appropriate levels of service in its deceased estates and protected persons functions.

It is confidently expected that the results of the initiatives I have outlined will more than adequately meet the concerns of the Public Trustee and will provide the basis for improving the efficiency of the Public Trust Office.

On the motion of the Hon. HADDON STOREY (East Yarra Province), it was ordered that the report and the Ministerial Statement be taken into consideration on the next day of meeting.

GRAIN CHARGES

The Hon. B. P. DUNN (North Western Province)—I move:

That this House expresses concern at—

(a) the transfer of responsibility for the Grain Elevators Board from the Minister of Agriculture to the Minister of Transport;

(b) the imposition of a further 15 per cent increase in rail freight on grain;

(c) the proposed introduction of a radical new strategy for the receipt of grain into the Grain Elevators Board system; and

(d) the foreshadowed 8 per cent increase in grain handling charges.

The motion comes about as a response from the grain growing areas of the State to a number of Government decisions that vitally affect the grain growers and their industry. The decisions are, to put it mildly, controversial, and a number of them have met with strong and united disapproval from the entire industry. At a meeting I attended in Warracknabeal yesterday morning, 400 grain growers expressed their unanimous opposition to the increased charges being imposed on them by the State Transport Authority and the proposed increase in Grain Elevator Board charges.

As I indicated during the debate on the motion for the adjournment of the sitting last night, that meeting was hostile. The grain growers have reached the stage where

they have simply had enough of being used as a milking cow to prop up Government finances. For many years, the industry has felt—and this goes back to the previous Liberal Government—that Governments have used it as an easy source of revenue. It is obviously extremely easy for the Government to look at the grain industry and a harvest of 3.5 or 4 million tonnes in Victoria and say, "All right. We will add another 10 or 15 per cent to the rail freight charges and make another \$X million for the State." For many years the grain industry has believed that charges imposed on it have been unjustified and, particularly in the realm of freight charges, it has been used as a ready source of extra revenue for the State.

This year, the grain industry is only just pulling its way through the effects of the worst drought suffered in Victoria in memory. It was the worst disaster ever to hit our grain industry. Last year, country Victoria was a dust bowl and the grain growers received no income whatsoever. The producers represented by members of the National Party have received no income for almost two years and when they receive their harvest returns in January or February next year it will be their first income for that period. During those two years, they have had to live, keep their families, carry on their farm maintenance, sow a couple of crops and meet all their usual expenses.

The Hon. W. V. Houghton—And buy a rowing boat.

The Hon. B. P. DUNN—I shall come to that. They are simply not in any condition to take a further cut in their returns. We have been told that the increases are the result of a direction from the Department of Management and Budget as to what should take place with rail freight and Grain Elevator Board charges, but the industry is being asked, after two years of blood, sweat and tears during the worst and most devastating drought on record, when their first income is not far away and they are going to have a big harvest, to pay huge increases. The Government has said, "We are going to get in for our chop and hit you for another 15 per cent. We hit you for 12.5 per cent on freight charges last year but you had no wheat and, therefore, we did not get anything, but this year we are going to hit you for another 15 per cent and get our rip-off."

One can understand that grain growers are fast running out of patience. They were

asked to accept a radical new receival point system under a programme of central receival points. The system was to be co-operative and farmers would cart their grain to fewer receival points and, in turn, save the railways and the Grain Elevators Board money. Generally farmers were prepared to consider the system, but now they are not prepared to do so because the savings they expected to gain are not there.

The railways and the Grain Elevators Board will increase their fees. The grain grower is the bunny who must pay more for freight and handling of the grain as well as use his transport to cart the grain further distances under this rationalization programme. The spirit of co-operation has been thrown out the window, it has been lost.

Grain growers were prepared to discuss the new system if there were savings in freight and handling charges and if those charges were kept to a minimum. The farmers are no longer prepared to examine the central receival points system because they are being made scapegoats in a system which is suffering from inefficiencies in the railways and the Grain Elevators Board. Grain growers will have to pay the price. That is why they are angry and are not happy with the present situation.

Another point I wish to discuss generally before returning to the individual points is the transfer of the responsibility for the Grain Elevators Board from the Minister of Agriculture to the Minister of Transport. That is a major error in the interests of the grain industry. The National Party has, therefore, brought the move to the attention of the House today. The National Party intends to convey to the Government in no uncertain terms the disappointment, disillusionment and disgust being expressed over the Government's move. The National Party blames the Government for that reaction because it was a Cabinet decision and the Government and Cabinet imposed those decisions on the various authorities. The Government and its Ministers must bear the responsibility for those decisions.

I opposed the transfer of the responsibility of the Grain Elevators Board from the Ministry of Agriculture to the Ministry of Transport from the beginning but, unfortunately, that move could be made without

the matter being first brought before Parliament. The decision was made by the Government in the Cabinet room where decisions can be made which may substantially affect the future of the board and which have a major impact on the grain industry.

I always believed the agriculture portfolio must first be the responsibility of a Minister who understands the needs of rural Victoria and has an understanding of the rural economy. The Ministry should, therefore, have a direct responsibility for the various related authorities. How can the Minister of Transport or his department be responsive to the grain industry, have an understanding of the rural economy or the intricacies of handling and growing grain in Victoria? The responsibility for the board should have stayed with the Minister of Agriculture.

Victoria has a Minister who is presiding over the demolition of the department and who is agreeing to the destruction of the agriculture portfolio in Victoria. Eventually the Minister of Agriculture will be merely responsible for a portfolio that is tacked on to another major portfolio. The Minister responsible will be the acting Minister for agriculture but his major responsibility will lie in another area. That is the direction in which this Ministry is heading and the Minister of Agriculture agrees to it. I would like the Minister and Mr Kennedy to go to the bush and have a chat with the grain growers there.

The Hon. D. E. Kent—I shall be in the country twice next week.

The Hon. B. P. DUNN—The Minister should visit Warracknabeal where there was a big sign on the town hall which read, "Mr Kent, Minister against Agriculture."

The Hon. D. E. Kent—I gather that the hospitality is warm.

The Hon. B. P. DUNN—And getting warmer. The Grain Elevators Board has been taken away from the responsibility of a Minister who is supposed to be responsive to the needs of the grain growers and put into the hands of the Minister of Transport. That gives the Minister of Transport incredible power over the grain industry. From the moment the grain grower drives out of his gate he is under the control of that Minister, and so is the wheat until it leaves Victoria's ports. The Minister has total control from the farm gate until the ship leaves the

heads. He controls our trucks, our roads, our road transportation, the railways, the Ports and Harbours Division and shipping, and he now controls the Grain Elevators Board.

The Minister of Transport and the Ministry does not have any understanding of the grain industry. They will not understand the effects of their decisions on individual growers. In future, there may be the imposition of integrated charges on rail and handling, which will become one big package. Farmers will not know where they are and will have little opportunity to fight back. Farmers were told that those recurrent charges were imposed from the top and that the Government had done its sums across the board and had decided to increase fees throughout by X-amount.

I was also informed that the increases in the charges imposed by the board was applied without first consulting with the board or receiving its acceptance. That is indicative of what will happen when the board is under the control of the Minister of Transport. Why let it go? I ask the Minister to give one good reason for letting the responsibility of the Grain Elevators Board go from his control. I do not believe he can find one good reason.

Honourable members are aware that Victoria has a strong Minister of Transport who has built up a massive transport empire in Victoria and that the Labor Government has further eroded the position of the Minister of Agriculture. That portfolio has been put into the most junior of junior positions in Cabinet. The National Party is not happy with that move. It is a move made by the Government because, if it had come before the House, the National Party would have thrown it out.

I shall return to my second point that in the past there was a system of local storages for grain. Each community carted grain to the local silo, which was rarely more than fifteen miles away. The silo was open from 8 a.m. until 6 p.m. and the railways provided a number of rail trucks at the silo on a daily basis or every second day to transport grain away. This year, we are told that there is a deficiency in the locomotive capacity of the railways in that they are fifteen engines short. Apparently, on figures that have been made available, the locomotive fleet has been reduced by half in Victoria, and that is one of the reasons why

the new central receival points system has been introduced.

The new system was not proposed to assist the grain growers; it was to assist the transport authority, the railways, and the handling authority, the Grain Elevators Board.

That is the point of the contention we have with the system. Those bodies will save money, but the growers will be hit with greater costs under this system. The Grain Elevators Board claims that wheat will be delivered to these silos and there will be a 20 per cent overflow, with farmers having to cart to other silos that may be 20, 30, or 40 miles away from their properties. The board maintains that some 227 000 tonnes will not go into local receival points and will have to be taken to silos other than the farmers' designated silos. The cost to the farmer for further transportation of that wheat is estimated to be approximately \$700 000. I believe it would be much more than that, as substantially more wheat will have to be taken away from those local silos to central receival points some distance away.

Under this system, the State Transport Authority says it will save about \$14.5 million; the Grain Elevators Board will save about \$2.1 million, and the growers will lose about \$700 000. Those figures might not be considered too bad, based on present charges, but in addition the railways will increase freight charges by 15 per cent and the Grain Elevators Board will increase its charges by another 8 per cent; so that the only loser in this scheme will be the grain grower.

There will be fourteen central receival points around the State. They have the capacity to receive large quantities of grain and it is proposed that they will operate for 16 hours a day on two shifts. The railways will run a block train service. The block train concept has been used for a long time, whereby the railways deliver a set number of trucks to a particular silo—about eleven of the big hopper trucks—which will be filled in a short space of time—a matter of hours—and the train will then take 22 of those bulk hopper carriages straight through to the seaboard where they will be emptied and be returned the next day to repeat the performance.

There will be 50 overflow silos. These silos will be filled and provided with limited trucking, not block trains, but a limited number of rail trucks as these become available, and most farmers will be carting to those. In my opinion, that is where the problem will lie. The central receival point concept will cope as efficiently as possible with the mass of wheat that will be landed on it, but the overflow silos will receive a raw deal.

The railways locomotive fleet has been cut and it will be flat out, on the block train concept, to get wheat away from the receival points, and these overflow silos will not keep up with the grain that is thrust upon them from those silos. Those 50 overflow silos will be in strategic positions: At Hopton, Patchewollock, Ouyen and right across Victoria. Those silos will be filled within a week and I do not believe the railways will cope as the railways have not the locomotives and the equipment. They will be as flat as a tack at the central receival points. Patchewollock is 30 miles north of Hopton and Hopton is about 16 miles from the nearest central receival point at Beulah. A farmer might be faced with having to head off from Patchewollock in a grain truck in the middle of the harvest with a large quantity of grain waiting in the paddocks, expensive machinery sitting there and people employed, to take the 46 to 50 mile journey down to Beulah to deliver the load of wheat and to return. Many farmers will be disadvantaged by that system.

There is a responsibility to rethink this proposal, particularly with regard to the overflow silos. The remainder of the silos—this is the third category—will be operated on a fill-and-close basis. Some farmers will be delivering to silos in that category, and some will be delivering to local silos. In fact, thousands of growers will be delivering to local silos. That will be the end; they will shut the gate and grain growers will have to travel to a central receival point and overflow silos. The Millewa line, which is west of Red Cliffs, is a perfect example, of a line that will have major problems. In the west Wimmera area, some farmers still cart with tractors and trailers. It will not be much fun for those growers to set off on a 30-mile jaunt to a central receival point silo.

I have just been told that it has been announced that under the Budget the Grain

Elevators Board will have to pay a \$4 million public authority dividend. That is not only an attack on wheat growers—it stinks! The grain growers of Victoria have lost patience with the Government. The Government will be dealing with a militant and bitter industry in the future and I intend to be right there in the front line with those grain growers because we have had a belly-full of a Government that is anti free enterprise; it is anti the people who are out there having a go; it is anti rural Victoria.

The Hon. R. A. Mackenzie—What about subsidies?

The Hon. B. P. DUNN—The Government does not give subsidies to rural Victoria; the money that was received came from our colleagues in Canberra. We now see the motives and I wonder whether this means a further rise over 8.5 per cent in Grain Elevator Board charges. The growers will be furious about this and the National Party will be in the front line with them.

I shall arrange a meeting if the Minister of Agriculture is prepared to face the music. Many protest meetings will be organized around Victoria. It will be interesting to note whether any Government Ministers attend those meetings. Where has been the influence of the Minister of Agriculture in Cabinet decisions?

I have been shocked by the announced 15 per cent increase in rail freight charges. The Government is interested only in money and priorities in other areas of responsibility.

The Hon. R. A. Mackenzie—Like in the rural community, for instance.

The Hon. B. P. DUNN—The Government is not putting anything back into the rural community. The Government is closing down the offices, the court houses and the railway lines in the rural community. Indeed, the entire rail freight system is grinding to a halt, but the Government is trying to rip more money out of it.

With regard to the central receival points system, there is some concern by farmers in some areas that they have been left out in the cold. I compliment Mr Wright for echoing the concerns of grain growers on this issue. Early in the piece, Mr Wright went into bat for the grain growers in the far north of Victoria. The grain growers along the Millewa line have battled through a drought

and they look like scraping through this year with some grain. The grain growers in Ouyen, Manangatang and Patchewollock are in a similar position.

There is no central receival point on the Mildura line between Dunolly and Donald and Birchip and on to Ouyen. Birchip is a barley-only silo and Donald is not a central receival point. Grain growers in the Birchip area have to transport their grain to Wyche-*proof*, which is approximately 20 miles away. It may be all right if they live that side of Birchip, but if they live on the other side, it is not much help.

The Hon. R. A. Mackenzie—Have you made any positive suggestions?

The Hon. B. P. DUNN—Yes. As late as this morning, the National Party met with representatives of the State Transport Authority and the Grain Elevators Board to further discuss the matter. The National Party is prepared to talk and co-operate but it is not prepared to co-operate with the Government after this last effort. The co-operation has gone and the Government is now left with confrontation. The present system ensures that certain grain growers are left long distances from central receival points. More central receival points are needed, as are overflow silos, with the provision of guaranteed trucking facilities.

I am not prepared to rest on the assurances that trucks will be available for the overflow silos. Frankly, I do not believe the trucks will be made available.

Another concern is the Netherby line, which runs from Jeparit. So far as the railways are concerned, that line will not operate this year. The grain growers who rely on that line in the west Wimmera, 30 miles north of Nhill, will have full silos. They will have to transport their grain by trucks, and, in some cases, small trucks because usually they only cart their grain 4 or 5 miles. They will have to travel 30 miles to Nhill to deliver their grain, which will cost them dearly. When they deliver their grain, the Government will get in for its chop and take more out of the returns of the grain growers and the railways will get in for its cut. The Grain Elevators Board will save money, the railways will save money and the farmers will be the big losers. The National Party is not prepared to throw the issue completely out of the window. The National Party wants more talks on the central receival

points system. The National Party wants to ensure that some of the areas that will be disadvantaged will be given much greater consideration.

It is proposed that there will be a \$2 rebate payable to farmers who deliver wheat to a central receival point, but that is an unfair system. The farmer who presently delivers to a central receival point may be 5 miles, for example, out of Warracknabeal and he will receive the \$2 rebate. The farmer who has to cart his grain 35 to 40 miles to Warracknabeal will still get only the same rebate. It is not a fair and just way of doing it. If the Government wants to make farmers cart grain to a central receival point, it should provide a specific rebate because the farmers may face much higher personal transport charges.

Another factor is the road system. When all the grain trucks start moving through the road system in the local shires, they will create havoc on the road surfaces and inflict heavy maintenance costs on local councils and the Government.

It would be better if the railways could transport the grain rather than farmers taking their trucks on to the roads and cutting up the road surfaces.

I have outlined the reservations that the National Party has about the central receival points system. The Victorian farmers and Graziers Association has considered it and it has echoed some of the same points outlined by the National Party. The association has realized that there is more concern in the grain growing industry than was first evident.

I suppose the Minister of Agriculture presided over the decision to collect \$4 million in public authority dividends from the Grain Elevators Board through the Budget. That would have been a Cabinet decision. Is it any wonder that Government Ministers do not appear in rural Victoria when decisions of that kind are made.

The Victorian Farmers and Graziers Association has reconsidered its stand on the issue and it is now seeking some adjustments by the Government. The National Party is working in parallel with the association and grain growers to try to improve the system. This year, regardless of what system of delivery and handling exists for grain in Victoria, there will be no way that

the system will cope with the delivery of grain unless something serious happens between now and the harvest season to reduce the grain crop. If stripe rust continues to affect the wheat crops, some areas will produce reduced yields. Generally speaking, it appears as though Victoria will have a big wheat harvest and one that will require a great deal of effort to handle efficiently.

It is most unfortunate that, under previous Liberal Administrations, the grain transport system was ground into the state in which it is today. It is disgraceful to note that many locomotives have travelled millions of miles and that they have now had it.

It is not good enough for V/Line to be collecting revenue over the years and not be able to provide the fleet of locomotives that are needed at present. Not only is this Government to blame for the situation, but also the previous Government has to accept some of the responsibility for those deficiencies.

The second point in the notice of motion relates to the imposition of a 15 per cent increase in rail freight on grain. The National Party has considered the situation, and the Victorian Farmers and Graziers Association conducted an exercise which indicated that the railways do not require any more than 7 per cent or 7.5 per cent to meet the costs of transporting grain. I can only assume that the 15 per cent increase is another means for the Government to collect revenue. Grain freight charges have increased by 47 per cent since 1980, although grain growers' gross returns over the same period have increased by only 6.5 per cent.

If one examines the situation of an average grain grower who is perhaps delivering about 500 tonnes of grain, one realizes that that grain grower is required to pay in excess of \$8000 to the railways for freight, and that does not include his handling charges or the cost of production he must face. At yesterday's meeting members of the National Party were told by the association that five years ago the freight cost represented 13.7 per cent of the price of wheat. Today, it is 23 per cent of the price of wheat, and that just goes to show how the returns to growers have been eroded by these costs. There have not been increases in returns that could even

come close to cancelling out the cost increases that have been imposed by the railways and the Grain Elevators Board. However, that is only an indirect way; those charges are really imposed by the Government.

The grain growers are not getting anything in return. If they were getting a better system, if the Government could go out and say that it has 30 or 40 locomotives in top condition to handle the grain harvest, the grain growers could get somewhere. However, they are not getting anything in return, but they are being asked to pay out more and more money to the railways and to the Government. At yesterday's meeting, a motion which was carried unanimously, stated:

That we emphatically reject the 15 per cent rail freight increase as directed by the State Government.

It was felt at the meeting that the words "directed by the State Government" were an important inclusion in the motion because grain growers are under the impression that it was imposed from the Department of Management and Budget, through a Cabinet decision.

Grain growers believe the increases are totally unjust and the general view at yesterday's meeting was that those charges were imposed merely as a taxing measure. It is most unfortunate that, during the term of the former Liberal Government, the power and authority for increasing charges of this type was taken out of the hands of Parliament. Parliament has no opportunity of directly influencing these decisions; they can now be made in a Cabinet meeting. Matters of this sort ought to come before Parliament annually, so that the Government would have to justify the increases.

It was under the former Liberal Government that the Transmark organization study was set up, headed by Mr Robert Maclellan, then the Minister of Transport. The Transmark report set a bench-mark for the cost of freight of grain in Victoria. I never accepted the bench-mark because it was a very cunning trick by the Government, and it is one that is being used and abused even today. Once a bench-mark is set, it means that it has really been decided what will be the base price for the transportation of grain, and that allows the Government to annually, on a percentage basis, just increase

the charges relative to the bench-mark. I never accepted the bench-mark as being realistic and, frankly, I believe it was a major error by some of the grain organizations to accept it.

The grain growers want reconsideration of the 15 per cent increase in freight charges. The grain industry intends to protest at meetings throughout Victoria. They intend, if possible, to bring grain trucks into the city, and the Government will find that there will be grain growers on the steps of Parliament House seeking to meet the Minister of Transport and the Minister of Agriculture on this issue.

As I said, they are not happy—they are far from happy—and the people who are usually patient and well-mannered are getting to the stage where, through a loss of patience, they are considering taking militant action which could mean bringing their trucks in a blockade convoy into the city and marching to the steps of Parliament House, and farmers usually do not do that. The last time I remember them taking this sort of action was in 1970, at which time some 8000 or 10 000 people marched into Melbourne. The grain growers totally reject the 15 per cent increase as being unjust and unwarranted. It is merely a taxation measure on grain growers of this State.

Another point of concern is the foreshadowed 8 per cent increase in grain handling charges. Grain growers pay for their own grain handling system without any real Government support. They pay the Grain Elevators Board, through a system of handling charges. Grain growers were told this year that the board was directed to increase its charges by some 8 per cent. It was directed by the Department of Management and Budget, and the board was not even able to consider and comment on the increase before it was imposed on the board from the top.

It now appears from the Budget that the board will be asked to pay \$4 million in public authority dividends. That is a tax of \$4 million on grain producers in Victoria. It is the biggest rip-off that has ever been seen, and it stinks. The grain industry has to get really tough with the Government on this issue. That will be a \$4 million tax on individuals. The Grain Elevators Board

collects its money only from the grain growers and it collects that money for its physical responsibilities of handling grain. That is why the board was established. The Government is intending to ask the board to collect another \$4 million to prop up its Budget deficit. I cannot describe the situation in Parliamentary terms, but I shall do so at public meetings throughout Victoria.

The Hon. G. A. S. Butler—We are propping you up.

The Hon. B. P. DUNN—The Government is not propping up country Victoria. The Government is bleeding country Victoria dry.

The Hon. D. E. Henshaw—Look at the Budget Papers.

The Hon. B. P. DUNN—I should like Mr Henshaw to tell me from where the board is going to collect the money. The Government is going to delve into any reserves that the board might have. That is money that is growers' money, built up for reserves to further develop the system.

The Hon. G. A. S. Butler—What about taxpayers' money?

The Hon. B. P. DUNN—The taxpayers do not contribute to the Grain Elevators Board. Farmers pay that as grain growers in Victoria; the taxpayers do not. Grain growers contribute to the total system of Victoria and we feel that we are propping up half of the railway system in the metropolitan area through the rail freights we are required to pay.

Farmers are not happy. We understand that the board was aiming this year to try, with the new central receival points system, to get through without any increase in charges. However, the board has now been hit with the 8 per cent increase, and the future, so far as the public authority dividend is concerned, does not look good. That is another point that we, as a grain industry, emphatically reject.

That covers the points I wanted to make in relation to this debate. As I said before, there is little that the National Party can do other than to protest and use the forms of this House to reflect the concerns of the grain industry.

The industry will make a response to the way in which it has been treated by the Government.

The Hon. D. E. Kent—They are anarchists.

The Hon. B. P. DUNN—It is all right for the Minister's unionists to march. He does not call them anarchists.

The Hon. D. E. Kent—I am a member of a union.

The Hon. B. P. DUNN—I do not know how much longer that will be the case. I attended a meeting yesterday at which the Minister was described as "the Minister against agriculture". That description was on a sign posted up in his local town hall at Warracknabeal. If I were the Minister of Agriculture, I would hang my head in shame when 400 grain growers said that of me. The Minister of Agriculture may laugh, but the laughing has stopped in country Victoria. Those people are bitter and angry and will take strong militant action to bring their objections home to the Government. It is an unfair increase and rip-off which will return no improvements to the system. I hope the House supports the motion, which expresses the strongest concern over Government moves.

The Hon. L. A. McARTHUR (Nunawading Province)—I disagree with the motion. It falls into three parts: The administrative change, the changes in charges and changes into the delivery of grain in Victoria. I suppose one could say Mr Dunn is right in some respects, but there are many matters on which he is completely wrong. He mentioned the concern of grain producers for the fact that 1982 was a drought year and the grain crop in Victoria was significantly reduced. Most farmers did not even take harvest equipment out of their sheds. The estimates for this year are that the harvest will be to a value of about \$350 million to \$400 million. That harvest depends on this year's season. Naturally, wheat farmers and other grain farmers are concerned as the harvest this year represents at least two years' work.

The Government is also concerned about the well-being of the wheat industry and must consider the matter in two parts. Firstly, the administration aspect must be dealt with. Mr Dunn stated the position clearly. He said that once the grain goes from the farmer's gate on to the road, it becomes a transport matter. I agree with that point, which is the position expressed by the administrative decision to remove

the Grain Elevators Board from the jurisdiction of the Department of Agriculture and place it under the Ministry of Transport. Once a farmer moves grain, usually in his own vehicle, on to the road, the transport of the grain from the farm gate to the market begins. The Grain Elevators Board is an essential part of that transport. It is the central receiving point where the grain is gathered for further transport.

From an administrative and organizational point of view, the Grain Elevators Board should be placed under the Ministry of Transport. One would not expect to have the plant breeding of wheat varieties under the Ministry of Transport, but one would expect the movement of grain to be under that Ministry. It is an administrative decision made by the Government, and in my opinion it is a correct decision.

I shall now deal with the changes that are being envisaged by the Grain Elevators Board and V/Line freight for this year. The farmer wants effective and speedy delivery of his wheat to the silo. To get an effective delivery, the grain is moved by rail. I shall deal with the costs and cost effectiveness of the matter later. The farmer wants his wheat delivered on time for payment. In the past, Victoria built up a series of wheat rail spurs across the Wimmera, Mallee and northern country. Those wheat spurs, or wheat lines, were built in the horse and wagon days with silos located about 5, 6 or 8 miles apart. I carted a small amount of wheat before it became a gentleman's job that can be done in a suit. That was in the days of open bags and armstrong loaders. I remember the Piangil line near Bendigo, the Raywood silo, about 6 miles further on to Tandama with a silo, another 5 miles to Dingee with a silo and so forth. As of this year, all of those silos will operate. Obviously, the historical development of those silos was in the horse and wagon days when one trip was made a day and 10 or 12 miles was the limit that a farmer could cart his wheat.

The Grain Elevators Board still has the capacity to receive wheat at all those silos, but it cannot be cost effective for all of the small silo receival points to be open during all of the grain receiving period. It is not cost effective for them to be manned all the time, and it is not possible for the railways to deliver 2, 3, 4 or 5 trucks to every small silo throughout the wheat lines of Victoria.

The Grain Elevators Board and the V/Line have proposed fourteen receival centres where trains can be filled quickly with wheat and turned around from silo to port and back to silo in 24 to 36 hours. The new loop at Geelong makes that possible and the new wagons that V/Line freight has will be sufficient to service those fourteen points. Significant savings will be made with increased efficiency of the Grain Elevators Board. Benefits will be available to the farmer in the long run in reduced costs and in the short run in being able to move his grain. There is probably nothing worse than having all on-farm storages filled with the possibility of rain. One does not know when local sidings will get trucks; it may be tomorrow, the next day or next week.

Decisions must be made about casual employees who drive wheat trucks. When I was a wheat truck driver, the decision was always to give "Mac" a couple of days off.

The new system provides 56 silos that will also be on the list of silos to be emptied. Farmers will have continuous access to them. The other 230 silos throughout Victoria will be run under the fill and close system. They will be filled during the peak of the delivery system and will then close. The economies will be apparent, as will the benefits to the grain growers.

The days of small machinery and small operations have gone. They have gone on the farm and they should go with regard to the handling of a \$400 million crop. Large delivery points, bulk handling and a quick system of loading trains is what the farming community wants and needs.

Any new system has teething problems in its first year of operation. I understand that the Grain Elevators Board hopes to eventually have 30 central receiving points. They will be scattered at strategic points so that no farmer will have to travel more than 50 kilometres when his local fill-and-close silo is filled. It is also estimated that the excess grain in those areas some distance from central receiving points will be less than 20 per cent of the crop. It is not expected that the new system will be 100 per cent successful nor offer a 100 per cent service to all those involved in the grain industry this year; that is a pipe dream. However, in two or three years' time, the system will be quick, efficient, cost effective and will provide a

saving for both farmers and the Government.

I refer to the increase in rail freight on grain. I understand that the combined increases for the year will be in the vicinity of 12.2 per cent. Admittedly, that is a steep rise, but it is slightly in advance of inflation. It must be understood that, in most cases where a capacity to pay exists, the user must be expected to pay. The charges could well be seen as just by the farming community.

I now come to a point on which I must agree with Mr Dunn. The rolling-stock and locomotives of the railway system have been run down over a number of years. Maintenance has not been carried out and no new locomotives have been purchased. The blame lies with the Opposition. Since the Labor Party came to office and since the present Minister of Transport took over the administration of that portfolio, a huge injection of funds for capital works for rolling-stock has been made, and that will continue.

Except for the locomotives, the grain rolling-stock of the railways is specialist equipment. If the rail service to the farmers is sufficient, if farmers do not have to wait and break their harvest, if weather conditions are such that the harvest comes in extremely quickly all over the State and if the transport authorities and the Grain Elevators Board can handle the harvest, I am certain that, within a short time, Mr Dunn's dire predictions of farmer riots on the steps of Parliament House will be proved to be false. It is far more likely that farmers will applaud what the Government is doing.

It is possible to provide the grain industry with an efficient transport system that meets the needs of the industry—an efficient 16-hours-a-day, 6 days a week delivery system.

The Hon. B. P. Dunn—At fourteen points—what about the rest?

The Hon. L. A. McARTHUR—For the benefit of Mr Dunn, I repeat that further delivery points will be provided. I understand that the present Budget has increased the borrowing allowance for the Grain Elevators Board from \$11 million to \$21 million. I am certain that the doubling of funds made available to the board will enable it to upgrade equipment for the intake and transport of wheat.

Farmers know when they are getting value for the dollar. If an efficient service is delivered, farmers will realize that the increase in charges is to their benefit.

The Hon. J. W. S. RADFORD (Bendigo Province)—It is a pity that honourable members have to discuss price rises of such magnitude. One would have thought that, after the Transmark report, common sense would have prevailed, that the figures used in that report would have been interpreted properly and that only sensible increases in charges would be imposed on the grain industry.

I, too, attended that meeting at Warracknabeal which was attended by more than 400 grain growers, and I predict that that will not be the last meeting of its kind in this State. Indeed, after the news that has come through in the Budget, that a public authorities dividend of \$4 million is to be paid by the Grain Elevators Board, the farmers will feel more strongly than ever that they are being ripped off.

The resolutions that were passed unanimously by the meeting at Warracknabeal were:

1. That we emphatically reject the 15 per cent rail freight increase as directed by the State Government.

2. That we emphatically reject the 8½ per cent Grain Elevators Board handling charge increase as directed by the State Government.

In respect of the third resolution passed by the meeting, we turn back the clock to 1970 when the unprecedented step was taken of farmers marching in Melbourne to protest at the problems that then beset the rural community. The third resolution passed by the meeting was:

That the Victorian Farmers and Graziers Association Executive organise a mass protest meeting of all grain growers and affected rural people, to expose the rip-off in freight charges imposed by the Cain Government upon rural people.

Grain growers will feel even more bitter about this latest attack. The fourth resolution was:

We demand that the State Government deregulates the movement of grain by rail as support for private enterprise to compete with an inefficient rail system.

I will deal now with these points, and with those that have been raised in the motion

moved by Mr Dunn. I remind honourable members of the transfer of the Grain Elevators Board from the control of the Minister of Agriculture to the control of the Minister of Transport. I attended the conference of the Grains Division of the Victorian Farmers and Graziers Association at Mulwala on 22 March this year where concern was expressed by grain growers at that transfer.

The Minister of Agriculture has now returned to the House and I direct his attention to a matter I raised on 23 March. A question without notice had been asked on 22 March by Mr Wright, who had information concerning possible changes in the role of the Grain Elevators Board. In answer to the question the Minister stated:

I am not in a position to give an answer to that question. It is something that has been the subject of discussion.

As I had been attending that conference, I was unaware that the question had been asked and on 23 March I raised a matter during the debate on the motion for the adjournment of the sitting. I said:

Will the Minister of Agriculture indicate the future of the board and whether any of the authorities or departments under the control of the Minister are likely to be transferred to other Ministries?

I will quote the last paragraph of the Minister's reply:

I can assure Mr Radford, as I assured Mr Wright yesterday, that no moves are being made to bring about a transfer of the Grain Elevators Board to the Ministry of Transport.

I am not suggesting that the Minister was misleading the House when he gave that answer, but I suggest that he was misinformed because that step has now been taken. It is remarkable that the Minister is not able to defend his Ministry. I would describe the Minister of Agriculture as a man of straw; he certainly displayed no backbone in trying to defend and retain the Grain Elevators Board in his Ministry.

One matter that concerns me is defined areas. Those who are familiar with the grain industry are well aware that a defined area gives protection to those growers who deliver to a particular silo or receival point. My greatest concern is about the arrangements that are now coming about with the

central receival points—the overflow and the fill and close silos—and that there could be, as has happened in the past, a surge of harvested grain from northern Victoria down into the southern areas before producers in the southern areas have had a chance of even starting to strip their grain; they in turn will be severely disadvantaged under these new arrangements. They will have no protection and will be forced either to pass the grain to an overfill station or cart it farther to a central receival point.

I turn now to the 15 per cent increase in grain freight charges. Much has been said about the charges in past years, and it is rather interesting to note that Mr McArthur and Mr Dunn agreed on this matter when they described the charges that were raised by the former Liberal Government. If Mr Dunn goes back in the history of the Victorian Railways he will find that, when the Country Party was in government, it did its share of raising charges to grain growers. However, he is a young man and it has been so long since the Country Party has been in government in Victoria that he may not remember that time.

I turn now to problems facing grain growers. In 1982–83, we had the disastrous drought and honourable members will recall that only a small amount of grain was delivered into the system, but it has been overlooked that in 1981 many areas were severely affected by frost. Many areas of the State now have the potential of having a good harvest for the first time in three years.

What is the threat to the potential harvest? There are problems, including stripe rust and recent flooding, which, as the Minister of Agriculture acknowledged in an answer yesterday, could have removed 5 per cent of the potential harvest this year. A further problem is the possibility of hail damage. Severe hail storms in 1980 and 1981 caused heavy damage in localized areas. Mr Dunn would recall the enormous damage which occurred in the Charlton area. When I visited the area I was amazed to see how a crop could be chopped off at ground level by hailstones.

Mention has already been made of the Transmark report. The Chairman of the Grains Division of the Victorian Farmers and Graziers Association considered, before discussions took place, that grain growers were paying 95 per cent of the cost of grain

freights. The railways—or V/Line—argue that the growers are paying only 75 per cent of grain freight. It is a pity that the figures have not been made available.

I hope when the CANAC report is produced, it will provide more detail, if not for general consumption—due to the so-called sensitive area of commercial confidentiality—at least to the Victorian Farmers and Graziers Association. That organization will be able to examine the commercial points and indicate to some degree the truth of the various comments that have been made on the one hand by the grains division of the association and, on the other hand, by the railways.

What is the alternative to rail freight? This is one of the matters under discussion. An interesting interview took place on Friday, 16 September 1983 on radio station 3WV when Miss Lindy Capon interviewed the Minister of Agriculture.

The Hon. B. P. Dunn—That would be illuminating!

The Hon. J. W. S. RADFORD—I take it that Mr Dunn heard the interview. I dare say quite a few farmers might have reached for their heart tablets when they heard the interview. Referring to the increased freight handling charges recently announced by the Minister of Transport, Miss Capon asked what the difference was since the responsibility for the Grain Elevators Board has been assigned to the Ministry of Transport. The Minister replied:

Shouldn't make any difference to Grain Elevators Board. The purpose of that is so that the transport handling to Grain Elevators Board and also port facilities are all under the one Minister, and the belief is that that will facilitate a liaison between all the operations in handling grain.

The Hon. B. P. Dunn—He must have known what was coming in the Budget.

The Hon. J. W. S. RADFORD—I am sure he did. Farmers are definite in their thinking that no consideration was given to the financial aspects, the organizations having been given a direction that they must lift the freight rate by 15 per cent and the Grain Elevators Board handling charge by 8 per cent.

Miss Capon further asked:

What do you think will be the changes coming regarding using road transport?

The Minister of Agriculture is reported as having said:

There could be some changes but I believe that we know in our situation where it is going to be economic to transport grain long distances by road. There are also some other problems involved there—long distance heavy haulage on roads would cause very rapid deterioration on some roads.

When Miss Capon asked whether people would be prevented from taking grain direct to port, the Minister replied:

I don't think they would be prevented, but it would be made less attractive, one way or the other.

The Minister is suggesting that any grower who examines the possibility of carting grain direct to the ports would find a problem whether he uses his own transport or the hired carriers.

The sitting was suspended at 12.57 p.m. until 2.4 p.m.

The Hon. J. W. S. RADFORD—In South Australia, which has a Labor Party Government the freight component is under the control of the Australian National Railways, and freight rates have increased by only 7.5 per cent, which is a significant difference from the Victorian increase of an outrageous 15 per cent. Whereas Victoria has a shortage of 35 locomotives, Western Australia, New South Wales and South Australia have locomotive strength. Indeed, there may be a turnabout and Victoria may need to hire locomotives from the railway systems operating in those States at perhaps \$500 a day to overcome Victoria's shortage. There has been a disgraceful deterioration in services over the past eighteen months that the Labor Party has been in Government in Victoria.

I drew attention to the delay in the locomotive programme on 13 May. The Government appears to have been sleeping. Last year, it should have been upgrading rolling-stock. It had the opportunity of doing so because there was no great demand for the transport of wheat—there was no wheat harvest last year. That rolling-stock should have gone to the workshops for repair. It is a criminal disgrace that that did not happen and that now the State may be forced to hire locomotives to meet the demand that will be placed on the transport system by this year's wheat crop.

Yesterday, on ABC radio, a most ridiculous statement was made by Dr Sowerwine, president of the Train Traveller's Association, that metropolitan users were subsidizing country freight users to the extent of \$50 million, for which reason metropolitan passenger rates would increase. I hope the Minister of Transport clarifies that situation. Perhaps the greatest problem of the rural sector is that it does not get adequate and responsible publicity. In yesterday's *Australian Financial Review*, a headline stated:

Wheat Board steps crop forecast up—\$3bn for farmers

Of course, that is only a promise and everyone appears to be setting charges according to what might be a good grain harvest.

The Hon. B. P. Dunn—A rip-off!

The Hon. J. W. S. RADFORD—It is a rip-off. The actions of the Road Traffic Authority are a further irritant to primary producers and I must congratulate officers of the authority, particularly Mr Ken Sinclair, who is based in Bendigo, for informing primary producers of the requirements of various Acts for the transport of grain by road. However, the attitude of the Government in dealing with these issues at this time is irresponsible. There is a drought-affected community; a 15 per cent increase in grain freight rates; an 8.5 per cent increase in grain handling charges; and, in addition, \$4 million has to be paid as a public authority contribution.

Now, primary producers are further harassed because grain growers will be forced to cart grain longer distances than normal as a result of the new grain handling plan that is being proposed. Grain handling facilities include 51 overflow stations in the State and only 14 central receiving points. This amounts to a great deal of trouble for many growers. I refer honourable members to the interview of the Minister of Agriculture by Miss Lindy Capon on 16 September 1983. The interviewer asked:

Any explanation forthcoming on whether correct legal loading for grain trucks will be rigidly policed this season?

The Minister replied:

I am not the Minister of Transport, but my view would be that either the law has to be changed or it

should be policed. We should not have a law which we ignore.

The interviewer:

Will there be an overriding clause for grain growers during harvest season?

The Minister:

I'm not sure, but I know that is a question which is being given serious consideration because everyone knows what really happens.

The Government must seriously consider this point. If primary producers are forced to cart grain far greater distances than in the past, either they will take an uncommonly long time to deliver the grain or they will be forced to buy second-hand trucks and, already, the second-hand market is charging higher prices for trucks that are suitable for the cartage of grain freight. Once again there is another problem with the primary producers.

I shall deal briefly with the concept of the central receival points. After a great deal of soul searching, Victorian farmers and graziers accepted the idea reluctantly. Mr Michael Cock, the President of the Victorian Farmers and Graziers Association, said at Warracknabeal that he would have to consider the position of farmers and graziers and that he was very aware of the problems of primary producers. He said that the association can only trust, as has been moved at Warracknabeal meetings, that this concept will be examined again now and at the end of this season so that the benefits can be fully gauged.

The most important point relates to the growers who receive \$2 a tonne bonus for delivering to the central receival points. Farmers who live a distance from the central receival points, and those who habitually deliver to central receival points, receive a \$2 a tonne bonus. This is causing disquiet in the rural community. The \$2 is comprised of \$1 from V/Line and \$1 from the Grain Elevators Board.

The figures circulated suggest that it would give V/Line an advantage of \$8 million and to the Grain Elevators Board of \$1.5 million. Therefore, the Grain Elevators Board is paying out a proportion by giving a 1 to 1 figure, when in some circumstances the ratio could be seen as 1.5 to 8 for the advantage of V/Line.

There are 51 overflow stations and they are opened only for a certain period—10 hours a day, five days a week. I understand from the Grain Elevators Board that consideration is being given to also opening the stations at week-ends if there is inclement weather. This will result in no time being lost and it will not force grain growers to use on-farm storage.

There are 27 bunkers in the State and these will prove very handy. The Grain Elevators Board has instigated a method of barley segregation whereby overflows will be handled by a limited number of stations, two of which are at Miliams and Tandara. Approximately 1.3 million tonnes of grain will be handled by the Grain Elevators Board and V/Line, and this will call for the utmost co-operation. As I said after past harvests, V/Line employees have been very good in the manner in which they have seen the harvests through without industrial disputation. I hope their splendid record of past years will not be tarnished.

There is concern about the 8.5 per cent increase in the Grain Elevators Board grain handling charge. A motion was unanimously passed at a meeting at Warracknabeal that the grain growers emphatically reject the 8.5 per cent Grain Elevators Board handling charge increase as directed by the State Government. It was very interesting to listen to the various speakers at that meeting, one of which was Mr Stan Vell, the general manager of V/line freight services. He was saying how much better the new system would work and that it would be to the advantage of growers if the system works smoothly. It will not work smoothly if there is trouble with locomotives. I trust the Government will adopt the attitude that was adopted by the previous Government and swap around locomotives between passenger and freight services to overcome any trouble if it occurs. I recall the former Minister, during a previous big harvest, having rail passengers moved by motor transport. I hope that this is not forced to occur again.

When Mr Cliff Semmler, the new Chairman of the Grain Elevators Board, addressed the meeting, he referred to the position regarding the increase of 8.5 per cent. Mr Semmler indicated that there was a problem with the Grain Elevators Board. I think I quote him correctly, he said, "We hope to have the final figures ready at the

end of October". This strongly indicated that the charge that had been levied by the Grain Elevators Board was a figure plucked from the air by the Minister of Transport and had no relevance to the figures to be produced by the Grain Elevators Board. It is an unusual situation, and I only hope that the Grain Elevators Board is not overawed by the position in which it has been placed. It is an awkward situation for a new chairman and I understand from comments made by some members of the board that there has been minimal consultation, if any, on these particular charges. It is really a political decision that has been made on this matter. It is to be regretted that this has taken place and I trust that it will not take place again.

When figures were given regarding the role of V/Line, we were told that GJF self-emptying wagons would be used with the utilization of the block trains, and that, with the use of the loop line at Geelong, there would be a speedier turn around of rail trucks. It was not too many years ago when it took five days or more to get a train from a silo to a seaport terminal and then back to the silo.

I admire the courage of the V/Line planners in hoping that they will be able to get back to some central receival points within 24 hours and to others within 36 hours. When one looks at the breakdown relating to this point, one can see that these block trains will be in either 33 or 22 GJF wagons. For trains going to Portland, three lots of eleven wagons will be dropped off at each central receival point. In the case of Geelong, there will be 22 GJF wagons in the block train which will be dropped off in units of 11.

It is fortunate that the initiatives that were taken by the Liberal Government have been followed and that there is a big fleet of GH wagons which have been converted from the GY wagons into self-emptying wagons. These wagons will be used to empty some of the overflows but, because of their suspension, they will not be able to move over the rails as quickly as the GJFs with their far better suspension and carrying capacity.

One point that should be borne in mind is that the Grain Elevators Board has taken the step of using 100 per cent permanent staff as officers in charge to man silos. This could mean there would be a reduction in

local employment, as it has been the custom in the past for local people to be officers in charge or temporary staff at the small stations. Unfortunately, the saving of a few dollars will mean a loss of employment that has been handy in the past, especially at Christmas time, to those who have worked on a temporary basis in charge of silos or as silo assistants.

Another important point that should be borne in mind is the situation relating to bunkers. It is interesting to note that the board is considering the use of 20 000-tonne bunkers. This will be an improvement on the 10 000-tonne bunkers that have been used in past harvests. It will mean that they will be working as central receival points to handle the grain where necessary.

Recently I attended an international conference on bulk handling at Newcastle where a paper was delivered by the Grain Handling Authority of New South Wales, which indicated that bunkers being used in New South Wales had a capacity of up to 35 000 tonnes. I am sure that a worth-while exchange of information took place at that conference between the Victorian Grain Elevators Board and the Grain Handling Authority of New South Wales.

Another important aspect is the use of tarpaulins to cover the bunkers, which has been refined in New South Wales. Special equipment is used to fill up the bunkers and the tarpaulins are pulled backwards and forwards by heavy winches. It has become expensive to do this because the life of the tarpaulin has not been as long as was anticipated by the authority.

Earlier I mentioned the problem of the hidden cost to the community of using central receiving points. Anybody interested in local government would be concerned about the problems in the Dunolly and Donald areas, and farther up the line where there are no central receival points except for Dunolly. It is noted that there will be a move from east to west across the recognized main highways running from north to south.

There will be a serious deterioration in the road surfacing in the municipalities involved. Anybody who has driven on the roads recently will realize that, because of the record rains Victoria has been having, there will be a serious deterioration in the road surfaces before grain transport uses them. There is an enormous hidden cost

here and I trust that the Minister of Agriculture, when discussing the matter with the Minister of Transport, will draw his attention to the high cost that will be imposed upon those municipalities which have to bear the exceptional and unusual use of their roads under the central receival points system.

Special impact funds are at the disposal of the Minister of Transport, and I trust that he will use them wisely and sensibly in reimbursing the municipalities affected. The Victorian Farmers and Graziers Association had suggested that there could be up to a 7.5 per cent increase in freight rates this year, but this has been doubled by the Government with little consultation with the association.

The situation faced by the Government has been adequately presented by Mr Dunn. The motion he moved was allowed because of Mr Baxter's agility in jumping to his feet yesterday; otherwise I would have given notice of motion along similar lines relating to the problem.

Mr McArthur's contribution held little sympathy for the farmer. He suggested that one should get bigger or get out. It is unfortunate that someone who has spent fifteen years in a rural community should adopt this attitude. I believe Mr McArthur is over-reacting when he suggests that farmers would be rioting on the steps of Parliament House.

The Hon. L. A. McARTHUR (Nunawading Province)—On a point of order, Mr President, I claim that Mr Radford has misrepresented what I said because I did not say there would be riots on the steps of Parliament House. I attributed that statement to the person I believed was its correct source, Mr Dunn.

The PRESIDENT (the Hon. F. S. Grimwade)—There is no point of order. That is an explanation which the House can accept.

The Hon. J. W. S. RADFORD (Bendigo Province)—On the point of order that has been raised—

The PRESIDENT—There is no point of order.

The Hon. J. W. S. RADFORD—I recall that Mr Dunn said he believed he had been misquoted when that comment was made.

In conclusion, I believe a responsible attitude is being taken in the rural community. Farmers are disappointed in and disgusted with the actions that have been taken by the Government, and I trust that the Minister of Agriculture, when he refers the matter to the Minister of Transport, will fully inform him of the feelings that exist and the resolutions that were passed at Warracknabeal.

The Minister knows the area well. He knows many of the people involved: Indeed, some are relatives, but that is another story.

I urge the Minister and the Government to reconsider their position and let common sense prevail, especially as the grain has not yet been harvested. The Minister and the Government are working on the premise that there will be a good harvest. I hope they are right because a good harvest will mean so much to the many growers who are recovering from two or three years of misfortune. The growers see all these actions as a non-too-subtle tax grab.

The Hon. W. R. BAXTER (North Eastern Province)—The motion moved earlier today by the Leader of the National Party has taken on a new and fresh significance in the light of announcements made in another place by the Treasurer today.

It is a fortuitous coincidence that Mr Dunn moved the motion arising out of a meeting that took place yesterday in Warracknabeal. The meeting was attended by 400 growers who were in a very angry frame of mind—with good cause. Little could they have known, suspected, or anticipated at that time that they were about to be assailed by the most selective tax ever imposed on any Victorian by any Victorian Government.

The Hon. J. H. Kennan—Are you going to speak for long?

The Hon. W. R. BAXTER—Yes, I am on this issue. It is outrageous that a Government should single out a small group in the community to impose a selective tax of the magnitude of \$4 million. The Treasurer announced earlier today that the Grain Elevators Board will have to pay \$4 million this year in public authority dividend tax, and heaven knows what in subsequent years.

It is well known that the National Party has taken offence at public authority dividend taxes imposed on the State Electricity

Commission, the Port of Melbourne Authority, the Melbourne and Metropolitan Board of Works, and so on. But at least those public authority dividends were imposed upon authorities that were using public money and were providing a service to a wide range of Victorians and which was, therefore, to some extent at least, a widely based tax. This tax is imposed on an authority funded 100 per cent by a small group of people. As Mr Hunt pointed out a few moments ago, not \$1 of taxpayers' money is involved.

The Government has seen fit to impose \$4 million tax on a group of people who are just recovering from the worst drought in the history of the nation. That is absolutely outrageous and untenable.

Mr Dunn indicated earlier—before he was aware of this imposition—that in the light of the wheat growers' meeting in Warracknabeal yesterday to protest against grain charge increases, that grain growers might take some demonstrative action. I have no doubt they will take that action now in the light of the added impost placed upon them.

I believe one of the reasons the responsibility for the Grain Elevators Board was transferred from the Minister of Agriculture to the Minister of Transport was to enable this sort of public authority dividend tax to be imposed because the Minister of Transport has no interest in the Grain Elevators Board. That is one small facet of the great empire he has acquired for himself. If the board had remained under the control of the Department of Agriculture and we had a Minister with more intestinal fortitude, we might have been able to fight the issue around the Cabinet table.

It is hoped that the wheat harvest this year will be one of the best ever—indications are that it will be a good harvest. However, the tax will work out at more than \$1 a tonne. Last year it would have been \$8 a tonne on the depleted harvest.

How can the Government justify imposing such a tax on a select portion of the community? The Minister of Agriculture should hang his head in shame that he is a member of the Government and a member of a Cabinet that imposes this sort of impost on the wheat growers of Victoria.

The other aspect that one reads about in the newspapers every day is that the State

Government and the Federal Government are looking forward to an agricultural-led recovery to pull the economy out of the doldrums. They are looking for a good wheat harvest for the end of the drought to increase wool and meat exports, yet at every turn they assault the farmers of the nation, and particularly of this State.

Rail freight charges have increased by 27 per cent in two years—well ahead of inflation; Crown land rentals have risen and business franchise excise has been placed on petrol. All sorts of charges to farmers and country people are going through the roof. It has made an absolute mockery of the wage pause. People are endeavouring to keep costs down. Everyone is playing their part except the Government which increases charges regardless and reduces services.

I believe the wheat growers of Victoria were hoodwinked by the Government. Wheat growers set out to accept, in good faith, the radical new receival strategy. They decided they would give the central receival point programme a fair trial based on the understanding, and widely expressed claims, that it would save \$14 million a year. Notwithstanding that it was going to cost some individual growers more money—in some cases a good deal more money—the wheat growers indicated that they would accept the new system in good faith. The new system was estimated to save \$14 million, therefore, there should not be a need for rail freight rises.

The wheat growers have been hit between the eyes by the announcement of a 15 per cent increase in rail freight charges. Wheat growers were prepared to look at the revised receival strategy on the basis that it would save money.

The \$14 million that was bandied about the countryside as being the saving is a sham—an absolute sham. It will be a saving of \$750 000 this year to the Grain Elevators Board, but the railways, which were supposed to make the big saving, announced at a meeting I attended this morning that they think it might save about \$500 000 this year and five years hence it might save \$7 million or \$8 million, so the wheat growers of Victoria have been sold a scheme on a sham basis. They were conned by a Government that was prepared to come out and say, "We will save you \$14 million if you do it our way." The growers accepted that in good

faith, only to learn that the saving this year might be \$1.75 million. In addition to that, they will have to pay 15 per cent more in rail freight charges.

Let us consider the size of the wheat crop this year: It is estimated to be 3.5 million tonnes or more but, with the possible ravages wrought on the crop by stripe rust, let us say 3 million at \$20 a tonne freight. That is a conservative estimate of the average freight rate. That represents \$60 million in rail freight charges that the Victorian Railways and the Government will receive. An increase of 15 per cent will mean another \$9 million is being ripped out of the wheat growers of this State—wheat growers who are recovering from the worst drought on record when they had been led to believe that if they accepted the revised receival system savings would be made.

It is little wonder there is a great deal of cynicism around the countryside about Governments and politicians. No wonder bitterness and ill feeling has emerged in the manner demonstrated at Warracknabeal yesterday. That is a mere forerunner to what will happen when the wheat growers realize that they are now to be slugged another \$4 million under the public authority dividend scheme.

Let it be a warning to everyone in Victoria that they are about to see the same sort of tax extended to country water and sewerage authorities, the State Rivers and Water Supply Commission and to any public authority in Victoria. Even municipal councils may have to pay a dividend to the Department of Management and Budget. The Government has organized a system to bring in money from the very people we rely on to pull the economy out of the doldrums. It is the most outrageous thing I have heard since I have been in this Parliament.

As I contemplated what new taxes the Government may impose in the Budget, it did not cross my mind for one moment that it would be prepared to lower itself so much that it would tax an authority which is financed entirely by the grain growers. Not one dollar of taxpayers' money finances that authority. To attack a small section of the community, yet one of the most instrumental sections of the community in propping up the economy of the State, is an amazing thing to do.

It is little wonder that so many farmers are saying, "Why bother, why should we work long hours, put up with seasonal variations, floods, fire and drought, when we are attacked at every turn by city Governments that cannot grasp the reality of the countryside and the tribulations facing agricultural producers in this State?" The Government cannot grasp that, notwithstanding the many occasions on which members of the National Party and the Opposition who come from the country explain the situation in simplistic terms.

I am not asking for a special deal for farmers in Victoria, but I certainly am asking for a fair deal, which they are not receiving from this Government.

Last night, I was interested to read a paper which dealt with the political situation in south western Victoria and why the Labor Party has not been able to win many seats in that area since 1908. That party will never win a seat in that area if this is the type of treatment they give to the country people.

I will now deal with the central receival points proposition, which the Grain Elevators Board proposes to introduce this year. It has been explained that the growers were prepared to accept that on the basis of supposed savings, which have now proved to be illusory. The scheme will seriously disadvantage a significant number of growers—there is no doubt about that. The Grain Elevators Board also concedes that point. It is one of those situations where, if one relies on averages, one gets caught out. Averages are all very well so far as they go, but they do not take account of the fellow who is not average and they do not take account of the disadvantage accorded to that person.

If one studies the press release produced by the Chairman of the Grain Elevators Board, Mr Semmler—it was produced over the past day or two and came to my attention this morning—a number of things are said. Amongst other things, the press release states:

The average extra distance travelled by growers to deliver this tonnage has been estimated at 31 kilometres.

As I have said, averages can be misleading. That takes account of the fellow who is only five kilometres from the central receival point and of the fellow who is 30 kilometres from the central receival point. However, it does not take account of the fellow who is

50 kilometres from the central receival point. He will be the one who will be disadvantaged.

The press release assumes an average load of ten tonnes. Again, this is where averages come unstuck. There are some huge wheat trucks in Victoria, mainly owned by contractors and the like. If they are incorporated in the average, the average load may possibly be ten tonnes, but the median load—the load carried by the ordinary rank and file farmer, particularly if he is abiding by the weight regulations—is far less than ten tonnes. Again, averages are an inappropriate concept.

The press release goes on to state:

Assuming an average load of ten tonnes, and allocating labour, fuel and maintenance costs on the basis of data presented in the Read Report commissioned by the Victorian Farmers Grain Association, the estimated gross cost to growers would be marginally in excess of \$1 per tonne.

I would like to know what was taken into account in computing the figure of \$1 a tonne.

The press release mentioned labour, fuel and maintenance. In the absence of evidence to the contrary, I presume it is referring to the labour of the man driving the truck, the fuel for the truck and the maintenance of the truck used to carry the grain the extra number of kilometres required from the home silo, which is closed, to the central receival point. That may well be an accurate figure, but it does not take account of the extra costs imposed on the wheat grower who must make some other provision to store his grain while he is waiting for the truck to return from the silo because it has had to travel the extra distance and get in a queue when it arrived.

It does not take account of the cost in lost time or the costs that the grower may have to face in storing his grain until the truck returns. To people in the cities who do not understand the situation, it is a risky business to leave wheat on the straw, bearing in mind the likelihood of adverse weather conditions such as hail storms, heavy rain or fire.

It is extremely important that when wheat is ready to be harvested, it should be done in the shortest possible time. The growers will have some difficulty in doing that if

their trucks are delayed at the central receival points. They will have two options: Firstly, to leave the wheat on the straw with all the risks involved; and, secondly, to buy added farm storage, either in the form of silos or dumping the wheat on the ground. It is expensive to pick it up again and expensive in terms of the declining quality, either through weather or insect damage.

Whoever put the press release together took no account whatsoever of those added costs which will be accorded to some growers. I am prepared to concede that the grower near the central receival point is advantaged. The receival point will be open for sixteen hours a day instead of eight hours a day and the grower will receive a \$2 freight rebate, as will all growers who will deliver there. That is a big advantage to the guy who was going to deliver there in any case. However, I am concerned with the people on the extremities of the wheat growing districts. They are the growers who will be considerably disadvantaged under this scheme.

Insufficient consideration has been given to those growers. If one looks, for example, at the eastern region, which covers the province I represent, one finds that the central receival points are few and far between. Receival points are located at Oakland—which is not even in Victoria, it is 40 miles over the border—Yarrawonga, Murchison East, Echuca and Elmore. The eastern region covers a huge part of Victoria and is a significant wheat growing area, yet there are only five central receival points. None are located in the Nathalia, Numurkah or Cobram areas, which are big wheat growing areas. Generally there are no large wheat growers, who would be best able to deal with this new policy because they have the type of equipment to deal with it. It is an area made up of many small, mixed farms.

These farmers are in wheat, sheep and grain growing in a small way and I do not believe adequate consideration has been given to their plight. Many do not have trucks of their own; they use tractors and trailers which are perfectly adequate for carting to silos approximately 6 or 7 miles away. This transport, however, would be totally unsatisfactory for travelling 50 kilometres and those growers are put in a difficult situation when they have to buy a truck which is an expensive capital item or they have to employ contractors.

It is easy to suggest that growers employ contractors, but it is not understood that there are not many contractors about who are prepared to undertake wheat carting. The problem is that when the contractor gets to the silo, he finds a queue of 70-odd trucks in front of him and he is trapped there for 4 or 5 hours. What contractor can survive in that situation? He will not want to charge the client the waiting time at the silo; so the reality is that not many contractors are prepared to take on wheat carting because they may be held up at the silos for hours on end.

I am concerned that the central receival point silos have not been upgraded to take account of this. The silo at Echuca is badly located, congested and in the middle of town. Even under normal circumstances, when it is receiving only from its own zoned area—around Echuca and over the river from the Bunaloo and Woomboota district, up to 90 trucks queue up there. Under this system people will cart to that silo from a 50 kilometre radius and even further because those who are carting from the Picola area will have to travel more than the 50 kilometre area. The weighbridge has been upgraded, but I am doubtful that anything has been done to the elevators. There will be a quite extraordinary situation at the Echuca silo under the central receival programme.

I do not believe adequate assistance has been given to growers who are on the extreme fringe of wheat-growing areas. They are the people I represent and the people I am concerned about. The railways are totally unprepared for the new system. They will need 60 locomotives. Most of those that are available are aged and have done an extraordinary number of kilometres. Many are out on maintenance. Some are required for passenger trains. I believe the railways will have tremendous difficulty in operating the block train concept. It is a marvellous theory, and I agree that on paper the system looks good, but many aspects have not been considered by the Government.

Far too little consideration has been given to individual growers and the extra costs that will be imposed. It is generally the small grower who can least afford those costs and who will bear the brunt of this system. The \$2 rebate has been inappropriately applied

by being spread across everyone who delivers to a central receival point, whether that is the local silo or not. More consideration should have been given to spreading the rebate to those who will bear the extra costs. Those growers deserve extra consideration and they are certainly not getting it.

It would be in the Government's interest to provide a good service following one of the worst droughts in the nation's history. The Government should do its best to ensure that the wheat growers of Victoria are able to harvest their grain in the quickest possible time with the least possible disruption and at the lowest possible cost, bearing in mind that the income thus derived is likely to be fed straight back into the economy and will be to the benefit of all Victorians regardless of whether they are farmers or towns people. This Government has seized an opportunity it saw to attack the farmers of Victoria. It is shameful to attack their livelihood and well-being. Mr Dunn, in his address earlier this morning, set out a good case for this House expressing its extreme concern on behalf of wheat growers. If, when putting together his speech yesterday, Mr Dunn had known what the Budget had contained today, his words would probably have been much tougher.

The Hon. D. E. KENT (Minister of Agriculture)—I appreciate the contributions made by Mr Dunn, Mr Baxter and Mr Radford. They showed once again their undiminished capacity for irresponsible representation. They have deliberately misrepresented the situation which they were well aware of. They were aware of the consultation that has taken place in regard to these matters.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I am not sure I correctly heard the Minister. I hope he did not say, "deliberately misrepresented." If he did say that, I invite him to withdraw the remark.

The Hon. D. E. KENT—I do not believe I said "deliberately"; I believe I said "irresponsible representation".

On the motion of the Hon. D. E. KENT (Minister of Agriculture), the debate was adjourned.

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

APPRENTICE TRAINING PROGRAMME

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

That this House—

(a) records its grave concern at the serious reduction in the number of apprentices in training during the year ended 30 June 1983, and at the implications of this reduction for the future; and

(b) calls upon the Government to re-examine its priorities for expenditure and to ensure that adequate funds are available to assist employers to take on and retain apprentices.

This motion addresses what I can only describe as the failure of the Victorian apprenticeship programme. It was revealed in figures released this week that there has been a 25.1 per cent drop in the number of probationary commencements in the apprenticeship programme in the year 1982–83 compared to the year 1981–82. In exact figures, in 1981–82, 13 413 probationary employment positions were commenced in the apprenticeship programme, and in 1982–83, 10 045, which is a reduction of 3432 apprenticeship jobs in 1983.

To say that this is a tragic reduction is to make the least exaggeration possible. There is universal recognition in our society today of the overwhelming need for youngsters who enter the employment field in the area of rapidly reducing opportunity to have transportable skills, knowledge and training. It is no longer good enough to leave school at fifteen years of age and throw oneself on the job market untrained, unaware of the requirements and hoping to get work.

Throughout Australian society, this is becoming more and more the way it is being done. Fewer young people in society are being trained in skills at a time when there is almost an exponential growth in the requirement for skills.

In an age of high technology and “future shock”, educators throughout the length and breadth of the land are concerned about the future of young people and are continually pointing out that it is absolutely imperative that skills be given to young people to equip them for the future, yet there has been a huge decrease in the number of young people taken into the apprenticeship programme.

Furthermore, at the beginning of the academic year, the technical and further education college system had to actually refuse 15 000 entrants seeking to be trained technically in society. Approximately 15 000 applicants could not find places in the technical and further education system. Box Hill College, which is in the area I represent, has a capacity for 1100 students but it presently has only 200 students in training.

There is an enormous capacity in the Victorian education system to cope with youngsters who are fully equipped to write 1500-word essays filled with an esoteric knowledge of geography, algebra and so on, none of which I disparage because I am a great believer in learning of all sorts. However, Victoria has an immense over-capacity in the academic side of education and an enormous restriction and constriction in the capacity for youngsters to take on technical skills.

A potentially tragic situation has developed in Victoria where 15 000 youngsters have not been able to obtain places in technical and further educational colleges when there has been a drop of 3400 plus in the apprenticeship system in 1983. The implications of that situation are horrendous. I refer to the views of Professor Ford on the need for training in a paper he gave to the Australian and New Zealand Association for the Advancement of Science conference this year. Professor Ford is associate professor of a programme in organizational behaviour at the University of New South Wales. In the paper he states:

In the journey to the high-technology world of the future I am convinced that it is the balance of skills that would be critical in determining a nation's comparative advantage, its terms of trade and thus its balance of trade and finally its standard of living.

In effect, Professor Ford is saying that the teaching of skills and the imparting of technical knowledge to the younger generation in a modern society is absolutely essential for the entire future of society.

That beautiful phrase coined by Cathie West, “The poor white trash of South East Asia”, is rapidly becoming the truth so far as Victoria is concerned through a reduction in the types of skills that are required in society. Let me give one further quote from the Victorian Employers Federation

report of 16 September this year, which, on the drop in apprentices, states:

This drop in apprenticeship training is alarming because it is clear that the demand for skilled tradespeople will increase substantially in the years ahead as our economy recovers and more technology is introduced.

The simple fact is that an enormously high proportion of our tradespeople are 55 years old and over. A large number who completed their training after the Second World War are now reaching retiring age and moving out of the work force.

Unless this loss is replaced by new tradesmen and women, Australian industry and the entire nation will face a very bleak future.

I have used that quote to place in context the implication on society of a drop in skilled training.

Victoria has, by and large, a very low percentage of young people engaged in occupational training of any sort, let alone apprentices. Let me give an example of what happens in West Germany.

In West Germany, no fewer than 70 per cent of all male boys enter some form of apprenticeship and 65 per cent of girls enter some form of apprenticeship. In Victoria, 2 per cent of girls, excluding the occupation of hairdressing, enter some form of apprenticeship. Those figures speak for themselves and indicate the direction in which Victorian society is heading.

The Government should be upgrading the amount of money, the emphasis and the concentration on technical skills in society rather than downgrading them. I was asked to make this speech after the Budget and I was prepared to do so because I had sincerely hoped that the Budget would have demonstrated a major shift in emphasis by the Government on the need to upgrade and spend more money on the apprenticeship system and spend a great deal more money on employment in general.

Indeed, the Treasurer in another place, commenced the Budget speech, with the words, "This is a Budget about jobs". I regret to say that the Budget is an outrageous conspiracy. I do not say that lightly. I will not go into the Budget speech in depth because I will leave that for another time. However, I will pick up the point about apprenticeship.

The Treasurer has already been reported on the radio today as saying that there will be a major new programme introduced with

an expenditure of \$3 million to upgrade the apprenticeship system. When I heard that announcement I thought that it would delete the criticism in my speech.

When I examined the Budget Papers, I looked up the allocation for employment and training and saw an allocation of \$3 million for apprenticeship incentive training schemes. However, I looked across to the other page under item No. 2 for expenditure in 1982-83 and saw an allocation of \$5 528 737 on additional apprenticeship schemes. This year the Government will spend \$2 250 million, which will be a net reduction in expenditure on the apprenticeship scheme of \$278 000.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! Mr Block should be speaking to the Notice of Motion No. 5 under General Business on the Notice Paper and not debating the Budget.

The Hon. P. D. BLOCK—I will not continue in that vein. I have made the point that the attempt to assist apprenticeship in Victoria in the current Budget is an outrageous nonsense. There has been a reduction of \$278 000 in the expenditure on apprenticeship training. This year there has been a reduction of 25.1 per cent in the number of apprentices employed in Victoria. That demonstrates the enormously twisted priorities of the Government. It shames me to have to say it.

I am ashamed of the Government that it should try to foist this nonsense on to Victorians and pose as a Government that is assisting the apprenticeship system. It is not, and let it not pretend that it is.

I was mentioning that West Germany has a much higher percentage of people involved in apprenticeships. I should explain that there is a much wider variety of occupations in which young people can enter apprenticeship in that country. Those occupations include retail, selling, banking, insurance and the wholesale trade. In fact, there are 400 different occupations in West Germany in which people can be trained and for which they can take apprenticeship courses, as against about 125 in Victoria. Therefore, that accounts for some of the vast differences.

I should give the House some more figures on the real fundamental problem of our society. The low retention rate of people

in any sort of education or training in our society is one aspect. In Japan, 88.1 per cent of all 17-year-olds are still at school; in Australia it is 31.5 per cent. Of course, one can immediately see the impact that has on the unemployment figures. There is obviously an immense inflation of unemployment figures when so many untrained and unskilled young people are being thrust prematurely on to the employment market. A total of 24 per cent of 15 to 19-year-olds are in the work force in Japan. In the United States of America the figure is 28 per cent but, in Australia it is 60 per cent. The figure for new entrants into the work force who possess degrees in Japan is 39 per cent whereas in Australia it is 8 per cent. The figure for full-time enrolment in tertiary institutions of any form in the 17 to 20-year age group is 23.4 in the United States of America, 16.8 per cent in Japan and 8.1 per cent in Australia. The figure for Australia is less than half of that of Japan and approximately one-third of that of the United States of America.

If Australians were ever looking down the barrel of becoming a non-artisan, non-skilled, non-capable and non-trained society, those figures give evidence of it. That is why the apprenticeship programme in Victoria, and miniscule as it is compared with other countries, is absolutely vital for young people and why the emphasis that is being given to it by the Government, and I will say, even by the previous Government, is not good enough. Honourable members know that there are many reasons for the drop in the number of apprentices. Certainly, and I do not visit this upon the Government, Australia is in a state of recession and that has a major effect on the capacity of employers to take on apprentices.

I would have thought that Mrs Dixon, who is yawning loudly and expressively, would consider what is being discussed at present as being of extreme interest. Therefore, if she wants to yawn, perhaps she can do so a little more quietly. The other major reason for the drop in the number of apprentices is the enormous burden that the Government places on industry, especially in a state of economic recession, which makes it even more difficult for employers to employ people in apprenticeships.

Some figures were recently released by the paper industry, and I shall quote from the *Pulp Paper Perspective*, June 1983, volume

1. It states that State Government charges are now a heavy burden on industry, having increased from 6.6 per cent of factory cost in 1978-79 to 12.5 per cent in 1982-83. It also states that the onset of this phenomenon could not have come at a worse time because it has coincided with the recession in the industry. A doubling of the figures has taken place during the past three years as a result of the burden of State Government charges on industry, and that is a major contributing factor to the drop in apprenticeships in our society.

Another major contributing factor is the immense increase in workers compensation premiums in the past year. The increase has been as high as 200 to 300 per cent in some industries. That is an almost unbelievable groaning burden that these industries have to carry. Once again, it means that there has to be a drop in the number of people who can be employed, particularly in apprenticeship programmes.

The Hon. B. W. Mier—What caused that?

The Hon. P. D. BLOCK—Government policy. The Government has not taken this enormously crippling matter in hand. The situation has occurred under the Labor Government, so the Labor Government has to handle it. Another reason why apprenticeship numbers have dropped in this society is the failure of the Government to take the matter in hand. With its twisted priorities, it has spent \$30 million on an employment initiatives programme. I shall talk about that a little more later because that is where the money should come from. It should come from that useless programme and be diverted into the apprenticeship programme where it could do long-term good.

When considering solutions to the problem, the first thing one needs to consider is workers compensation payouts. The Government propped up workers compensation premiums for first-year apprentices, and I am pleased that that was done; that was a policy formulated under the previous Government, and this Government has continued it. It is absolutely imperative that the Government steps in and underwrites payouts across the board for all apprentices throughout Victoria. The truth of the matter is that it would barely cost anything to do it. I should quote some additional figures relating to that because I do not want the

Government to labour under the impression that that is not possible.

The Housing Industry Association recently examined 282 carpentry and joinery apprentices at the Box Hill TAFE College. They were examined across the four years of their training. As honourable members would be aware, carpentry and joinery is a high-risk work area, and an area in which high workers compensation premiums are paid. For a second-year apprentice, the annual premium is \$2800; for a third-year apprentice, it is \$3750, and, for the fourth-year apprentice, it is \$4450. Those are amounts paid by the employer as premiums. The study showed that the average payout across the board for each apprentice each year was \$69.45. When that is compared to the premium of \$4000-plus for a fourth year student, one can see the immense burden under which the apprenticeship system is groaning. The apprentices, the youngsters, the highly motivated people in the work force, are carrying the burden for their elders and the high risk they obviously offer to the system.

The 184 apprentices from that study which constituted the second, third and fourth years at the Box Hill TAFE College, had a total premium pay-out of \$597 300. That is an average for each student of \$3246. As I said, the actual workers compensation pay-out for a student was \$69.45, which is 2.14 per cent of the \$3246 that was paid out in premiums.

I refer to an answer to a question in this House given to Mr Hayward by the Minister for Minerals and Energy. It is question No. 163, answered on 14 December 1982. Mr Hayward asked what it would cost the State Government to pay all the premiums—and I am saying “all premiums”—to all apprentices for that year. The answer was that \$17.4 million would be the total pay out in premiums to underwrite years 1, 2, 3 and 4 for all apprentices across the board.

If the Box Hill TAFE figures are true the actual pay-out figure is 2.14 per cent. If the Government agreed today to underwrite the entire pay out for apprentices in workers compensation it would, on these figures, cost a total of \$372 360. That is a miniscule amount of money, or chicken feed, as my colleague, Mr Chamberlain, has said by

interjection. That would be a major incentive for apprentices. All honourable members would realize what an incentive that would be to employers to undertake the re-employing of apprentices.

The Hon. J. L. Dixon—What about the insurance companies?

The Hon. P. D. BLOCK—It would take away one of the more profitable areas that insurance companies currently enjoy in the workers compensation field. Should profit be made from the jobs of youngsters? Does anyone suggest that the Government should not move into the area to protect the insurance company profits? I daresay that is not the suggestion being made. It is certainly not the suggestion from this side of the House.

The Government should move immediately because of the vital need for apprentices in society. I am glad that honourable members did not interject too much when I spoke about the profits of insurance companies. It can be immediately understood that that is a workable system which can be introduced now.

I shall now deal with where the money would come from. I do not want the Government to introduce higher taxation to bring about these reforms, but it could immediately invest about \$30 million—one can guess where I get that figure from—into wage support for private employers of apprentices. The current situation in the apprenticeship scheme is that first-year apprentices across the board in various industries are paid on an average of approximately 35 per cent of the adult wage. Second-year apprentices receive an average of 55 per cent of the adult wage. Third-year apprentices receive an average of 75 per cent of the adult wage and fourth year apprentices an average of 90 per cent of the adult wage. The amount of \$30 million could be used to subsidize the employment of 10 000 apprentices on an average of \$3000 an apprentice each year, or \$60 a week in proportion across the four different years.

Honourable members would concede that that would form a major incentive for employers of apprentices. It would provide an immediate uplift in the number of youngsters who could be employed in the apprenticeship programme for a mere \$60 a week averaged across the four years training. One may ask where the money for that

programme will come from. I shall deal with the complete failure of the employment initiatives programme in a whole range of ways and how that money could be immediately redirected into long-term skill training provided for apprenticeships.

The Hon. D. R. White—Why don't you talk to 3CR?

The Hon. P. D. BLOCK—I have not heard Mr White talk on Radio 3CR's programme *Par Avion*. I suppose he does not talk on the airways with Mr Hartley too often; perhaps it is something he can consider for the future, although I do not think Mr Hartley is his style.

I refer to the short-term nature of the sort of work provided in the employment initiatives programme. Last year, \$30 million was spent on the programme and only \$3 million has been allocated to it in the Budget this year. So much for the Government advocating that the Budget will provide jobs! In every possible way, the money that is allocated to job creation by the Government has been reduced. Even the Budget for the Ministry of Employment and Training has been reduced to an increased allocation of 6.1 per cent, when the inflation rate has been 10 per cent. It is a considerable downturn.

The Hon. B. W. MIER (Waverley Province)—On a point of order, I ask Mr Block where his information comes from. I would like to know from what section of the Budget he received that information relating to the \$3 million for the job creation programme.

The DEPUTY PRESIDENT (the Hon. K. I. M. Wright)—Order! I invite Mr Block to indicate the source of information to the House.

The Hon. P. D. BLOCK (Nunawading Province)—It is Budget Strategy and Review 1983-84, Part 4:3, 41—Works and Services Account. If one adds together the amount for last year, which is \$8.784 million, and the amount for this year of \$24.215 million, the amount announced as being set aside for the employment initiatives programme, the amount is \$30 million already announced, plus an additional \$3 million for this year.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—On a point of order, the Appropriation Bill will enable Mr Block to debate this matter and the figures he has

given. That would be an appropriate forum for him to discuss the matter. The House will have the opportunity of debating that Bill later in the sessional period. He is now referring to matters that ought appropriately to be the subject of debate in Committee on the Appropriation Bill. It is not a matter now before the House.

The Hon. A. J. HUNT (South Eastern Province)—On the point of order, Mr Block was discussing an issue in general terms and the relevance of the Budget Papers to that issue when he was specifically asked by a Government back-bencher to produce the authority for his statements. That was when he referred to the document. It seems out of order for the Government itself to take objection to the production of the document, which it demanded him to produce.

The Hon. P. D. BLOCK (Nunawading Province)—On the point of order, I am referring to the Budget Strategy and Review, which has now become a public document. As the Leader of the Opposition has pointed out, I was asked to give my source of information.

The DEPUTY PRESIDENT (the Hon. K. I. M. Wright)—Order! There is no point of order. The document accompanies the Budget, although I suggest that having made passing reference to the document, the honourable member may now debate his motion more fully.

The Hon. P. D. BLOCK—I was asked for the source of my remarks and I was attempting to conform with the Standing Order relating to that matter.

The point I was making is that if those two figures are added together, it is evident that the \$30 million allocated last year is provided for and there is an additional \$3 million, which is the amount of money the State Government is allocating this year to the employment initiatives programme.

The other aspect of the programme that must be considered is the immense low grade of work that is conducted by it, which results in none, or extremely few, transportable skills being provided to the unemployed.

In the recent report prepared for the Ministry by the Institute of Applied Social and Economic Research, it was pointed out that 73 per cent of all the works in the employment initiatives programme were in 'works

oriented programmes' and only 12.2 per cent of future employment would be available in that form of work. In other words, it was indicated that this programme fails to give the people engaged in it the opportunity of transportable skills that can be taken into other forms of employment. That is another reason why the money should be transferred from that programme into the apprenticeship scheme.

It is also completely missing its target in that it sets out, for instance, to help the young long-term unemployed; we know that 26 per cent of young people are unemployed in our society, yet the employment initiatives programme picks up only 5 per cent. It misses women; we know that 44 per cent of women constitute the long-term unemployed but the programme picks up only 22 per cent. It misses not only women and young people, it also misses migrants. In fact, it really misses the long-term unemployed.

The great bulk of those picked up in the programme are at the six-month unemployment level, which is the minimum level to make one eligible for the programme. It completely misses those at the nine to twelve-month level or more. It is a massive failure. Obviously, there are some areas in which it is succeeding, but they are tiny.

What really annoys me about the report is the way in which it is misleading. The back page of the *Victorian Government Notes* of 15 September 1983 states that the employment initiatives programme is very effective and it continues:

To be as effective in picking up that group by spending money in the open market would require an expenditure of \$258 million.

That is an outrageous untruth. The very terms of reference of the programme preclude any consideration of money being invested in the open market. It is restricted entirely to co-operatives, Government departments and public works. Funds cannot be invested in private enterprise programmes and it is completely misleading for the report to suggest that money spent in the open market would be less effective. One only has to read page 3 of the interim report to realize the truth of what I have said.

Perhaps the worst aspect is the claim that a person who has been through the programme will be three times more capable of getting a job. The back page of the *Victorian Government Notes* states:

The probability of an Employment Initiatives Programme participant obtaining employment within the first three months of leaving the programme is —

"Is" not, "may be" or "possibly" but "is" —

... three times the probability of a non-participant who has been unemployed for six months.

The facts are that fewer than 10 per cent of the participants of the programme would have completed their participation in the 3000-odd jobs and, of that 10 per cent, hardly any would have completed their participation more than two months ago, yet the Government is saying that three months after the participant has finished he would be three times more likely to get a job. That is a complete mis-statement of the facts and it completely misrepresents the report.

I want to show the Government where it can get real money right now by taking it out of this Mickey Mouse programme, and putting it into a valid, viable, long-term apprenticeship scheme that would give real advantages to young people.

The Hon. D. R. White—What about 3CR?

The Hon. P. D. BLOCK—I should not have thought that Mr White would have to curry favour with the Socialist left. I should have thought he would be able to stand fairly and squarely on the basis of his ability, unlike some others I could name. Page 8 of the institute's report states:

It would appear that one of the major assumptions of the Employment Initiatives Programme was that a period of employment would in itself improve the longer term employment prospects of participants by breaking the cycle of unemployment sufficient to influence the decisions of potential future employers.

So, the conclusion is based on an assumption. The report continues:

If it can be assumed that this factor alone will significantly improve participants' future job prospects, then given the present unemployment level of 700 000, it can be calculated that the probability of an Employment Initiatives Programme participant obtaining employment within the first three months of leaving

the program is three times the probability of a non-participant who has been unemployed for six months.

Every conceivable qualification is packed into that statement, yet the newspapers and the *Victorian Government Notes* say that the programme is three times more effective than money spent in the open market. What outrageous nonsense that is. It has not happened; it could not happen; and will not happen; and it certainly has not been possible for it to happen during the course of the programme to date. It is still winding up.

The Hon. E. H. Walker—How do you know it will not happen?

The Hon. P. D. BLOCK—It is conceivable and there is a tiny possibility that it might, but how dare this State report say that it has happened!

The Hon. E. H. Walker—How dare you say it cannot happen, could not happen and never will happen!

The Hon. P. D. BLOCK—That is my assumption based on my reading of the report. I do not think that the Minister was here for the earlier part of my speech.

The Hon. E. H. Walker—I heard enough of it.

The Hon. P. D. BLOCK—I shall repeat the figures that the Minister missed. The figures show that 73 per cent of participants in the employment initiatives programmes are occupied in 'works oriented programmes' versus—the projection that there will be 12.2 per cent in future new work in this area. How on earth can anyone accept those figures on one side of the page and then accept on the other side of the page the projection that people trained in the programme will be three times more likely to obtain employment? Where is the logic or the common sense in that or in the interjection of Mr Walker's? If I were the Minister, after yesterday, I would just go a little quietly for a while.

The Hon. E. H. Walker—It must be getting under your skin.

The Hon. P. D. BLOCK—Not in the least. The Minister did get under my skin to a considerable amount yesterday and he should go a little quietly. The reports are misleading.

The Hon. D. R. White—We will give you a pair any time.

The Hon. P. D. BLOCK—That is very gracious of the Minister, but after last night I do not think I would trust him, his leaders or his offer. I shall conclude now.

Honourable members interjecting.

The Hon. P. D. BLOCK—I am sure members of the Government party do not want me to continue because what I have said has been too hard hitting. I expected the hyena cacophany of mirth from the Government benches but, unfortunately for them, the facts I have put before the House will read as well as they sound. I do not think the plight of apprentices in Victoria is a laughing matter and I do not believe members of the Government party should laugh about it. I inform the Government that Liberal Party policy on this matter is that, immediately upon becoming the Government again, we will pick up the tab for workers compensation; we will immediately underwrite the payouts for all workers compensation for apprentices through years 1, 2, 3 and 4. I am explaining our policy because it is a policy we would like the Government to pinch. We want them to pinch it.

The Hon. D. R. White—You are an actor!

The Hon. P. D. BLOCK—People call me an actor and all sorts of things to try to disparage the effect of what I am saying. I take that as an enormous compliment. The more they say it, the more effective I know I am being, so I invite them to keep it up.

We would like the Government to pinch our policy because we think that apprenticeship training goes above and beyond politics. It is more important than any political point scoring. It would be the easiest thing in the world for the Government to pick up the workers compensation payouts for apprentices and it is vital that that should happen and happen now. Getting young people into skilled training is one of the most urgent priorities of this society. I commend the motion to the Government.

On the motion of the Hon. G. A. SGRO (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, October 5.

ORDER OF BUSINESS

The Hon. E. H. WALKER (Minister for Planning and Environment)—I move:

That Orders of the Day, General Business, be postponed until later this day.

The Hon. A. J. HUNT (East Yarra Province)—I do not propose to oppose the motion but, over a number of weeks, the Opposition has indicated that it desires to bring on some items of General Business—in particular, Orders of the Day, Nos 9 and 10, which relate to standing committees.

I ask for some assurance from the Government, if that is practicable, that, as it is now almost four months since those motions were first debated and the Government has not yet responded, the Government will give attention to the matter with a view to an early resolution of the issue.

The Hon. E. H. WALKER (Minister for Planning and Environment) (*By leave*)—I have spoken with the Leader of the Opposition on this matter and I indicate that active consideration is being given to the two Orders of the Day he mentioned. I am genuinely interested in those matters that were placed on the Notice Paper by Mr Guest and his wishes in this regard will be met without a specific time limit being set.

The motion was agreed to.

PENALTY INTEREST RATES BILL

The Hon. J. H. KENNAN (Attorney-General)—I move:

That this Bill be now read a second time.

It is designed to remove the uncertainties and difficulties which have arisen from the decision of the Australian Loan Council to discontinue the rate upon which the State penalty interest legislation relied.

On 1 July 1983, the Australian Loan Council discontinued publication of an approved maximum rate for long-term borrowing for new public securities issued by semi-Government authorities. This rate had been established by the Penalty Interest Rates Act 1981 as the rate to be applied in respect of defaults in payment of court orders and in respect of arrears in payment of purchase moneys under contracts for the

sale of land which had adopted the model conditions contained in the Property Law Act 1958 or the Transfer of Land Act 1958.

The Bill, when enacted, will repeal the Penalty Interest Rates Act 1981 and insert new provisions into the Supreme Court Act 1958, the County Court Act 1958, the Magistrates' Courts Act 1971, the Property Law Act 1958 and the Transfer of Land Act 1958.

The Bill contains the following features:

(i) In future, the penalty interest rate will be fixed by reference to the long-term Commonwealth bond rate.

(ii) The Attorney-General, having regard to the advice of the Treasurer, will announce the exact rate by notice published in the *Government Gazette*.

(iii) The rate will be fixed quarterly, operative on 1 October, 1 January, 1 April and 1 July.

(iv) The rate for the period 1 July 1983 to 30 September 1983 (or the date of assent to the Act, whichever is the later) shall be 15.8 per cent per annum, being the last approved maximum rate for long-term public borrowing issued by the Australian Loan Council.

(v) There is provision for validation of orders made since 1 July 1983.

(vi) There is provision for reopening of judgments or orders made since 1 July 1983.

(vii) If a maximum Commonwealth bond rate ceases to be set, the fixing of the rate will be left to the discretion of the Attorney-General, acting on the advice of the Treasurer. The 1981 legislation, introduced by the previous Government, did not contain such a fall-back provision.

In reviewing the 1981 legislation, I received submissions that the method of publication of the Australian Loan Council rate was unsatisfactory. The rate was usually announced on a Friday and made operative from the following Monday. The announcement was made by way of a press release. The primary source of information as to the approved rate was the financial press. Courts and practitioners often did not have ready access to this information. These difficulties were compounded by the possibility that the rate might fluctuate from week to week. For that reason, the Government has decided to implement a system of quarterly publication by way of an official

notice in the *Government Gazette*. I hope arrangements can be made for the official rate also to be published in professional journals and the daily law list, as has been suggested to me by the Law Institute and the Bar Council.

It is important to ensure that people should not be able to avoid their responsibilities to pay penalty interest on defaults which have occurred since 1 July. For that reason the legislation has a limited retrospective effect.

The Government recognizes the desirability of having a mechanism for the setting of the penalty interest rate which is commercially acceptable and is sufficiently flexible to take account of inflation. The Government has settled on the long-term Commonwealth bond rate as the most convenient reference point, as it is highly unlikely to cease to exist and it is widely utilized as a commercial measure of prevailing interest rates. I commend the Bill to the House.

The Hon. HADDON STOREY (East Yarra Province)—Because the Bill has some retrospective operation, it is obviously desirable that debate on it should proceed as quickly as possible. However, I understand that the Government has received submissions from the Bar Council and the Law Institute of Victoria which deserve serious consideration by both Government and Opposition members. I therefore move:

That the debate be now adjourned.

I suggest that the debate be adjourned until the next day of meeting.

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.

ADJOURNMENT

Water rates on Phillip Island—Land at Exeter Ridge—Student hostels—Co-operative housing societies

The Hon. E. H. WALKER (Minister for Planning and Environment)—I move:

That the Council, at its rising, adjourn until Tuesday, October 11.

The motion was agreed to.

The Hon. E. H. WALKER (Minister for Planning and Environment)—I move:

That the House do now adjourn.

The Hon. H. R. WARD (South Eastern Province)—I raise a matter with the Minister of Water Supply concerning the high cost of water and sewerage rates on Phillip Island. One correspondent describes the increases as mountainous. Residents on Phillip Island have apparently been heavily taxed because so many tourists and weekend visitors go to the island for holidays. This means that the ordinary ratepayer pays higher taxes not only towards the cost of the annual rates but also towards the cost of maintenance. The letter indicates that an owner of an average house will pay rates of \$284 in 1983, whereas the rate in respect of a similar sized house of lower quality in the metropolitan area will be less.

It concerns this correspondent that some assistance should be given to alleviate this problem. I know that the Minister has succumbed to pressure from persons in other parts of the State for the installation of sewerage. I ask him to give the same sympathetic consideration to the problems that exist on Phillip Island, where people are now paying what could be described as excessive water and sewerage charges.

The Hon. B. A. CHAMBERLAIN (Western Province)—I raise for the attention of the Minister for Conservation, Forests and Lands a matter concerning a proposal which is supported by all parties in the political spectrum to purchase land at Exeter Ridge for conservation purposes.

I note with some concern—which will be supported by the Minister—the reduction by some 30 per cent in real terms in the funds available to the Minister in today's Budget for the acquisition of land for conservation purposes. However, some money is still left in the bank. Will the Minister advise whether he has yet given consideration to acquiring the land owned by the Hochkins family at Exeter Ridge? The land comprises 45 acres and contains an important range of flora, numbering 225 Australian species, including a large variety of orchids. The land is relatively untouched by human hands; and everything is relative.

The land has important conservation value and I know the Minister was

impressed when he visited the area recently. Now that the Budget figures are available, will the Minister make an announcement that the offer of purchase on easy terms, which was made by the Hochkins family in conjunction with the City of Croydon, will be accepted?

This would involve a contribution of \$23 000 a year for the next three years and the Government could acquire a prime piece of land which is zoned for residential purposes and would have high residential value. It is universally agreed that the land should not be used for that purpose. The Minister will have received representations from members of his own party—both State and Federal—and members of the Liberal party. My colleague, Mrs Baylor, has been actively involved in the matter, as have members of the Australian Democrats. No political or local controversy exists and no one could contradict that the land should be purchased. It is a small amount of land and I would like the Minister to announce today that he proposes to join in the purchase with the City of Croydon.

The Hon. ROBERT LAWSON (Higinbotham Province)—I direct a matter for the attention of the Leader of the House, representing the Minister of Education. I have received letters from the Frank Tate House Students Association, Dandenong Road, Armadale, the Minimbah Hostel Students Association, Orrong Road, Armadale, and the Warwillah Students Association, St Kilda Road, Melbourne. The letters are similar and state that the students strongly fear that the hostels will close during 1984. The student hostels are paid for by the Education Department.

Mr Deputy President, as a country member, you would be interested to know that the hostels were established mainly for the benefit of country students. One of the letters begins:

We, the students of Frank Tate House, on behalf of all other students in Education Department Hostels, wish to express our concern about the possible closure of all Education Department Hostels in 1984.

The students have real fears that the hostels will close and that they will be thrown presumably on their own resources and have nowhere to go as students when they come

to the city from the country. I ask the Minister to make representations to the Minister of Education to ensure that the fears of the students are not realized.

The Hon. N. B. REID (Bendigo Province)—I direct a matter concerning co-operative housing movements in Bendigo to the Leader of the House representing the Minister of Housing. It has been brought to my attention that no Bendigo co-operative housing societies have received any loan funds. The two secretaries of the co-operative housing societies have been given a list of names from the deferred list and it is obvious from that list that the people involved have had their names submitted to the central waiting list and may have been supplied with funds from some other source.

In view of today's announcement that funds for co-operative housing societies have been decreased from \$33 million last year to \$30 million, will the Minister provide some indication of whether the Government sees any real future for co-operative housing societies? Will additional funds be allocated to country areas to provide an opportunity for young couples to seek co-operative housing society loans?

The Hon. E. H. WALKER (Minister for Planning and Environment)—Mr Lawson asked a question about student hostels which comes under the administration of the Minister of Education. If the honourable member will allow me to have copies of the letters I will hand them to the Minister and have a response prepared concerning the fears of the students about possible closure of the hostels. Other than that, I cannot make a response because I am not familiar with the matter.

Mr Reid asked a question about co-operative housing society allocations and I will refer the matter to the Minister of Housing and provide an answer on the earliest occasion.

The Hon. D. R. WHITE (Minister for Minerals and Energy)—Mr Ward raised the issue of water and sewerage charges on Phillip Island. The Government has taken steps this year to introduce new financial arrangements for 1983–84 with interest rates subsidized back to 6.5 per cent with revenue subsidies applying to those trusts and authorities whose rates are more than 1.2 times the State average. I look forward to taking

up the matter he raised with the State Rivers and Water Supply Commission and particularly with Commissioner John Maglen and I will provide a response in due course.

The Hon. R. A. MACKENZIE (Minister for Conservation, Forests and Lands)—Mr Chamberlain referred to the land at Exeter Ridge. It is true that I visited the area, and Mrs Baylor was there at that time. Accompanied by 50 residents, I spent a pleasant hour or so wandering through that extremely delightful spot, which is important for a variety of reasons.

The land is an interesting pocket of native bushland which has been retained amongst suburbia and I have no doubt as to the importance of the land from a conservation

point of view. Since my visit further investigations have been made, but I have not made a decision about the actual purchase. That decision will be made shortly because I have to examine other properties.

Although the land referred to by Mr Chamberlain is important, there are a number of other important areas throughout the State. Since I have had responsibility for the conservation portfolio for only a short time, I have not had an opportunity of evaluating all the land involved. However, the land referred to is high on the list and the decision will be made in the near future.

The motion was agreed to.

The House adjourned at 3.59 p.m. until Tuesday, October 11.
