The SPEAKER (the Hon. S. J. Plowman) took the chair at 11.5 a.m. and read the prayer.

"HANSARD" REPORT

The SPEAKER (the Hon. S. J. Plowman)—I wish to announce to the House that, following the request of two honourable members, I listened last night to the tape of proceedings of this House, in particular to the contribution of the honourable member for Doncaster on the Local Government (City of Melbourne) Bill. At the same time, I read the report in the weekly Hansard. I should like to advise honourable members that the report in the weekly Hansard was almost word perfect; there was no alteration in text or meaning, and three minor alterations which were in the opinion of the Chair acceptable to the House.

Normally, the Chair would not make this type of announcement, as the matter would normally be a private one between members raising the question with the Chair, the honourable member concerned and the Speaker. However, the matter was canvassed in a morning newspaper today and, in fairness to all members concerned, I feel it is appropriate to advise the House of the results of that examination.

ABSENCE OF MINISTERS

The SPEAKER (the Hon. S. J. Plowman)—I have to announce that the Premier and the Minister of Health will be absent at question time.

QUESTIONS WITHOUT NOTICE

NATURAL RESOURCES

Mr WILKES—(Leader of the Opposition)—Has the attention of the Minister for Minerals and Energy been directed to the South Australian Government's plan which would require Victoria to assist in piping gas to Sydney to safeguard South Australia's gas supplies? As such a plan would, in the opinion of the Opposition, reduce the surplus available to extend Victoria's gas supplies beyond this century, what action does the Minister intend to take in response to the request by the South Australian Government, particularly with the object of protecting Victoria's future gas supplies?

Mr LIEBERMAN (Minister for Minerals and Energy)—The Leader of the Opposition and I would be in complete accord that any proposal by another State affecting Victoria's natural gas reserves and resources which would have the effect of seriously diminishing those reserves and resources and of limiting the scope and dimension of Victoria and Victorians to progress in the future should not be accepted without careful scrutiny and careful evaluation of its impact on the State.

I thank the Leader of the Opposition for raising the question and I assure him that the proposal by another State which seeks assistance with respect to its own energy problems naturally must be considered objectively, because dialogue with other States must not be cut off. To do so would not be to act as a good Australian. However, I assure the Leader of the Opposition that there would be no agreement to allow this to occur unless and until the people of Victoria were given complete protection and security. I add that it indicates another reason why exploration for more natural gas both offshore and onshore in Victoria should be encouraged.

If more natural gas can be found, we will be able to supply more not only to Victorians but also to other Australians.

SUNDAY FOOTBALL

Mr ROSS-EDWARDS (Leader of the National Party)—Can the Minister for Youth, Sport and Recreation inform the House whether the Government has finally determined its attitude to the request by the Victorian Football League to play Sunday league games in Melbourne this year?

Mr DIXON (Minister for Youth, Sport and Recreation)—The matter is still under consideration.
STAMP DUTY

Mr BROWN (Westernport)—I refer to yesterday's announcement by the Treasurer concerning an increase in the limit below which stamp duty will not be payable in this State. Will the Treasurer explain to the House why he initiated this new decision and the likely effects thereof?

Mr THOMPSON (Treasurer)—Last May, the exemption level for the payment of credit and rentals was raised to the rate of 15 per cent. Because of general rises in interest rates since that time, it was found that the Government was picking up a lot of businesses which was never its intention to pick up for credit and rental duties, many of them small businesses, and it was decided by the Government that the exemption level should be raised from 15 per cent to 16 per cent. I understand that the rate in New South Wales has just been moved to 15.75 per cent. The move will help pastoral companies, but in particular a large range of small businesses, which otherwise would have been picked up for the payment of credit and rental duty at the rate of 2.1 per cent.

In a Bill that the Government introduced last December, and which was approved by the House, a maximum duty of $4000 was introduced, which will prevent firms from going overseas to negotiate loans to avoid the payment of credit and rental duty in Victoria. This is another form of relaxation which the Government believes will make a positive contribution towards developing business in Victoria, and retaining Melbourne as the financial capital of Australia.

ITALIAN COMMUNITY

Mr GINIFER (Keilor)—I direct my question to the Minister of Immigration and Ethnic Affairs. I remind the Minister of his racist statement made yesterday in the House.

The SPEAKER (the Hon. S. J. Plowman)—Order! The honourable member may not allude to racist statements. I ask him to rephrase the question.

Mr GINIFER—I ask the Minister: In the light of his answer to a question in the House yesterday, which reflected on one of the larger communities in this State, will the Minister, so as to indicate the attitude of the Government and of himself, make a complete apology to the Italian community in Victoria?

Mr KENNEDY (Minister of Immigration and Ethnic Affairs) —During my answer yesterday I indicated two factors. Firstly, I would have the matter raised by the honourable member investigated because I was not aware of the substance of the question. Secondly, it amazed me that the Opposition in this Parliament, which has a member within its ranks from the Italian community, did not approach that member for information on the activities of the Italian community. They did not approach him, I suspect, because he is not representative of the majority of Italians in this community. I do not apologize for that.

I have had a great respect for, and a very good working relationship with the Italian community since I have been appointed. It should not come as a surprise to the majority of honourable members to be told that, in the time I have been responsible for this area of Government administration, I have been invited to many Italian affairs whereas the honourable member in the other House, who supposedly represents their interests, has been asked only to one. My reference was to why the Labor Party members did not use some of the party's sources to obtain the information. I suspect they recognized that he is not representative of the community, when in fact the Government has very good relationships with the Italian community.

COBRAM–SHEPPARTON RAIL SERVICE

Mr JASPER (Murray Valley)—I refer to the proposed closure of the Cobram–Shepparton passenger rail service, and the reply which the Minister of Transport gave to me in this House on 18 March, that a variation to the proposed closure was being examined fol-
following representations from myself, the municipalities concerned, and a public meeting held at Numurkah.

Is the Minister now prepared to answer whether there is to be a change to the proposed closure of that line following the representations and investigations made by himself and VicRail into this matter?

Mr MACLELLAN (Minister of Transport)—A final decision has not been made but all indications are that the most likely result of the re-examination of the matter will be that the passenger train will continue to Numurkah. That will enable the same train that goes to Shepparton to continue northwards for that further distance. It would not be possible for that same train to go on to Cobram because of the different standard of line between Numurkah and Cobram.

Therefore, at this stage, the most likely result, given that the Government will make final decision and determination on the matter, is that the same train will go as far as Numurkah. It will involve approximately another $20,000 a year in cost to VicRail. That cost is a significant amount, but it is also an opportunity to respond to the community’s desire to have a train service farther north than Shepparton.

POLICE-TO-POPULATION RATIO

Mr TANNER (Caulfield)—I ask the Minister for Police and Emergency Services: To what degree has the Government improved the police-to-population ratio in Victoria? Is it the Government’s intention to continue to further increase police numbers and to further improve the ratio?

Mr THOMPSON (Minister for Police and Emergency Services)—At the moment the ratio of police to population in Victoria is 1 policeman to 499 people—say, 1 to 500. In 1979 on the last occasion when figures were available from other States, the ratio in Queensland and New South Wales was 1 policeman to 560 people. In Western Australia it was 1 to 484, and South Australia and Tasmania had the lowest ratios of approximately 1 to 420.

It is of interest to note that during the decade of the seventies our ratio fell from 1 to 732 to 1 to 500. It is anticipated that by the end of this financial year the ratio will come down further to approximately 1 to 485 or close to the West Australian level.

The aim announced by the Government is to progressively build up the size of the force to 9000 from 7500, which constituted the force at the time that announcement was made by the Premier in his policy speech.

MIGRANTS

Mr MATHEWS (Oakleigh)—I refer the Minister of Immigration and Ethnic Affairs to the $90,000 programme which his department conducted in 1979–80 with the stated aim of reducing negative attitudes to migrants in Victoria. I ask the Minister whether it is anticipated that a further programme along these lines will be required to redress the effects of his outburst yesterday, which if he consults the Hansard record lends credence to allegations made against the Italian community by a former senior employee of this Government and constitutes an attack on the Italian community and not, as he now claims, on an individual.

The SPEAKER (the Hon. S. J. Plowman)—Order! The honorable member is debating the question.

Mr KENNETT (Minister of Immigration and Ethnic Affairs)—I am not aware of the exact amount spent on the programme referred to by the honourable member for Oakleigh. The Ministry certainly intends to continue the good work that has been started in bringing about a multicultural society. We are much down the line in that area when one compares the activities of our ethnic communities with that occurring in Sydney. I will certainly have the matter examined and let the honourable member know as events unfold.

POLICE SERVICE BOARD

Mr EBERY (Midlands)—I remind the Minister for Police and Emergency Services that last year legislation was passed by Parliament for the setting up of
a Police Service Board. I ask the Minister what steps have been made to formulate the setting up of this board?

Mr THOMPSON (Minister for Police and Emergency Services)—Because of the increasing complexity of police awards, requests made for awards and the additional time involved, it was found that a substantial delay occurred in commencing the hearing of appeals against promotion or non-promotion and of appeals in the transfer field. The Police Service Board was reconstituted by a Bill passed in December and provision was made for a second division of the Police Service Board to be set up.

Judge Shillito has been appointed as chairman of that board and former Chief Superintendent Crimmins has been appointed as a Government representative. He was well known as the father of the late Peter Crimmins, but he has had a distinguished record in the Police Force. Accommodation for the second division has been found in the area of the Liquor Control Commission headquarters. There is no significance in that. The division will commence operating full steam on Thursday and I am confident that in a short time it will reduce the waiting list of police promotion and transfer.

GRANTS TO ETHNIC GROUPS

Mrs TONER (Greensborough)—In view of the fact that grants to ethnic groups have been frozen at $100 000 over the past three years, which is one-fifth of the amount requested for ethnic groups, and in view of the fact that the department spent a similar amount on publicity and propaganda, will the Minister of Immigration and Ethnic Affairs consider a new direction so that funds will be allocated to meet the financial needs of ethnic groups?

Mr KENNETT (Minister of Immigration and Ethnic Affairs)—The Ministry of Immigration and Ethnic Affairs has two functions. The first is to bring about and promote a multicultural society. The money the Ministry spends on the "I'm an Aussie" campaign has contributed towards bringing about a good rapport between all sections of the community. It is unfortunate that the honourable member for Greensborough suggests it is a waste of money. The second responsibility of the Ministry is the allocation of funds that have come to it from Treasury in the form of grants given out to those sectors of the community which have self-help programmes whereby, with some additional assistance, they can achieve a greater benefit to the communities they are serving.

To date, this amount has been $100 000. It has a ceiling on the limit and that is the total amount allocated. The Ministry, my predecessor and I have asked Treasury for more money for particular priorities. The emphasis on the expenditure and allocation of the money is totally apolitical, not based on any particular ethnic group and is dependent on the self-help programmes of the particular groups in which applicants are involved.

MINING DEVELOPMENTS AT BENAMBRA

Mr B. J. EVANS (Gippsland East)—Is the Minister for Minerals and Energy in a position to inform the House of developments by the Western Mining Corporation mineral lease at Benambra in East Gippsland and, if so, can he indicate whether substantial developments are likely to flow from those discoveries?

Mr LIEBERMAN (Minister for Minerals and Energy)—The question relates to an exploration activity by Western Mining Corporation in the Benambra region. To my knowledge, the company has made no announcement of a commercial deposit, but reports made to the Government and the stock exchange over the past year or so indicate a promising ore body which requires further exploration.

I will take up the question with the company and ask whether it is in a position to make a further report to the people of Victoria on exploration activities. It is fair to say that the indications of ore at present are encouraging and the company's exploration activities will certainly lead to interesting revelations on the potential of
Victoria's mineral deposits. The Government's policy of encouraging onshore and off-shore exploration in Victoria will be enhanced and supported by reason of the indications following Western Mining Corporation Ltd exploration of the rich ore deposits in Benambra.

INTERNATIONAL YEAR OF DISABLED PERSONS

Mr Cox (Mitcham)—In the International Year of Disabled Persons, the Housing Commission, in conjunction with the Nunawading City Council, has made available a pensioner unit to a disabled couple. Can the Minister for Minerals and Energy inform the House what his Ministry or the statutory authorities are doing to assist handicapped people in this International Year of Disabled Persons?

Mr Lieberman (Minister for Minerals and Energy)—The question asked by the honourable member for Mitcham is appropriate. I have been keen to encourage, through my responsibilities as Minister for Minerals and Energy, statutory authorities such as the Gas and Fuel Corporation and the State Electricity Commission, to participate in the International Year of Disabled Persons. The State Electricity Commission and the Gas and Fuel Corporation have introduced a number of positive measures to assist the disabled people in the community. One of those measures of assistance about which I shall briefly inform the House is a cookbook produced by the Braille and Talking Book Library with the assistance of the Gas and Fuel Corporation and in conjunction with the Royal New South Wales Institute for Deaf and Blind Children.

Honourable members interjecting.

Mr Lieberman—The recipes are worth while producing for honourable members, but I will not do that. In conclusion, the braille cookbook enables people with sight disabilities to achieve self-sufficiency and independence in their own homes and to produce for themselves and for their families some tasty recipes.

INDO-CHINESE REFUGEE ASSOCIATION

Mr Cathie (Carrum)—Has the attention of the Minister of Housing been drawn to the fact that the Indo-Chinese Refugee Association, which represents about one-fifth of Victoria's migrant intake last year, is unable to find housing for approximately 400 young Vietnamese and is facing bankruptcy? The organization has been promised funds by the Government, but approval for those funds has not been received. Therefore, what action does the Minister
propose to take to meet the acute housing needs of this growing ethnic community?

Mr KENNNETT (Minister of Housing)—I am aware of the comment on which the honourable member based his question, which was again as a result of press coverage. I am obviously looking into the matter.

Mr Cathie—What are you going to do?

Mr KENNNETT—We are looking into it. I was made aware of it only this morning. When I find out the results of those investigations, I will let the honourable member know.

TREASURY REGULATIONS

Mr McClure (Bendigo)—I refer the Treasurer to some of the apparent outmoded and unnecessary practices and procedures within the Treasury and ask the Treasurer whether he has addressed himself to these problems and, if so, what changes he may be proposing to upgrade procedures within the Treasury? Further, will any advice be given to the public to assist it in its business dealings with Treasury, and in particular, in the making of claims and other arrangements?

Mr Thompson (Treasurer)—There have been some changes and Treasury regulations have been revised and consolidated. The task of carrying out the revision of the regulations was given to a former Treasury officer, Mr Jock McCorkell—perhaps better known as the guardian of the late John Coleman. Mr McCorkell performed that task particularly well and conscientiously as he had performed his task as a Treasury officer. Mr McCorkell eliminated some fifteen pages of regulations which were outmoded or outdated.

Mr Wilkes—Is your photograph in the front of it?

Mr Thompson—No, my photograph is not there, but there is a photograph of the ALP under the hot air section. The regulations are now in a modernized and revised form and published in a convenient booklet for general usage. They contain a copy of the Audit Act, the Public Accounts Act, instructions from Treasury to the various departments and a revised set of regulations. The practice of revising them will be carried out on a regular basis every three years.

CITIZEN REQUIREMENTS

Mr Roper (Brunswick)—I refer to the statement by the Minister of Immigration and Ethnic Affairs that the citizenship requirements that migrants renounce all other allegiances is unrealistic. Is the honourable gentleman aware that in 1973, the then Federal Minister for Immigration, Mr Al Grassby, attempted to have these words changed in an amendment to the Australian Citizenship Act but the Bill was defeated by the Liberal and Democratic Labor Party majority in the Senate? Can the honourable gentleman inform the House what steps he has taken to change the attitude of his Federal Liberal colleagues on this matter so that they will follow the Al Grassby proposal of 1973, which the honourable gentleman has now embraced?

Mr KENNNETT (Minister of Immigration and Ethnic Affairs)—It has been a great day to try to get across some of the very positive things that the Department of Immigration and Ethnic Affairs has been doing. In answering the question of the honourable member, I point out that the Victorian Ethnic Affairs Advisory Council has advised me that it is aware that there are a large number of members of the ethnic community who have not taken out citizenship in this State or indeed in Australia. One of the reasons for some of our ethnic colleagues not taking out citizenship is the wording of the oath which requires them to renounce all other allegiances. What the department is doing in Victoria, before it makes an approach to the Federal Minister—I have already had discussions with him privately—is to obtain a reaction from the community to ensure that they swear allegiance to Australia—to the Queen of Australia as such—but in what form they would suggest the wording might be and which will still enable them to hang on to their own traditions, culture, commun-
ity attitudes and the historic connections they have which can help to bring enrichment into our community.

This is a positive move to formulate a more realistic oath, accepting on the one hand that they have decided of their own choice to live in Australia and accept our democratic way of life in the interest and development of their families, and on the other hand, to ensure that we can be enriched by the cultures that they have which they can preserve and help develop some of those cultures within our community.

**PASSENGER TRAIN SERVICES**

Mr TREWIN (Benalla)—I refer the Minister of Transport to the visit made to Benalla over the past couple of weeks by members of VicRail and the Transport Regulation Board which indicates that new arrangements are being formulated for passenger train services on the north-eastern line. I ask the Minister to indicate the prospects of those services being put into operation within the next two or three months and if they are to operate over a three-year period, will the operation be subject to funds from the Government to provide locomotives and new rolling stock so that the services can be fully developed?

Mr MACLELLAN (Minister of Transport)—The honourable member obviously refers to a visit from one of the five groups that have been visiting various parts of the State to discuss a suggested time-table proposed to be operational by August. Included in the time-table are additional services for some areas, including the Seymour area. It follows that if those proposals are adopted in country areas, progressively additional and new country carriages will have to be built. At present, the Government has a commitment for producing 36 and I imagine that the number that would be required to meet the upgrading and the proposals being discussed would be 54.

Financial discussions have been held within the Government and with the Treasurer, who is naturally involved in this aspect, about finance for the upgrading to that extent and the Government will be making an announcement in due course. In the meantime, it is hoped that the discussions with country communities, such as the honourable member's, and their reactions will be productive. There are variations—for instance, the honourable member for Murray Valley has recently requested an additional stop at Springhurst—and given those variations and that discussions reach a point where the results can be brought to the Government, the Government will make an announcement in the near future.

**PAPER BOYS AND GIRLS**

Mr COLLINS (Noble Park)—I refer the Minister for Police and Emergency Services to recent requests I have made to him about the safety of news boys and girls selling their wares on roads. Has the honourable gentleman checked the legality of the guidelines established by the Victorian Authorized News-agency Association and the Police Force some eight years ago?

Mr THOMPSON (Minister for Police and Emergency Services)—The Government, the Road Safety and Traffic Authority and the Police Force were concerned at the number of accidents involving children selling newspapers on roads and running across in front of cars from one side of the road to the other. Legal guidelines have been established which insist that a child or any person selling newspapers shall operate only from the kerb or from the centre of the road if the road has a median strip and shall not move out on to the road or a highway. In this way, it is believed the service of selling newspapers can be maintained and the danger eliminated not only for those persons selling newspapers but also for those persons conducting appeals on the roadway by rattling donation boxes.

**PETITIONS**

*Upfield rail service*

Mr GAVIN (Coburg) presented a petition from certain citizens praying that action be taken to reverse the decision to close the Upfield railway passenger service and to provide funds for the
service to be improved. He stated that the petition was respectfully worded, in order, and bore 248 signatures.

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

Hume Highway Euroa by-pass

Mr CRABB (Knox) presented a petition from certain citizens praying that a decision be made immediately to begin work on the Hume Highway Euroa by-pass and that the Country Roads Board be authorized to commence works as soon as possible. He stated that the petition was respectfully worded, in order, and bore 788 signatures.

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

LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL

This Bill was received from the Council and, on the motion of Mr LIEBERMAN (Minister for Minerals and Energy), was read a first time.

GOVERNMENT EMPLOYEE HOUSING AUTHORITY BILL

Mr KENNETT (Minister of Housing) moved for leave to bring in a Bill to establish a Government Employee Housing Authority, to make provision with respect to housing accommodation for Government employees, to repeal the Teacher Housing Act 1970, to amend certain other enactments, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL

Mr WOOD (Minister of Public Works) moved for leave to bring in a Bill to amend the Government Buildings Advisory Council Act 1972 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

ECONOMIC DEVELOPMENT BILL

Mr I. W. SMITH (Minister for Economic Development) moved for leave to bring in a Bill with respect to the economic development of Victoria, to amend the Decentralized Industry Incentive Payments Act 1972, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

CROWN LAND (RESERVES) (AMENDMENT) BILL

Mr WOOD (Minister of Public Works) moved for leave to bring in a Bill to amend the Crown Land (Reserves) Act 1978.

The motion was agreed to.

The Bill was brought in and read a first time.

HOSPITALS AND CHARITIES (AMENDMENT) BILL

For Mr BORTHWICK (Minister of Health), Mr Maclellan (Minister of Transport) moved for leave to bring in a Bill to amend the Hospitals and Charities Act 1958, to make further provision with respect to the relief of aged, disabled or handicapped persons, to enable scheduled hospitals to enter into agreements with benevolent societies and institutions with respect to the transfer of assets, the use of property and the provision of services, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

FORESTS (AMENDMENT) BILL

Mr AUSTIN (Minister of Agriculture) moved:

That this Bill be now read a second time.

It proposes a number of minor and unrelated amendments to the Forests Act 1958.

Clause 1 contains the usual provisions relating to citation and commencement. Clauses 2 and 3 (1) transfer certain powers from the Governor in Council to the Minister. These powers relate
to the granting of leave of absence to the Chairman of the Forests Commission and other commissioners and to the appointment of deputies during the absence of the chairman or a commissioner. These are matters of relatively common occurrence and it is appropriate that they be left to the discretion of the Minister rather than the Governor in Council.

Clause 3 (2) inserts a new sub-section into section 17 of the principal Act which entitles the Chairman of the Forests Commission and each commissioner to leave of absence for recreation. Although the principal Act implies that recreation leave may be granted, it is not explicit and it is desirable to make the legislation clear. The amendment will entitle the chairman and each commissioner to four weeks’ recreation leave in each year and is subject to the approval of the Minister.

Clause 4 repeals that part of section 46 of the principal Act which requires notice of intention to dedicate reserved forest to be published in four consecutive issues of the Government Gazette and two consecutive issues of a newspaper circulating in the area concerned.

This requirement has remained unaltered for 65 years. It is a costly process and completely outmoded in the light of present-day involvement of the public in land use decisions. Most dedications of reserved forest these days result from Government decisions to accept recommendations of the Land Conservation Council, which have already been widely publicized.

The effect of the amendment is to require notice to be published once only in a newspaper circulating in the area and this is in line with similar provisions relating to the reservation of land in the Crown Land (Reserves) Act.

Clause 5 increases the amount of money specified in section 48 (1) of the principal Act in relation to the purchase of land in any year to $3 million. The existing provisions of section 48 (1) of the Act limit expenditure on land purchased by the Governor in Council on behalf of the Crown in any one financial year to not more than $200,000 without the express sanction of Parliament. This financial limit was last increased in 1948.

Since that time the Forests Commission’s role in purchasing land on behalf of the Crown has increased substantially, particularly with respect to marginal farmland for pine planting and land with conservation and fire protection values in places like the Dandenongs and Mount Macedon.

Each year a State Forests Works and Services Bill is presented to Parliament which authorizes the commission to spend money on purchasing land. The commission also acts as the purchasing agent for the Ministry for Conservation and spends money allocated to the Ministry by Parliament for that purpose.

The purpose of the amendment is to update the principal Act so that the empowerment for the purchase of land up to the value of $200,000 contained therein is brought into line with the current expenditure on land purchase which is authorized in other legislation.

Clause 6 amends section 50 (1) of the principal Act to enable the declaration of reserved forest as a “flora and fauna” reserve. This is one of the several categories of reserve recommended by the Land Conservation Council to be managed by the Forests Commission. As section 50 (1) stands at present, an area of reserved forest could be declared to be a “fauna reserve” which was not intended when the section was amended by the Forests (Further Amendment) Act 1980. This amendment will bring the wording into line with that used by the Land Conservation Council.

Clause 7 amends Section 52 (1) of the principal Act to enable licences or permits with respect to State forest for a variety of specified purposes to be issued for periods exceeding three years but not exceeding twenty years.

This change is necessary because, although the present maximum period of three years is satisfactory for the thousands of licences that are issued for minor forest produce such as fencing timbers and fuel, it is insufficient to provide a satisfactory tenure for sub-
substantial investment in sawmilling, plywood, pulp and paper and particle board manufacture. It is, of course, necessary for there to be sufficient timber supplies available in any area to sustain longer term licences.

In other Australian States the periods for which licences to obtain forest produce may be granted without special legislation greatly exceed three years.

The amendment will require that the granting of any licences or permits for periods over three years be subject to the approval of the Governor in Council.

Section 8 widens the means by which unbranded cattle with no reputed owner found depasturing on reserved forest may be disposed of and brings cattle less than twelve months old within the ambit of the principal Act.

Section 89 (1) of the principal Act authorizes the sale and disposal of all unbranded cattle over the age of twelve months with no reputed owner found depasturing on reserved forest. By definition cattle includes bulls, cows, oxen, heifers, calves, steers, horses, mares, geldings, colts, fillies, assers, mules, pigs, rams, wethers, ewes, lambs, goats and kids.

Legal opinion is that this section of the principal Act does not allow the commission to dispose of such cattle by any means other than sale.

Wild cattle, including horses, pigs and goats, are becoming pests in some forest areas and some are so difficult to catch that it is impossible to dispose of them by sale. In other cases animals are diseased and sale is out of the question.

The amendment will enable such cattle of any age to be destroyed or disposed of by other means, including sale. The manner of disposal will be subject to the direction of the Governor in Council as at present. I commend the Bill to the House.

Dr VAUGHAN (Glenhuntly)—I move:

That the debate be now adjourned.

I suggest that the debate be adjourned for two weeks because, although the Bill has come from the Legislative Council, the Opposition requires further time for consultation on a number of aspects of it.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Tuesday, April 21.

SUPPLY (1981–82, No. 1) BILL

Mr THOMPSON (Treasurer)—I move:

That this Bill be now read a second time.

This is the usual Supply Bill introduced at this time of the year providing for expenditure from the current account sector of the Consolidated Fund for the first five months of the new financial year up until the end of November. It provides for expenditure of $1 494 566 900.

The Estimates have been based on current levels of wages and allowances. Any additional increases occurring in the intervening period will be covered under clause 2 of the Bill, which provides for payments after 20 March 1981 to be covered in that way. I stress that this is not a budgetary measure; it merely provides for the ongoing activities of the Government during the five months of the new financial year until the passing of the Appropriation Act. If the Appropriation Act should be passed prior to 30 November it would supplant the provisions of this Bill.

I direct the attention of the House to some changes in the introduction of the measure. Apart from the memorandum which has been distributed on the face of the Bill, I have endeavoured to provide, in an additional document which has been handed out to honourable members, information in relation to variations which have taken place by comparison with this year's Budget to give the reasons for those variations.

The major changes to which I shall refer in my speech are, firstly, that the Department of Economic Development supplants the Department of State Development Decentralization and Tourism and is covered under Division 150; secondly, the Department of Employment and Training takes over the Industrial Employment Commission from the Department of Labour and
Industry, and the Employment Committee from the Department of the Premier, and they are provided for under Division 290.

Other changes of significance under the control of the Attorney-General are that legal aid moves from the Public Solicitor to the Legal Aid Commission and is picked up under Division 350 rather than Division 351. Rent control also is moved to the Ministry of Consumer Affairs.

The Port Phillip Authority has been transferred from the Department of Conservation to the Lands Department and is now covered under Division 462. Those are the main changes, and other changes are referred to in the explanatory notes.

In delivering the Budget speech in September, I said that I anticipated a balanced budget and that there would be no requirement to call upon funds within the Works and Services Account to correct any deficits in the current account sector. It appears that that prophecy will prove to be correct. However, the type of surplus which appeared to be developing at this stage of the 1979–80 financial year, and which resulted in a final Budget surplus of some $61 million, does not appear likely. Furthermore, Estimates of Revenue and Expenditure for the coming financial year indicate a shortfall which gives cause for concern. The wages bill increased by $232 million because of awards this year and wages account for something like two-thirds of total expenditure. This is a matter of continuing concern for State Governments in general, and perhaps for Victoria in particular. The reason why I say Victoria in particular, is to once again emphasize to the House the disabilities Victoria suffers under the present system of tax reimbursements from Canberra. I have indicated that Victoria contributes 29 per cent of the money in the total income tax pool, and receives back 23 per cent; the difference is $350 million.

Unfortunately, it is also true that if Victoria were reimbursed on the same basis per head this year as Queensland, it would receive another $519 million in this year alone; if, on the same basis as South Australia, some $722 million this year alone; if, on the same basis as Western Australia, another $890 million this year, and if on the same basis as Tasmania, $1417 million in this year alone.

At present the special division of the Commonwealth Grants Commission is investigating Victoria's case. A strong 40-volume case was presented by the Treasury to the commission, which consists of members of the Grants Commission, plus three outsiders, included on this occasion for the special task that the commission will perform. However, it is not expected to report to the Commonwealth Government until June next.

The second disability, which Victoria suffers, in conjunction with other States, is that it does not enjoy the same advantages from growth taxes, which benefit from inflation, as does the Commonwealth Government. For example, in 1980–81 Victoria had to meet additional expenditure all told of $522 million. Now only $129 million came from the State tax reimbursement pool via the Commonwealth. When the Government is trying to raise an additional $500 million to $600 million, and only $130 million comes through the tax reimbursement pool, it is forced to rely very heavily indeed on areas of State taxation.

Because of Victoria's disabilities that have been mentioned already, the Government has been obliged to increase State taxes in many cases to undesirable levels. For example, the last table showing State taxation per head for various States—two years ago—indicated that in Queensland it is $199 per head in State Taxation, and in Victoria we are paying $309 per head, which is a very substantial difference.

The point I am stressing at this stage is that if the States as a whole, apart from the particular disability suffered by Victoria, use a new range of taxes, the revenue therefrom does not increase with inflation in the same way as sales tax and income tax. The only one that does is pay-roll tax, which is universally an unpopular tax, and the
States have tried individually, and collectively, to lift the exemption level to help small business in that area.

The third disability that Victoria suffers in comparison with States like Queensland and Western Australia, which it subsidizes so heavily, is that our mineral finds have been off-shore, and for constitutional reasons we do not derive the real financial benefits from these finds. That benefit mainly goes to the Commonwealth in the form of levies, which produce more than $3000 million to the Commonwealth at the present time, whereas the States of Western Australia and Queensland are able to benefit directly from their onshore finds.

Three areas are giving concern to the States at present, and to Victoria in particular, which involve Commonwealth-State financial relations. In fact it could be said that there are four. The first relates to the matter that I have just described to the House, the current inquiry by the special division of the Commonwealth Grants Commission into the sharing of the financial cake made available to the States by the Commonwealth. I mentioned that that report will not be available until June this year. It was hoped it would be available earlier.

The second is that we have yet to determine with the Commonwealth, at a conference to be held early in May, the method for determining the amount of income tax that will be returned to the States. At present the States receive back 39·87 per cent, say 40 per cent, of the total tax pool, and the amount by which that increases each year under the guarantee provision is still subject to final determination. There is a temporary, or in-between, formula this year, which will increase the sum received the previous year by the consumer price index increase, taken from March 1980 to March 1981. That was decided on as a temporary measure, and the permanent, or five-yearly, method of determining the amount of personal income tax that comes back to the States is still to be decided in the middle of this year.

The third area causing concern relates to health administration, because the five-yearly cost sharing agreement, introduced in 1976, expires in the middle of 1981, and the Government is still not sure what will be the nature of that new agreement.

Fourthly, the activities of the so-called "razor gang" of the Federal Cabinet give some concern as to the effect of its decisions on State finances. So there are decisions really which we do not directly control in four important areas to be made over the next six months. This is why it is very difficult to see clearly the pattern of Victoria's revenue in the coming financial year.

However, because of the estimates made, and because of the growth in the wages bill, $232 million this year, the Budget sub-committee of Cabinet has decided to take certain immediate measures in order to curb expenditure. First of all, we have been examining the size of the Public Service. There has been some criticism that, although the Commonwealth has curtailed the growth of the Commonwealth Public Service and actually reduced it, the State of Victoria has not done so. This is not so. As I indicated in last year's Budget speech, there was a reduction of 1070 in the total number of public servants compared with the year before. In the financial year 1977-78, the total size of the Public Service financed through the Budget was 120 950, coming down next year to 120 790, and in the following year, last year, to 119 718. So there has been a definite reduction in the size of the Public Service affected by the Budget itself.

The Government will also be asking the Manpower Advisory Committee immediately to see what other steps can be taken to reduce the size of the public pay-roll. Secondly, the Government will be asking every Minister to examine the policies and activities of his particular department to see what economies can be effected.

Thirdly, the Government will be revising fees and charges within State departments and instrumentalities in the very near future. In this way we hope, to some degree, to curb the growth of
expenditure because it is very necessary to do so in the light of forecasts for the ensuing financial year.

Finally, I stress that the key decisions affecting next year's Budget lie in the four areas I mentioned. Firstly, the report of the inquiry by the Commonwealth Grants Commission, chaired by the honourable Mr Justice R. Else-Mitchell, into the sharing of the total tax pool between the States. Secondly, the nature of the reimbursement formula to be adopted for deciding the total cake to go to the States from the Commonwealth. Thirdly, the terms of the cost-sharing agreement between the Commonwealth and the States to be finalized before the end of June next year. Fourthly, the activities of the Federal Cabinet "razor gang".

If there are any inquiries about detail, I shall be pleased to answer them, but the detailed submissions and memoranda submitted to members of the House will enable them to make a more informed contribution to the debate than was possible previously. It was pointed out that additional information was needed in a number of different areas. We have tried to meet those objections in a constructive way. I commend the Bill to the House.

On the motion of Mr JOLLY (Dandenong), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, April 22.

LIQUIFIED PETROLEUM GAS SUBSIDY (AMENDMENT) BILL

The debate (adjourned from March 18) on the motion of Mr Lieberman (Minister for Minerals and Energy) for the second reading of this Bill was resumed.

Dr VAUGHAN (Glenhuntly)—The reason for introducing the Liquified Petroleum Gas Subsidy (Amendment) Bill is that the Liberal-National Party coalition Government in Canberra has no coherent national energy policy. Further evidence for that point is contained in newspaper headlines of the past 24 hours about the latest failure of the national energy policy.

The Rundle shale oil joint venture between Esso, Southern Pacific Petroleum and Central Pacific Minerals and the pilot plant has been cancelled. Therefore, it is back to the drawing board for the Federal Government, so far as a national energy policy is concerned.

This Bill illustrates the Federal Government's latest retreat from a previously declared world parity pricing policy for liquefied petroleum gas and indeed for all hydrocarbons. It is another palliative. It is not a solution to the liquefied petroleum gas pricing policies that the Government has created by its own making. It is a further acknowledgement by the Federal Government that world parity pricing is not an appropriate policy for liquefied petroleum gas.

The Bill is a machinery Bill in that it is complementary legislation to the Federal Liquefied Petroleum Gas (Grants) Act 1980. This piece of legislation passed through the Federal Parliament following the October Federal election. It passed through the House of Representatives on 3 December, and through the Senate on the following day. The Federal Bill, now an Act, amended a previous piece of legislation, the Federal Liquefied Petroleum Gas (Grants) Act 1980 and the complementary Victorian legislation for that Act passed through this House on May 1 and 6 last year. I, of course, refer to the Liquified Petroleum Gas Subsidy Act 1980.

Liquefied petroleum gas policy has been debated in this House twice in the recent past at the initiative of the Opposition when the shadow Minister for Minerals and Energy, the honourable member for Morwell, moved substantive motions on 20 September 1979 and 18 March 1980. I am sure I have the support of all honourable members of this House in wishing the honourable member for Morwell an early return to this place.

The Opposition has had a need to raise in this House the question of a liquefied petroleum gas policy, its pricing, distribution and other aspects, because Ministers of the Crown have refused to make Ministerial statements.
Although Ministers view themselves as politicians, to a large degree they do not regard themselves as Parliamentarians. They do not feel a strong commitment to inform the Parliament and initiate debate on such an important subject as energy, and specifically the energy policy as it relates to liquefied petroleum gas.

I have had a little research done in the Papers Room and I am informed that the last Ministerial statement made by the Honourable J. C. M. Balfour as Minister for Fuel and Power or Minister of Minerals and Energy was on 3 June 1976. It related to the Newport power station. That is in fact the only Ministerial statement made by such a Minister that has been recorded in the Papers Room since the Papers Room started to keep records of Ministerial statements in 1956.

If those facts are correct, and I have not double checked them, that is a shabby record. Insufficient Ministerial statements have been made to this House on any topic, but particularly on the important minerals and energy portfolio. I hope that is an omission that the new Minister for Minerals and Energy will seek to make right. I look forward to more regular statements being made by the Minister to this House to bring on debate on this most vital issue in the 1980s.

As I mentioned, the Opposition has to some extent filled that void twice since the last election by moving substantive motions on the subject of energy and liquefied petroleum gas. I do not intend to repeat those arguments in this debate. However, all honourable members know that the Government has introduced Sessional Orders and restricted the opportunities of the Opposition to make good the omissions of the Government in bringing forward debate on important topics. I will use every opportunity to make the point that the Government is restricting the rights of the Opposition to initiate debate on important matters.

It gives me pleasure to be speaking on the subject of liquefied petroleum gas because I had a brief professional connection with the production of refinery liquefied petroleum gas. As a young engineer after I had completed the academic requirements for the Diploma of Chemical Engineering at the Royal Melbourne Institute of Technology, I was working as a vacation student at the Shell refinery at Corio as a process engineer. That section of the refinery treated the tail gases to produce a propane fraction, a butane fraction and so forth. My task over the three months was as a material and energy balance engineer on that part of the refinery using what chemical engineers refer to as stoichiometry. It was a valuable three months' experience and one that this debate has caused me to reflect on.

It is appropriate to comment that people like to use abbreviations for liquefied petroleum gas. Going through debates on liquefied petroleum gas in recent years, I have found that LPG is generally the title used to describe the substance. When one refers to liquefied petroleum gas in Victoria, more times than not one refers to a commercial grade of propane, which is at least 97 per cent propane with 3 per cent of what one may call impurities. They are not really impurities; they are still good fuel.

Predominantly butane is the impurity, but refinery liquefied petroleum gas also has other low molecular weight unsaturated hydrocarbons, particularly ethene, propene and butene using the IUC nomenclature, which may not be familiar to honourable members. In some applications in Victoria when one refers to liquefied petroleum gas, one refers to a fairly pure form of commercial grade butane, probably about 97 per cent of butane. However, butane as a fuel in Victoria for using in a reticulation grid is not all that satisfactory because it has a high boiling point and would have a tendency to liquefy at certain winter ambient temperatures. Technical problems would arise in the distribution system, so butane is not an appropriate fuel to use in Victoria in that way. It is used Victoria by the tanker load for certain industrial applications where the piping system can be warmed in some way so that the liquefied petroleum gas, being
butane, does not liquefy in the pipes. In other warmer States, a shandy of butane and propane can be used as fuel.

I shall mention the pricing policies for liquefied petroleum gas over recent years because the Bill is directly concerned with an attempt to back off from the Federal Government’s declared pricing policy on liquefied petroleum gas in recent years. Honourable members will possibly recall from earlier debates that before October 1978 the price of liquefied petroleum gas coming out of Bass Strait was set by the Prices Justification Tribunal. For a long time, the price had been fairly stable. The only major hike in price prior to 1978 was caused by an excise in the 1975 Federal Budget of $22.88 per tonne which raised the price of liquefied petroleum gas from that source to $66.88 per tonne. Until that time, the price had been stable and predictable. In October 1978 the Federal Government decided to remove the control of the Bass Strait liquefied petroleum gas from the Prices Justification Tribunal and, according to the Government of the day, this would enable the producers to increase their prices to that approved by the Prices Justification Tribunal for liquefied petroleum gas produced in oil refineries.

The decision of the Federal Government had two immediate effects. The first effect was that Esso-BHP immediately increased the price of liquefied petroleum gas to $83 per tonne, that being the Prices Justification Tribunal approved price for refinery liquefied petroleum gas and Esso-BHP continued to follow price trends and there were immediately lodged applications for price rises of refinery liquefied petroleum gas. From then on, the situation worsened. Price rises were as follows: On 1 December 1978 the price increased to $83 per tonne, an increase of $16.12; two months later, on 1 February 1979, the price increased to $88 per tonne, an increase of $5 per tonne; three months later, on 30 April 1979, the price increased to $110 per tonne, an increase of $22 per tonne; several months later on 16 July 1979, the price increased to $128 per tonne, an increase of $18 per tonne; a short time later, on 20 August 1979, the price increased to $147 per tonne, an increase of $19 per tonne; and on 29 January 1980 the price increased to $252 per tonne, an increase of $105 per tonne, in the price for liquefied petroleum gas. The Federal Government realized that it had to act and that the policy it was following was absolute stupidity.

Mr Jasper—It was the companies, not the Federal Government.

Dr VAUGHAN—The Federal Government must take full responsibility for the action of Esso-BHP and other oil companies.

Mr Remington—They were dancing to someone’s tune.

Dr VAUGHAN—In January 1980 the Federal Government announced a temporary scheme of assistance to household users of reticulated and bottled liquefied petroleum gas and introduced the ‘Liquefied Petroleum Gas (Grants) Act 1980, which is a Federal Act. This was to be provided in the form of a subsidy of $80 per tonne to be paid to the wholesale supplier and passed on to the consumer. It was to operate for only three years and the three-year period expires on 28 March 1983. That was a back-off from the Government’s declared policy, with benefits to all Victorians.

All honourable members in this Parliament should argue that the Government did not back off far enough from the policy. The Government backed off again in another way. On 8 April 1980 the Federal Minister for National Development and Energy issued his liquefied petroleum gas policy statement. He stated that the maximum price for liquefied petroleum gas for automotive and traditional, domestic, commercial and industrial use was to be reduced to $205 per tonne. I am not satisfied with the explanation for the decision taken by the Federal Minister for National Development and Energy, but I am pleased that such a decision was made. That represented another back-off from the Federal Government’s declared policy of world parity pricing for hydrocarbons. Future movements in the price

Dr Vaughan
were to be linked to percentage movements in the price of indigenous crude oil.

The Federal Minister for National Development and Energy announced that the $80 per tonne subsidy would apply to other non-profit and residential type institutions, schools and residential users. However, he specifically excluded certain commercial and industrial users from that subsidy scheme. That must have been an administrative nightmare because there is no way in which such a scheme could be policed. That was part of the motivation for this latest Act in the Federal Parliament and the complementary Bill before this House.

On 30 June 1980, the Federal Government announced that as a consequence of a $4 a barrel price rise of Saudi Arabia crude oil over the proceeding six months, the maximum wholesale price of liquefied petroleum gas would rise by $22.67 per tonne. That took the price from 1 July 1980 to $227.63 per tonne.

Prior to the election policy speech of the Prime Minister the Federal Treasurer, Mr Howard, delivered the Federal Budget and stated that Government expenditure had to be cut and that Federal Government commitments could not be increased because such a move would be irresponsible. Some weeks later, the Federal policy speech of the Federal Liberal and National parties contained 58 promises to increase Government expenditure or to increase the deficit in other ways.

Announcing those promises, the Prime Minister said that the $80 per tonne subsidy for domestic users would be extended to traditional users of liquefied petroleum gas in decentralized industries. The earlier statements were obviously pure cant—probably the only thing pure about the Prime Minister. In January of this year there was an increase in the price of Saudi Arabia crude oil over the proceeding six months of $4 a barrel. As a result of the previously announced policy of the Government, the new price for liquefied petroleum gas increased by $22 per tonne from 1 January 1981, which brought the new wholesale price for liquefied petroleum gas to the current price of $249.63.

I return to the need for a coherent and consistent national energy policy for Australia. The Bill represents a further band-aid for what the Federal Government parades before Australians as a national energy policy. The Government has a short-term policy, which varies month by month. I am not predicting with any certainty that the scheme encompassed in the Bill will continue in an unaltered form until 28 March 1983. That will not happen because 1983 is a long way off for the Federal Government to adopt an unaltered energy policy. I am not optimistic about that policy holding.

The best intentions one could hope for from the Bill are that it will be part of a medium-term energy policy for Australia, but there is still no long-term energy policy. The Federal Government has not even produced a booklet that purports to be a blueprint for the eighties. The Victorian Liberal Government is at least one up on its Federal colleagues. I am not of the view that the booklet Victoria's Strategy for the Eighties contains much substance. That booklet certainly contains plenty of new directions, and the Government is going in all directions. One needs only to examine the newspapers of the past two days to find evidence of the Government's failure. So much for a national energy policy.

I would support a national energy policy. I disagree with the comments on the Federal energy policy made by the Premier of Tasmania, Mr Lowe. There is a need in Australia for a coherent national energy policy and I disagree with the comments made by Mr Lowe. The Federal Government has a role to play, but it is not picking up the ball, it is fumbling it.

Yesterday, the Premier was asked a question about the coal to oil projects and he issued a press release which was published in the Herald. I quote from
the Herald of 7 April 1981, page 9, where, under the headline "Coal-oil expert guide sought", the article states:

He said guidelines on the share of products allowed to be exported were needed before feasibility studies could be completed.

There is no point in having a feasibility study without a coherent national energy policy. The Federal Government has a responsibility and the States have their role to play.

There is no doubt that the required liquid fuel can be technically produced, but I question the need to import foreign experts. No Government in Australia has been prepared to admit that the necessary expertise exists in Australia and, to some extent, in Victoria. Australians—the great knockers—are not prepared to back the technical expertise of Australian scientists, engineers and technologists.

Mr Richardson—All you want to do is to destroy and destruct.

The ACTING SPEAKER (Mr Wilton)—Order! If the honourable member for Forest Hill wishes to join in the debate, he will be given ample opportunity to inform the House of his extensive knowledge on this subject.

Dr VAUGHAN—The honourable member lacks the intellectual capacity. If Australia had a coherent national energy policy, it would not be in such a mess, especially in relation to supplying power for the aluminium industry. The Victorian Government is in an enormous mess because gas is being burnt to fuel power stations at Jeeralang and Newport. That is a ludicrous thing to do in the eighties.

Mr Lieberman—That is why Loy Yang is being built.

Dr VAUGHAN—I was not going to mention Loy Yang in the debate, but I shall if the Minister would like it. Loy Yang does have a relevance to the debate because I am discussing the broad umbrella of a national energy policy. If such a policy existed there would be no need for this Government to make ad hoc decisions to build power stations. The Government's energy policy is in a shambles. The Opposition would like to see implemented a national programme for power station construction and the linking of grids, but no coherent national energy policy exists.

Mr Burgin—You just don't know about it.

Dr VAUGHAN—I would know a damned sight more about it than the honourable member for Polwarth. Perhaps I have said enough about that as honourable members can hear too much about a national energy policy, but there are many questions unanswered in that field. I hope the Minister for Minerals and Energy will initiate a debate on energy policies, specifically for Victoria and also state how such a policy would fit into the national scene, because we are all Australians, as I think I heard the Minister indicate in an earlier comment in the House today.

Mr B. J. Evans—That is not the way I heard it.

Dr VAUGHAN—That is the way I heard it. I look forward to a Ministerial statement from the Minister for Minerals and Energy.

Mr Remington—When did a Minister for Minerals and Energy last make a Ministerial statement?

Dr VAUGHAN—in 1976, and the time before that is unknown. As I stated I understand that there are further Bills to follow. I turn now to the Bill in a general sense. It is a small Bill which contains only five clauses. It is interesting to note that clause 3 contains a number of definitions required for the implementation or administration of the scheme and those definitions have increased from fourteen to nineteen with the considerable expansion of one of those fourteen definitions. So much for simplicity of administration!

These band-aid schemes are administratively difficult and in this instance, administratively expensive. If a coherent national energy policy was being implemented and indeed if a sensible LPG policy was being implemented, this Bill would not be necessary. That is probably enough comment on that matter.
In his second-reading speech the Minister stated:

Discussions have been held by officers of the Department of Minerals and Energy with the director of the LPG subsidy scheme, with a view to simple, clear definitions being adopted by the Commonwealth for those areas and industries which are to remain excluded from the $80 a tonne subsidy.

It is my understanding that officers from the department have been successful in those discussions and a sensible engineering solution to the problem has been achieved. As an engineer, I am happy to see that happen. The solution is that if one is 20 metres from the grid, then one is deemed to be outside the declared natural gas area. That seems to be a sensible working arrangement and I congratulate those departmental officers who were involved in the negotiations. At least that is an administratively simple aspect of the scheme, but there could have been a bit more of that simple engineering solution to the problems. I congratulate those officers.

The Opposition does not oppose the Bill. It is a further "back off" by the Federal Government from its stupid policy on liquefied petroleum gas. However, this is not the last Bill which will deal with this matter. As I stated earlier, I doubt whether the scheme will remain in its present form when it is expected to conclude on 28 March 1983. I expect the scheme to be modified substantially before that date, for that has been the track record of the Federal Government in this field.

I look forward with interest to future energy debates in the House. I hope they are initiated by the Government by way of Ministerial statements, more frequently than they have been in the past. I thank the House for listening with such interest.

Mr B. J. EVANS (Gippsland East)—At the outset I express my sympathy to the Leader of the Opposition and to the Opposition in general, for the absence of the Opposition spokesman on minerals and energy, the honourable member for Morwell. I am sure that the Opposition is seriously missing his presence in this debate and I join with other honourable members in wishing him a speedy return to health and hope he will be back fit and well when the next sessional period comes around.

I am sure honourable members would have heard from the honourable member for Morwell an aggressive and dynamic speech on the Bill. The honourable member for Morwell would have done his homework thoroughly and would have assessed the information which he has gleaned in the period he has been shadow Minister for Minerals and Energy, and, together with his very real feeling for the people he represents would have given the House a practical application of his knowledge.

Instead of hearing a speech of that kind, honourable members have heard a dreary, lack-lustre lecture of the sort one would expect from a fifth form student at a high school on issues which were in the main almost completely unrelated to the Bill.

Most of the time was taken up by the honourable member for Glenhuntly calling for a national coherent energy policy, and there was little else than that in his speech.

To understand the background of the issue the House is considering today, one needs to go back to the initial stages of the development of our natural gas resources. Honourable members must remember that liquefied petroleum gas is not solely related to the products which are obtained from Bass Strait. We also obtain a substantial portion of liquefied petroleum gas as a by-product from oil refineries, but the policies which were put into effect in relation to the naturally-occurring liquefied petroleum gas and the refinery by-product, as there is some interconnection between the two types of gas, are virtually indistinguishable. There is no real purpose to be served by distinguishing between those aspects.

Largely because I live in an area which is close to where the off-shore oil and gas reserves were discovered, it was left to me to formulate the policy for the National Party on how the oil and gas reserves discovered in this State could be developed.
At the time I argued that there should be established a system whereby natural gas or liquefied petroleum gas as a substitute for natural gas should be distributed to all residents throughout the State at a uniform price.

I had asked for many years that that principle be adopted in the operations of the State Electricity Commission. In the early days the strange situation existed where electricity tariffs paid by people living on the edge of the open-cut at Yallourn were higher than the tariffs people were paying in Melbourne and it took many years of struggle to overcome that situation. It was my belief that that principle should be applied at the outset to cover the distribution of this very important resource.

Dr Vaughan—I have heard this "maiden speech" before!

Mr B. J. EVANS—The honourable member for Glenhuntly may have heard me make similar comments before, but if he listens long enough he may hear something to his advantage.

Mr Richardson—You would have to repeat it many times before it sunk in!

Mr B. J. EVANS—Yes, I think that is probably true. At the time I came in for some criticism from the then Premier, Sir Henry Bolte, who ridiculed my argument that there should be a uniform price for gas throughout Victoria. Sir Henry Bolte indicated that there would be cheaper gas for Gippsland. I still have the clippings from the newspapers published at the time and which had the headings "Cheaper Gas for Gippsland". That was the promise made by the then Liberal Party Premier at that time, that because of the location of the gas resources, the people in Gippsland could expect to obtain cheaper gas than the remainder of the State.

All honourable members know that that never came about. It was another case of members of the Liberal Party in Victoria going to the electorate and making promises they know they cannot deliver, which they have been doing for years. I can produce the newspaper clippings of many years ago to prove the attitude of the then Minister.

The economics of transportation of gas from Gippsland to Melbourne were such that the transportation component was so small no real benefit was to be gained by the use of gas close to its source of production. The cost of the reticulation of gas is the largest expense in the final cost of gas.

Mr Lieberman—Transport is a high cost factor, too.

Mr B. J. EVANS—The final cost of the gas in metropolitan areas is taken up largely in distributing it to suburbs. The principal cost of liquefied petroleum gas is in its containers, whether bulk or bottles, and the transportation of those heavy containers.

My argument then and now is that a marginal increase in the cost of gas to those fortunate enough to have natural gas reticulation would overcome costs of bottling and transporting gas to those areas not within present natural gas supply outlets. The Bill concerns only those persons in Victoria who do not fall within the present network of natural gas supplies.

I have to agree with a certain amount of what the honourable member for Glenhuntly says about the subsidy scheme being unduly tied up with the export parity policy of the Commonwealth Government. While one may have many reservations about that policy and its application to liquefied petroleum gas, the decision was made by the Federal Government and it is outside the control of either this Parliament or the Victorian Government. Victoria must legislate within its own framework. It is useless saying that Victoria cannot control Federal policies and therefore it should not try to obviate the effects of these policies.

One of the decisions made by the Commonwealth Government to offset the effects of its policy on users of liquefied petroleum gas was to extend the benefits of the subsidy that it introduced last year. It was interesting to note in the Minister’s second-reading speech that the benefits of the Bill can amount to what could be called a windfall benefit to Victoria by relieving the State of payment of up to $1 million in current subsidies to decentralized...
Mr Lieberman—I drew it to your attention in the second-reading speech. It will come.

Mr B. J. EVANS—I am not quite sure what the Minister says he drew to the attention of the National Party in the second-reading speech. Certainly, he drew attention to the saving of $1 million but I do not recall him saying anything about using that money to further relieve the burden on users of liquefied petroleum gas outside the natural gas reticulation network. I cannot understand why that should not be part and parcel of this proposition. The Federal Government is providing funds that will relieve the State of a responsibility it accepted twelve months ago and therefore that money should be used to provide further relief to country consumers.

I refer to a rather tangled situation resulting from the comments of the honourable member for Glenhuntly about a national energy policy. This morning, the Leader of the Opposition asked a question without notice concerning suggestions that have been made in South Australia that Victorian natural gas should be piped to Sydney to protect the resources of South Australia, to which the Minister replied that he agreed with the implication in the question that Victoria's resources should not be endangered by transferring them for use in Sydney or elsewhere in New South Wales. I understood from the question that the Labor Party would not agree to Victoria's natural gas resources being put at any risk by piping them to New South Wales.

After the discovery of off-shore gas, in the early years, strong moves were made for the construction of a pipeline from the Dutson works of Esso-BHP to Sydney and an organization of municipalities all the way from Sale to south of Sydney was set up in an endeavour to persuade the Government of the day to construct such a pipeline, but their efforts were shortlived because the policy was soon determined then that Victoria would not put its resources at risk by agreeing to a pipeline being put through to New South Wales.

How can there be a national energy policy if each of the States is to claim its territorial rights on resources discovered within its boundaries? How can a State expect to have any real jurisdiction over its boundaries if it hands over to the Commonwealth Government the power of forming a national energy policy when the Commonwealth Government must consider the aims and aspirations of every State? I suggest that the honourable member for Glenhuntly needs to straighten out his thoughts. One of the points I have made over many years is that, while Victoria lays claim to the resources that fall within its boundaries, no regard is given to the fact that persons in Gippsland consider they have some proprietary interest in those resources. Any nation or community depends for its prosperity on the utilization of its resources, and I do not know why that principle should not apply to a region or even to a smaller area of it, and why special consideration should not be given to the area in which the resources are found.
The National Party supports the Bill. It would have liked the measure to have gone further. It is just a small step on the road towards bringing about uniformity in prices for gas for the people of this State. Residents of Victoria, whether living in the metropolitan area or in the most remote part of the State, are entitled to share in the benefits, but they have not done so in respect of natural gas and gas resources. Understandably, in the early stages of utilization, those resources went to the point of greatest demand—the metropolitan area. However, it was incumbent on the Government, which pretends concern for all the residents of this State, to have adopted policies to ensure all the people of Victoria to receive benefit from the resources. The Government did not do that. I hope the Government will apply the $1 million saving in assistance to decentralized industry towards further reducing the impact of the high cost of liquefied petroleum gas in country areas. The Minister is interjecting that that is in the pipeline. To the country people of Victoria it is a long pipeline. The Government should get on with the job more rapidly and ensure that the benefits from gas are applied evenly and equally throughout the whole of the State. The National Party supports the Bill.

Dr Coghill (Werribee)—I congratulate the honourable member for Glenhuntly on his thoughtful contribution which appropriately referred honourable members to the important national issues at stake. I am sorry that the speech was a little too esoteric for the earthy honourable member for Gippsland East. It was strange to hear the honourable member for Gippsland East suggest that Gippsland had some special proprietary interest in the resources of the area above and beyond the interests of the people of Victoria as a whole. In some respects it was reminiscent of the argument over the oil in the North Sea where the Scots are claiming that the English are taking their oil when in reality it is a United Kingdom resource. This gas in the Gippsland geographic area is the resource of Victorians in particular and Australians in general.

The honourable member for Gippsland East referred to the saving to the Victorian Treasury through the application of this Bill. By interjection the Minister suggested that honourable members should refer to his comments in the second-reading debate. As reported at page 6058 of Hansard, the Minister said:

For three years, the Victorian Government has operated its own gas subsidy scheme to help decentralization of industry. The provisions of the Victorian scheme are being reviewed, in the light of the extension of the Commonwealth $80 a tonne subsidy, to most industrial and commercial operations which do not have access to natural gas. Since the State will be relieved of some of the responsibility of compensating for the ever-increasing price of LPG, the Victorian Treasury could be saved some $1 million each year.

There is no indication of any concession having been made there by the Government, of any real intention to use this $1 million a year to help Victorian industry—at least, the sections of Victorian industry to which natural gas is not directly available.

There is a strong case for uniform gas prices being available throughout Victoria to all consumers, but the Liberal Government of the day has seen fit to retreat from that basic principle of equity and fairness to all Victorians, whether they be in various parts of country Victoria or in the metropolitan area. Indeed, that is a concern of a number of people throughout the State, not the least of them being Ian Bryant, who is the Labor candidate for the electorate of Ripon—the prospective new member for Ripon. He is concerned that Ararat and Stawell in particular do not have access to natural gas because the pipeline has not yet been extended to that area. One may well ask why it has not been extended. It is obviously a matter of deliberate Government policy not to use its resources to extend natural gas to the area at this time.

It is worth looking at the effect that this deliberate policy has on industries in towns like Ararat and Stawell. A typical industrial user who might consume about 10 000 megajoules a month, which is normal for a small industry, will incur additional gas energy costs of 41.5 per cent. The cost of 10 000 megajoules of liquefied petroleum gas...
would be $64.70, whereas for natural gas it would be approximately $45.72. Naturally, the people of that area, including the Labor candidate, are deeply concerned about the matter.

Recently, on 11 March, the council of the Town of Stawell had a deputation to the Minister for Minerals and Energy, who is at the table. What did the members think when they came back from that deputation? According to a report in the Stawell Times-News, they believed they had been "fobbed off" by the Minister. They had gone there with a legitimate concern about the viability and growth of their town and about how it could compete.

Mr Weideman—What growth?

Dr COGHILL—The growth that ought to be occurring if the Government is fair dinkum about providing decentralized assistance to places like Stawell. Because industries in Stawell and Ararat are required to pay more for their gas source energy than those in many other towns, they cannot compete. Industries already established there find that they are undercut by industries in other towns and cities served by industrial gas.

It is much more difficult for the council of Stawell to attract new industries to the area when the town is competing with other towns that have substantially lower gas prices; they are 41.5 per cent lower. That is an absurd situation, and it indicates that the Liberal Government is not genuinely concerned about the future development of those towns and a number of other towns in Victoria in similar circumstances. A uniform price should be established throughout Victoria. That is the policy that was put forward by the honourable member for Gippsland East, so presumably he has no argument with me on that point.

Other parts of Victoria suffer in the same way. The electorate of Portland has a similar problem, and again, the Labor Party candidate for Portland, Henry Birrell, who lives in the Hamilton area, is also extremely concerned about the effect of the Liberal Government's deliberate policy which is impeding development of the electorate, and it is right for him to be so concerned.

A special case to which I should also like to refer is that of the town of Kyneton in the electorate of Gisborne, where the Labor candidate is Mr Phil Coman. He is an excellent candidate; I know him very well and I am proud to know him.

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policy, was following the initiative shown and strongly urged by the Victorian Government. The Victorian Government took the initiative in this area and already introduced a subsidy of its own before the Commonwealth Government brought in the subsidy which is the subject of this Bill.

Listening to the Opposition speakers today, one heard a recitation relating to energy policy. Some confusion exists between what might be described as an energy policy and an energy action plan. An energy policy must set out the principles by which one is going to use one's energy resources.

An energy action plan would set out how this is to be accomplished, what refineries and grids are to be built, what gasification plant is required and what exploration will take place. Whether the action plan should of necessity be a State designed plan or a plan that depends on the marketplace and market forces operating is a central issue. I can well appreciate that the Opposition would opt for what could be described only as a Socialist plan and what some would even describe as a Communist type of five-year plan in which everything about the action to be taken by the Government has to be laid down.

Essentially, while the Liberal Party supports a mixed economy, without a doubt it leans heavily towards private enterprise and believes that the marketplace should be given a large share in determining the action that will be taken. In that context the Federal Government brought in the concept of world parity pricing for energy.

This is on the basis of Australia being part of a total world market. On the one hand, the husbanding of resources is dependent upon the resources being priced at a level that makes people conscious of their value and, on the other hand, Governments must recognize that if the price of energy is too high, an unnecessary burden is placed on the community.

Honourable members hear a lot spoken about that matter. No one wants to pay too high a price for electricity or gas as a domestic user because the effects are reflected in the consumer price index. If the price is too low it encourages the squandering of valuable resources. Both these matters need to be taken into consideration. When honourable members refer to liquefied petroleum gas, which is the subject of the Bill, they should recognize that not so long ago liquefied petroleum gas was essentially a by-product of refinery operations.

As honourable members know, products coming out of a refinery do not have an actual price. The concern to the refinery is the total price that he obtains for the final products coming out of the refinery as against the cost of production and the cost of crude oil, which is the input. One cannot actually ascribe to any product an actual price.

At that stage, liquefied petroleum gas had a relatively small market in comparison to the volume produced and was then sold at a low price to the benefit of liquefied petroleum gas users throughout Victoria. Liquefied petroleum gas was available at prices comparable to natural gas, which was obviously an advantage to Victoria and assisted immeasurably in the decentralization policy. When the situation changed and liquefied petroleum gas found a world market, the price on the world market escalated. The Government had to decide whether the Australian price should follow the world price or remain at the same low level internally. Initially the decision was taken that world parity prices should be adopted.

Since then reason has prevailed and it has been appreciated that this would be an unnecessary burden on the community and the economy of Australia. Certainly it was seen in Victoria that the price escalation would act against the decentralization policy. I support the action taken by the Commonwealth Government, as indicated in the Bill, because I believe it reflects an enlightened and flexible approach to an energy policy, which I applaud. The question then arises about what will happen to the $1 million that is, in effect, saved. No doubt honourable members will hear from the Minister for Minerals and

Mr Mackinnon
Energy on the subject because he has indicated that he has some thoughts on the matter.

The Victorian Government is concerned about decentralization and equity for people in the country so that they may obtain their energy requirements at a reasonable price, and the sum of $1 million a year is an indication of that concern. How the Government will use the $1 million saved in the future remains to be seen. I would welcome a policy to continue to use such money to assist the decentralized industries. However, the money saved need not necessarily be applied specifically in the energy field. If it is seen that subsidies in some other area would have greater value, I would support that entirely. Having made the commitment to spend that sum of money in that area, I welcome a continuation of that policy.

Mr HANN (Rodney)—I support—

Mr WILTON (Broadmeadows)—On a point of order, is it the intention of the Chair to follow the normal practice in the House and call on a speaker from the other side of the Chamber?

Mr B. J. Evans—You are not opposing it anyway.

Mr WILTON—That is not the issue, Mr Deputy Speaker.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I understand that I am following the normal procedure and I will give the honourable member the next call.

Mr HANN (Rodney)—I support the proposed legislation and the remarks made by my colleague, the honourable member for Gippsland East particularly when he urged the Government to expand the natural gas pipeline around Victoria.

This subsidy is extremely important to country people because, as part of the Government's energy policy, it has urged country people to use liquefied petroleum gas. The price of liquefied petroleum gas has now been lifted up to the world parity price largely due to pressure placed upon it through the actions of BP Australia Ltd back in 1978 in flaring gas from refineries. That had the effect of putting pressure on the Government and forced it to lift the price. British Petroleum was examining the situation for a lesser return on the local market than was obtainable from overseas markets at the time.

Mr Remington—So they flared it.

Mr HANN—I have said that. Consequently the Australian consumers are forced to pay a much higher price than I believe they should be paying for liquefied petroleum gas. It is a resource of which Victoria has large quantities both in the form of gas from Bass Strait and, more particularly, from the refineries. After allowing the price to move up to the world parity situation, the Commonwealth Government subsequently provided a subsidy of $80 a tonne, which brought the price back marginally. However, the price was not brought back to anywhere near the original price of liquefied petroleum gas.

That action by the Commonwealth Government provided some relief in country areas because not all country towns are supplied with reticulated gas. The honourable member for Werribee spoke about Ararat. The honourable member did not mention Horsham; he mentioned the Stawell and Ararat area. My colleague, the honourable member for Lowan, ably represents the electorate of Horsham and, on a number of occasions, has urged the Government to proceed with a pipeline in that area.

The Minister would be well aware that many people in Victorian country towns do not have access to reticulated gas and use bottled gas. When the price rose dramatically the Government placed much emphasis on liquefied petroleum gas as an alternative fuel. After a strong hue and cry and much criticism, a subsidy provided some relief to these people.

If the Government is to have an effective policy on the use of gas in Victoria it must extend natural gas pipelines into other areas. I am pleased to see that the Government has done so in the area that I represent. I pay a tribute to the town clerk of Kyabram, Mr Cornish, who instigated that policy initially in 1973. The area has now been successful in obtaining an extension of the pipeline to Shepparton and Tatura and the pipeline is being extended to Ky-
abram, which will include the towns of Merrigum, Girgarre, Stanhope and ultimately Tongala. This matter has been pending with the Government for some two years. My most recent correspondence from the Acting Premier, the Treasurer, on 4 June 1980 in reply to further representations about the extension of the pipeline from Tongala to Echuca and Rochester reveals the situation. My file on the matter is becoming fairly large. The letter states:

As he foreshadowed in the House the Premier has now made representations to the Prime Minister concerning the question of the Commonwealth providing funds for these projects in view of the resultant saving of oil and LPG.

The Victorian Government has requested early consultation between State and Commonwealth officials on this matter and we are hopeful that the Commonwealth will respond to our proposals in a positive manner in the near future. I will ensure that you are advised of any further developments in this matter.

The letter was dated 4 June and, unfortunately, the Commonwealth Government has still not—so far as I am aware—made a decision about whether it will provide the necessary grants or loan funds to the State Government in order to assist. In the case of the Echuca pipeline, the difficulty is that there are not sufficient industries to justify that particular extension. I understand that the estimated cost of the pipeline is approximately $6 million.

I believe the pipeline has top priority and that the Premier made that statement to the council when Cabinet recently met in Echuca. I am sure the Minister is aware of that. I hope the Federal Government will reach an early decision on the continuation of the pipeline project from Shepparton to Tongala so that once the pipeline reaches the Kyabram–Tongala area construction can be continued through to Echuca and Rochester because there are two major industries in that area. Firstly, there is the Plumrose (Australia) Ltd factory at Echuca and, secondly, there is the Murray Goulburn Co-operative Co. Ltd at Rochester.

The Murray Goulburn Co-operative Co. Ltd will be at a severe disadvantage as compared with its competitors in the Goulburn Valley if it is left off the pipeline. The pipeline at present under construction will pick up the Carnation Co. Pty Ltd factory at Merrigum and the Ibis Milk Products Ltd factory at Stanhope and will provide gas to the Nestlé Co. (Australia) Ltd factory at Tongala but will effectively leave the Murray Goulburn Co-operative Co. Ltd out on a limb. If that happens, it will place that company at a distinct disadvantage and basically will cost the Government a huge sum in subsidy.

The subsidy scheme for decentralized industries at present benefits both the Ibis factory at Stanhope and the Murray Goulburn Co-operative Co. Ltd factory at Rochester. However, a restriction is placed on eligibility for subsidy under that scheme in that the eligibility date goes back some two years. In the case of industries which have set up new LPG operations from that time forward, no approvals have yet been given regarding the subsidy arrangements. The scheme has operated to benefit decentralized industries in the past and those that have approval, but it has not benefited companies in the case of new conversions.

I emphasize that the Government must give a higher priority to the extension of natural gas pipelines throughout the State. It would reduce the Government’s over-all commitment on subsidy and the Government could investigate the possibility of using the $1 million saved on this subsidy in the extension of the natural gas pipelines.

I re-emphasize that the construction of the pipeline through to Echuca and Rochester is a matter of urgency requiring a decision from the Government so that the Gas and Fuel Corporation can proceed with planning. I hope the Minister will be able to obtain agreement from his colleague in Canberra regarding future funding. If the Commonwealth is not prepared to provide the necessary funding the State Government must, as a priority, provide funds to extend the natural gas pipelines to many more towns throughout Victoria.

I understand the second priority area is the Horsham–Ararat–Stawell area, and then there are several towns in the Western District which ought to be given priority.
Mr WILTON (Broadmeadows)—Unlike the honourable member for Box Hill who congratulated the Federal Government on its policies regarding the development and pricing of energy, I condemn it as a rip-off because its policies constitute a rip-off of the consumers, particularly in Victoria, where natural gas exploration and development of gas fields in Bass Strait have produced what should be a cheap source of energy. It has not remained cheap because of the decisions made by the Liberal–National Party Government in Canberra.

The historical situation of this natural resource is that Victoria is again paying the penalty because of the deliberate policies of the Victorian Government in refusing to allow the statutory authority, appropriately equipped, to participate in the exploitation of gas fields in Bass Strait. It is not possible to make a comparison, as did the honourable member for Gippsland East when he referred to the State-wide tariff, using the State Electricity Commission as an example. There, the distributor is also the producer. In the case of gas, the distributor is forced to go into the market place, which is manipulated as a result of Liberal Government policies at the national level; the honourable member for Gippsland East is a member of the National Party, which is a partner in that Government. Because of that manipulation in the market place by the monopolies, the gas distributor in Victoria is forced to pay a price far in excess of that which would be paid if that distributor, as a statutory authority, had been permitted by the Liberal Government of Victoria to be a participant in exploiting the gas fields. The situation would be comparable with that of the State Electricity Commission, where the producer is also the distributor and therefore has a considerable amount of influence over the cost of production, as well as over the cost of distribution; that has not been the case with gas.

Mr B. J. Evans—But minerals and energy are not in the ambit of the State Electricity Commission either.

Mr WILTON—We are debating the subsidy which will apply and which is paid to the wholesale distributor. It is partly used by the Government to ensure that excess profits will be returned to the developing companies. That is reflected in the annual reports and financial statements of companies such as Esso-BHP which are continually breaking profit records. The most significant section of the profits earned by that company has been coming from its operation in the gas and oil industry since it entered that field. That is the real intent of the Federal Liberal–National Party Government’s energy policies and of the Victorian Government’s policies in respect of the use of that natural resource.

The honourable member for Glenhuntly, in his contribution to the debate, referred to the history of price increases that have occurred since 1978. When examining the figures and attempting to rationalize them in comparison with other pricing structures within the community, one finds that the Arbitration Commission uses a price index system and that in some other areas the rate of inflation is taken into consideration. That does not seem to have applied to increases in gas prices. As the honourable member for Glenhuntly pointed out, up until 1978 the price of liquefied petroleum gas was determined by the Prices Justification Tribunal, but suddenly the Federal Government decided that that situation should not continue and that the matter should be taken out of the hands of the tribunal. That opened the way for the producers of liquefied petroleum gas, particularly the liquefied petroleum gas from the Bass Strait fields where virtually no cost of production is involved, to immediately bring their prices up to parity with the liquefied petroleum gas developed in the refinery operations. In 1978, Victoria experienced a price rise of $16.12 a tonne, from $66.88 to $83.

When one tries to rationalize that into some form of price justification, and if one works on the principle of a 10 per cent inflation rate, the $66.88 should have increased only to $73.56, yet it jumped to $83. No explanation
has been given to the community by any Minister of the Crown to justify that increase.

The second increase occurred on 1 February 1979, and again there was a smaller jump of only $5. Then on 3 April 1979, only a couple of months later, there was a jump of $22. Taking the inflation factor into account, an inflation rate of 10 per cent would have brought that price to $91, but instead it went to $110. No explanation or argument was put forward to any price fixing authority. It was merely a decision made, one assumes, by a group of gentlemen acting in their capacity as a board of directors and assessing that this would be what the market-place would pay, because they had a monopolistic situation.

From July 1979 until January 1980, the price jumped from $105 a tonne to $252 a tonne. If an inflation rate of 10 per cent had applied on each occasion, the price should have been something like $161.07 a tonne. There is $90 a tonne difference between the inflation rate and the price now being charged by the companies.

Honourable members can see from that, that the real problem confronting the community today is that people in rural communities are being ripped off by the Government. I regret to say that the National Party is lending itself to that rip-off operation through its partnership at the Federal level. The honourable members for Rodney and Gippsland East would be well advised, instead of making speeches in this House, and making appeals to the Minister to take some action, to take action in the councils of their own party to ensure that their party's policies are directed at benefiting the people whom they claim to represent from the exploitation of this natural resource.

The honourable member for Box Hill talked about the market place and how his party has the free enterprise system at heart, and this is how the Government believes the price could be adjusted. Why did he not take that attitude when the Government put through legislation to ensure that a minimum price would be charged for beer? It was not the market-place, as determined by the retail outlet, it was determined by the people who control the liquor industry in this State, and so the Government legislated. They are the sort of double standards that one hears from Government spokesmen.

The whole history of the development of this natural resource is one of sordid manipulation involving a ripping off of the people of this State. This kind of legislation is presented by the Government to try to gain some semblance of respectability. It will create a situation whereby there will be $80 a tonne of taxpayers money paid at the wholesale outlet to ensure that the exploiters of this natural resource maintain their profit margin. The Government is promoting the attitude that it has some regard for the end user of this commodity. In truth, it has no regard whatsoever. The Government is not the slightest bit concerned that the people living in rural communities and operating on liquefied petroleum gas have to pay an exorbitant price for that commodity. In the past twelve months there has been a 100 per cent increase in the price of LPG.

Of course the Government at the national level is engaged in the rip-off exercise because of its taxing operations, and the Liberal Government of Victoria is also getting into the act with its resource tax on the Gas and Fuel Corporation and on the State Electricity Commission. The rip-off going on at that level is significant in itself.

The Minister for Minerals and Energy represents a country electorate. I do not know how his conscience rests with the current situation whereby people in metropolitan Melbourne are receiving a supply of energy resource at a much cheaper rate than people in the electorate he represents. How does he justify that? From the time the question about the exploitation and the use of this particular natural resource first came up, particularly in regard to the developments that were occurring in Bass Strait, on every occasion Ministers and members of the Government repeatedly rejected the arguments of the Opposition—why should not the Gas
and Fuel Corporation and the Mines Department have had their resources harnessed and become participants in the development. The simple answer is that their masters decided it should never be allowed to happen. They were given their instructions and they carried them out to the letter.

There is every justification for uniform pricing. The National Party not only is opposed to uniform pricing, but through its participation at the national level, has taken legislative steps to ensure that it will not happen. This Bill is a classic example.

The honourable member for Box Hill attempted to make some semblance of respectability of his Government's policy on this question of exploitation. Time and again, Liberal members in this House, Liberal members in the national Parliament, and National Party members in the national Parliament, have suggested that the high prices charged for this natural resource are justified because of the capital risk involved. They completely ignore the fact that for years Commonwealth legislation, the Exploration Act, provided a subsidy for exploring companies and that millions of dollars of taxpayers money were poured into the cost of exploring these particular fields. Every company that took out an exploration licence was entitled to a subsidy and it claimed that right. Millions of dollars was paid out.

It is absolute nonsense, a misrepresentation of the facts, and handling the truth in a careless manner, when Liberal members try to justify the argument that these companies are entitled to high returns because of the risk involved, and ignore the fact that the taxpayers of this State have poured millions of dollars into the cost of exploring under the subsidy system that applied under the national Government for years. The figures are available for anyone who cares to take them out. Report after report shows how many millions of dollars were poured into that aspect of the industry by the Federal Government through its subsidy scheme. That was immediately after the companies started exploration programmes. The only time the subsidy was taken off was when the companies reached a stage when production was possible.

It is tragic to see this sort of legislation being introduced in Parliament. What will happen after 1983 is anybody's guess. One of the biggest tragedies that has ever befallen this State is that there was a Liberal Government in Canberra and a Liberal Government in Victoria when the natural gas and oil fields were being developed in Bass Strait.

As I have said, the Government has repeatedly refused to allow authorities which already exist in this State and which are well equipped and capable of participating in those fields, to do so. If the distributors of this source of energy had been permitted to participate in exploiting and developing those fields this legislation would not be necessary.

Mr BURGIN (Polwarth)—I did not intend to speak during the debate on the Bill. However, it seems fitting that I should, because the measure does a lot for country Victoria. The Bill extends the subsidy to a large number of country industries. Of course, the subsidy should probably be doubled. Perhaps the Federal Government should, instead of looking at subsidies, consider assisting, in part, in constructing pipelines throughout country Victoria so that people living in those areas can receive natural gas.

The real reason I decided to speak this afternoon arose from the comments of the honourable member for Broadmeadows. It seemed to me that he was saying his party would apply equalized prices for natural gas over the whole State and install a pipeline for the whole State. I know he is just a back-bencher and is not in charge of the Bill, but it would be interesting to hear the Leader of the Opposition make a statement on this matter to let Parliament and the people of Victoria, particularly country people, know whether his Opposition party is willing to spend money to provide gas pipelines and provide equalized natural gas prices throughout the State.
I did not notice anything in the Opposition policy speech on this matter. Apparently the honourable member for Broadmeadows knows more about this subject than I do, because I got the distinct impression that the new direction of the Opposition was that there should be equalized gas prices over the State, just as the Government has equalized the price of electricity. I would welcome a statement from someone of authority in the Opposition to let the Parliament and the people of Victoria know if that is the policy of the Opposition. I would welcome such a policy.

For many months I have been trying to change the policies of the Federal and State Governments to keep the subsidy going for a time and perhaps get the Federal Government, in part, to finance the installation of natural gas pipelines throughout country areas. After all, we have an abundance of natural gas which we should be using. Its use should be extended as far as possible throughout Victoria. I welcome any help from the Opposition to achieve that aim.

I believe there should be a uniform tariff for Victoria with the metropolitan area paying more. I would welcome that policy of the Opposition with open arms because that would allow vast areas of country Victoria to receive natural gas.

I am reminded that we are talking about liquefied petroleum gas. I know that, but I wanted to make that point and then come back to the question of liquefied petroleum gas. This Bill will do a number of things for country Victoria. It will extend the subsidy that has been provided over a wider range of manufacturing and commercial interests. It is only a drop in the ocean so far as equalization of prices goes. We know that, but we will not turn it down because the subsidy is too small. We will accept it with open arms because it will help country industries. We will continue to work to have the subsidy increased. Most of our liquefied petroleum gas supplies come from service stations, so perhaps a better system of supply should be worked out for country Victoria. I will continue to work to have a natural gas pipeline installed in those areas.

Mr JASPER (Murray Valley)— I am not sure whether the honourable member for Polwarth made it clear that what we should be working for is equalized gas prices, whether it is supplied via a natural gas pipeline, through the mains, a bulk system or bottled gas. I hope the honourable member was making the point that we want to get an equalized price for gas for Victoria.

Before moving to another point, I wish to take issue with some of the comments made by the honourable member for Broadmeadows who strongly criticized the honourable member for Gippsland East and other members of the National Party for having double standards. I was surprised to hear that comment from him. He spoke about the equalization of gas prices right across Victoria: Once again I was surprised to hear that comment being made by a member of the Labor Party. An analysis of the facts reveals that when the Labor Party was in Government in Canberra it removed the subsidy on freight fuel which was operating at that time. The result was that country people were paying higher prices for fuel.

It was interesting to hear the honourable member for Broadmeadows say that he was talking about Victorians. I thought we were Victorians first but we probably should also be looking at being Australians. In providing a fuel subsidy, the Federal Government would be looking for equalization of fuel prices across Australia. It is interesting to note that when the coalition Government came back into Government in Canberra it re-introduced the subsidy scheme at a cost of $29 million in a full year so that country people would be able to get fuel at an equalized price.

That has not come to absolute fruition yet, and I join with the honourable member for Morwell in the criticisms he has voiced in Parliament. I am disappointed that he is not here to speak on this matter because he is not only knowledgable of the fuel industry, but he would also concede,

Mr Burgin
and has stated in Parliament, that Victoria has problems with discrepancies in fuel pricing.

It does not alter the fact that the honourable member for Broadmeadows does not really support equalization in the State because the Federal Labor Government removed the fuel subsidy that was being provided to assist people in remote areas to get fuel at a more equalized price. In mentioning the equalization prices, the point I make is that prior to the Federal Labor Government coming to office in 1972, country Australia had a lower rental for telephones. When the Federal Labor Government came to office it increased the rental rates for country people.

Mr SIMPSON (Niddrie)—On a point of order, I cannot understand how telephones have any connection with the Bill before the House.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I do not uphold the point of order. I remind the honourable member and other honourable members that they have had some liberty today. I consider the honourable member for Murray Valley is not outside the bounds that have been accepted by the House, but I ask him to speak to the Bill.

Mr JASPER (Murray Valley)—I accept the direction of the Chair, but I point out that the honourable member for Broadmeadows has expressed double standards. He tried to throw the double standards back on the Victorian Government and the National Party. I consider the comments he made were probably irrelevant, certainly wrong and indicate that he believes in double standards. I have highlighted the point that National Party members have always been pressing for equalization of charges right across Victoria.

Many of the comments made by the honourable member for Broadmeadows have been off the mark. In 1964 the honourable member for Gippsland East was the first member of the Country Party to expound the policy of the Country Party on natural gas supplied to Victoria. He advocated a uniform tariff for natural gas right across Victoria, wherever it was supplied. I am pleased to say that the Government has accepted that recommendation and the thrust of the comments made by the honourable member for Gippsland East.

That policy is certainly to the advantage of country people because it provides a uniform tariff for natural gas across Victoria. The National Party supports the passage of the Bill through Parliament. Honourable members have heard the views expressed by the honourable members for Gippsland East and Rodney. The National Party supports uniform pricing for many of the products that are distributed to people throughout Victoria who are pleased that uniform charges by the State Electricity Commission are being charged, so that country people are not at a disadvantage compared with people living in metropolitan Melbourne.

The National Party agrees with some comments made by the honourable member for Broadmeadows on parity pricing. The Federal Government introduced parity pricing on natural gas and liquefied petroleum gas and the prices of those products have increased, as has been stated today by a Labor Party member who quoted the actual increase in gas prices and LPG over the past two or three years. What has happened is that the windfall profits or excess revenue have gone back to the Federal Government. Honourable members should be blaming the Federal Government for the higher prices initially that are being paid for gas prices generally, and for petrol.

I do not need to reiterate that the National Party in Victoria and I have been highly critical of the parity pricing policies of the Federal Government. I can assure every honourable member that I have brought the strongest pressure to bear on the subject of parity pricing at State and Federal levels. As an honourable member interjects, National Party members have not won yet, but we are expounding what we consider are the views of the people whom we represent.
No honourable member in this House would be able to say that he or she wins everything. The National Party has produced policies that it considers are right for the people it represents and it will work to try to achieve those ends. It may not win as quickly as it would hope, but it will certainly expound those views. The higher price being paid for gas that is being supplied throughout this State, mainly because of the parity pricing policies of the Federal Government, has been to the detriment of the people of Victoria. I can understand why the Federal Government introduced this pricing policy initially. Once again, Esso-BHP was exporting liquefied petroleum gas to the world market at extremely cheap prices. Those two companies needed to be taken to ask for the prices at which they were selling gas overseas. The one benefit that has been achieved is that LPG is being retained to a large extent to be utilized.

It is interesting to cover some of the problems that have developed in supplying gas, particularly liquefied petroleum gas, across Victoria. In the City of Wangaratta natural gas is supplied from the grid that was extended through to Wodonga in the north-east of Victoria and the people of Wangaratta received natural gas at the uniform price. At that time, people in surrounding areas close to Wangaratta were receiving bottled gas from the Gas and Fuel Corporation at a subsidized rate, at the equalization price for natural gas.

At the direction of the Gas and Fuel Corporation, the number of people who have been receiving bottled gas from the outlet at Wangaratta has been reduced because the corporation has stated that it is not prepared to supply gas at a subsidized rate. I reiterate that people living close to Wangaratta would be happy to have natural gas, but because of the cost of the extension of the pipeline, the Gas and Fuel Corporation has indicated that it cannot extend the service to the areas within close proximity of Wangaratta.

Those people have had to get their liquefied petroleum gas supplies from commercial suppliers at commercial prices. Those people are paying a much higher price for LPG than elsewhere. The problem arises in trying to extend the natural gas to other areas of country Victoria to ensure that country people who use liquefied petroleum gas receive the gas at an equalized price and the same price as natural gas.

Like many honourable members who represent country areas, I have been pressing the Gas and Fuel Corporation and the Government to ensure that extensions of the natural gas pipeline are carried out to other areas in country Victoria. The honourable member for Rodney mentioned extensions of the pipeline from Shepparton in the electorate he represents. There is no doubt that through the work he has done in the electorate together with the Gas and Fuel Corporation, he has been successful in achieving an extension of the pipeline through that electorate. No doubt, after pressure from him, the pipeline will be extended right through to Echuca. I congratulate the honourable member on the work he has done in pressing the Gas and Fuel Corporation to extend the natural gas pipeline.

Unfortunately, the extension of the natural gas pipeline into the electorate that I represent has been more difficult to achieve. I have been pressing to get an extension of the natural gas pipeline to the line that extends to Wodonga, to have an extension off that line from Springhurst to serve Rutherglen and Corowa across to Yarrawonga and Mulwala in New South Wales, through one end of the electorate, and on the western end, an extension of the natural gas pipeline from Shepparton to service the shires of Numurkah and Cobram. The problem arises in trying to get users of gas to justify the extension.

An inspection was held in the area I represent. That inspection was conducted by officers from the Gas and Fuel Corporation and its chairman, who examined the possibility of extending the natural gas pipeline. Officers from the corporation have undertaken extensive work to determine the number of people who would be prepared to use natural gas. An exten-
sion of the natural gas pipeline is needed from the eastern end of the area I represent through to Rutherglen, Corowa and on to Yarrawonga and Mulwala.

The corporation has indicated that, although there would be a considerable consumption of natural gas at Corowa, and many factories have indicated a preparedness to change over to natural gas, it is precluded from extending the pipeline to factories along the New South Wales side of the border. There is pressure in the area represented by the Minister for Minerals and Energy to extend the natural gas pipeline. I am sure the Minister is examining that situation. Perhaps the development of Albury-Wodonga, which is the largest development occurring in Australia today, will be the first breakthrough in the extension of the natural gas pipeline.

The Minister has indicated that the natural gas pipeline is in the process of being extended to Albury to join up with the power grid. However, proposals to extend the pipeline to other areas along the River Murray do not meet with any success. The Government blames border anomalies as the reason for not extending the pipeline and, therefore, people in those areas are precluded from enjoying the benefits of natural gas. The pipeline should be extended from the eastern side of the area I represent to the western side, that is, from the Shepparton grid to Numurkah through to Cobram. Such an extension would be an advantage to the Government because there are many large factories in the area. I cite as an example, Kraft Foods Ltd at Strathmerton and Murray-Goulburn Co-Operative Co. Ltd at Cobram. The Government has subsidized the LPG used at that factory to the tune of $100,000 a year.

It is to be hoped that the Minister will endeavour to ensure that the natural gas pipeline is extended to other areas of Victoria so that country Victorians will benefit from the supply of natural gas and a reduction in its cost. From the correspondence I have received from the Gas and Fuel Corporation, it is interesting to note that the corporation is looking to the Federal Government to provide funds for the extension of the pipeline. The corporation is not looking to the Victorian Government to provide those funds. Perhaps the Government could reassess the $1.25 million a year that is used to subsidize decentralized industries that use liquefied petroleum gas. Perhaps that money would be better spent on extending the natural gas pipeline so as to achieve uniform pricing.

The National Party supports the Bill. It is interesting to note that commercial and industrial users of LPG outside the areas served by natural gas will receive the subsidy. The Bill complements Federal legislation. It is to be hoped that the Minister takes note of the comments made by members of the National Party and ensures that natural gas is extended to other country areas, especially the Murray Valley. It is to be hoped that the Minister will apply pressure to ensure that the price of liquefied petroleum gas is made uniform throughout Victoria.

Mr REMINGTON (Melbourne)—The House has been entertained today by a performance greater than that of Don Quixote. Members of the Liberal and National parties have attacked the Federal Government over its failure to introduce a national energy pricing policy. However, the current situation has been created by the policies of the Federal colleagues of honourable members opposite. Honourable members opposite have been dashing around as though they were partaking in a high school debate and telling the world how Victorians have been wronged. Who were the people who created this problem? It was the Federal Government, supported by the Victorian National and Liberal parties.

Last year the Opposition asked the Government to embrace a price-fixing policy for liquefied petroleum gas, but the Government took no action. If honourable members opposite felt so strongly about the inequalities that were destined to arise out of the agree-
ment that was entered into in April last year, why did they not take it upon themselves to draw upon the powers that were available?

Nevertheless, the Opposition welcomes the Bill. Honourable members on this side of the House view the Bill as being meaningful and a recognition of the errors caused by the absence of proper pricing policies of the Federal Government. The escalation in the price of liquefied petroleum occurred only when the Federal Liberal Government granted Esso-BHP an exemption from appearing before the Prices Justification Tribunal. When that decision was made, Esso-BHP could not justify any increase in the price of the gas. The Bill would not be before the House and the anomalies and cost burdens placed upon country Victorians would not have occurred if the Federal Government had not taken that action.

In October 1978, the Prices Justification Tribunal granted an increase in the price of liquefied petroleum gas derived from oil refineries of $83 per tonne. However, the tribunal could not justify any increase in the price of natural gas produced by Esso-BHP because natural gas is a virtually free commodity—a by-product obtained from Bass Strait. At that time, the Esso-BHP price was an economical $66 per tonne to the consumer. It was the action of the Fraser Government that brought about the massive and unfair escalation in price. There is no justification for the price increasing from $66.88 per tonne to the present price of $252 a tonne.

Mr Birrell—A shame.

Mr REMINGTON—It is a shame. It is a pity that the honourable member for Geelong West did not vote with the Opposition in an endeavour to provide the Government with power to fix the price of liquefied petroleum gas for Victoria. When the agreement was entered into twelve months ago and a subsidy of $80 a tonne was agreed to, the price was $205 a tonne. With the continuation of the subsidy of $80 a tonne and the extension of the subsidy to other areas, its value has already been eroded to the extent of 55 per cent because, as I have just stated, when the subsidy was fixed at $80 a tonne, the price was $205 a tonne and it is now $252 a tonne.

There are other problems associated with the agreement which is destined to run out in two years. Although the Federal Government has entered into the package deal now, what is to happen to rural consumers in Victoria in two years, especially when the price of liquefied petroleum gas is tied to the Australian price of crude oil, which in turn is influenced virtually by Saudi Arabian prices? I cannot understand the logic of tying the prices or see the reason why they should be so tied. What is the logic of making Australians who reside in Ararat, Stawell, Horsham, Portland or in other rural areas of Victoria pay a world parity price for a by-product of oil from Bass Strait? I suggest that it imposes a hardship on those consumers and does not fit in with the alleged decentralization policies of the Government because even with a subsidy of $80 a tonne, it costs more to operate LPG-fired appliances in Ararat, Stawell, Horsham or Portland than it does in Melbourne. It is no wonder that the Government is beginning to experience difficulty in getting people and industries to become established in country areas.

Much has been said about the need to have natural gas reticulated throughout rural Victoria. Certainly the Opposition would agree to that principle, but the Government has been unsuccessful in its efforts to obtain funds from the Federal Government to enable it to extend the reticulation of natural gas. The Fraser Government has rejected the applications for funds which have been made by the Victorian Government. In some cases there may have been good economic grounds for refusing the applications, but the Opposition would examine the economic viability of reticulating natural gas and certainly, in many areas the Opposition would extend the natural gas but there are other areas where it would not be economically viable or practical to do so. In those cases it is sensible that liquefied petroleum gas be available to
those people at the ex Esso-BHP price, that is before the Federal Government took Esso-BHP price, that is before the Federal Government took Esso-BHP out of the jurisdiction of the Prices Justification Tribunal.

The Government cannot justify helping country constituents by increasing the price of liquefied petroleum gas for in effect that is only increasing the profit of Esso-BHP. I stated before that there was no logic in link its price to crude oil prices other than to maintain the excessive profits of Esso-BHP and the oil refineries.

Honourable members should realize that the Bill affects many people. The Gas and Fuel Corporation supplies some 110,000 customers with liquefied petroleum gas at an excessively inflated price due to the failure of the Fraser Government to maintain the jurisdiction of the Prices Justification Tribunal to determine the Esso-BHP price.

This is a very massive industry in Australia. For example, the total Australian output of liquefied petroleum gas is 3519.7 megalitres, which is a massive production. Of that total Australian output, 2889 million megalitres comes from naturally occurring sources, such as from Bass Strait. The other 630.6 megalitres comes from the oil refineries. In effect, the measure is placing a penalty on a small component of the total production of liquefied petroleum gas. Australia exports 2484 megalitres and the exporters can obtain the prevailing price that applies throughout the world. An unfair burden is placed on the Australian consumers of the other 950 megalitres. The Government is adding an inflation cost because an additional cost is placed on those people who use the product, irrespective of whether they use it for domestic or industrial purposes.

Interestingly enough Victoria has the highest consumption of liquefied petroleum gas in Australia—Victoria consumes 258.2 megalitres.

I come back to what I said earlier, that the problem has occurred due to the ill-conceived and disastrous crude oil policies of the Federal Government. Members of the National Party, instead of chatting amongst themselves, should recognize that these policies were foisted on the Fraser Government by the Federal National Party in Canberra. It is no good members of the National Party in this Parliament trying to run for cover by claiming that they are trying to protect the people when it is Federal National Party policies which were imposed on the spineless Fraser Government in Canberra which has brought about the tying of Australia’s LPG prices to Australia’s crude oil world parity pricing policy. There is a degree of inconsistency and incompetency over the pricing policies of the Federal Government, which policies, as I stated earlier, also discourage decentralization.

One of the difficulties with the agreement is that it operates for a three-year term and nobody seems to know what will occur at the expiration of that period. The three-year term poses immense difficulties for the Gas and Fuel Corporation as it does not know what is going to happen three years hence. The Gas and Fuel Corporation naturally does not want to commit large amounts of capital funds for the further extension of liquefied petroleum gas throughout Victoria because at the end of the three-year term the Fraser Government, if we are unfortunate enough for it still to be in power—God help us, we hope it is not—has no assurance that the Government will continue with the present subsidy scheme. Therefore, the Gas and Fuel Corporation would be loath to commit large amounts of capital funds to provide such extensions throughout the State. It is a matter of economic viability.

A free enterprise company would not be marketing liquefied petroleum gas in the same way as the Gas and Fuel Corporation does at present because it would not be prepared to cope with the risk factor in committing large amounts of capital funds for its provision when the subsidy may run out in two years time.

I indicated earlier that the Opposition supports the measure, recognizing as it does that serious problems exist.
If the price of liquefied petroleum gas is to be reduced it ought to be done by way of placing a levy on the expert of the product. The Opposition would like to bring down the price for consumers in rural Victoria and those people residing in provincial towns and cities, but that price reduction should not be at the expense of the taxpayers of this State as it is at present. In essence, that is what the Federal Government is doing by introducing a subsidy of $80 a tonne, but in effect it is subsidizing the profitability of oil companies.

A levy should be placed on the massive amount of liquefied petroleum gas that is currently exported.

Mr McGrath (Lowan)—The Bill is important and of great interest to country persons. The proposed subsidy results from a Federal Government decision. However, it is not much good having a subsidy if the State cannot get a sufficient supply of gas to many country areas. At present, because of the increase in price of liquefied petroleum gas in March of approximately 12 per cent, many country users are preferring electricity and are becoming reliant on one form of energy. The Government should rectify this reliance.

The Labor Party has made great play on how it can supply gas to the country and it blames the Federal Government for the present circumstances. However, it is still within the power of the State to bring about a uniform price for both natural and liquefied petroleum gas. I wonder whether the Labor Party would support a loading on natural gas supplied to city dwellers to effect an equalization of gas prices throughout Victoria, as exists with electricity. Members of the Labor Party also made great play on how the Federal Government is to blame for world parity pricing. It is also their party's policy to support world parity pricing for oil and gas.

It is ideal for Victorians to have the use of several sources of energy and the Government should examine the provision of pipelines, if they can be afforded, across Victoria. The city councils of Horsham, Ballarat, Ararat and Portland are making representation for pipelines to be extended and I hope the Minister is working with the Gas and Fuel Corporation and the Commonwealth Government to try to realize this. Recently, notable gas finds have occurred at Port Campbell and these could be the means for supply of natural gas to the western half of the State.

An interesting comparison is made in figures on Australian consumption and production of petroleum products and uses of various energies for the years 1978–79 and 1979–80. Automotive distillate has risen by 8.4 percent in that twelve month period and the heavy distillate, the bunker distillate used in industry and shipping, has risen by 59.5 per cent; liquefied petroleum gas has risen by only 7.5 per cent. In the near future, Victoria could be short of distillate fuels which would cause serious problem in primary industry and in the transportation of commodities to and from country areas. The Government must seriously examine extending the supply of gas throughout Victoria at a uniform price to all persons whether city or country, because the State has vast supplies of liquefied petroleum and natural gas.

If positive action is taken to introduce a uniform price for gas, there will be an increased use of gas throughout the State, which, once again, will take the load off the petroleum products that are used for agriculture, transportation and other purposes. I urge the Minister to examine those suggestions.

Mr McInnes (Gippsland South)—It is pleasing that honourable members representing country electorates are exhibiting interest in the reticulation of natural gas and that the Government, until such time as it is feasible for natural gas to be reticulated throughout Victoria, is adopting this measure, which is designed to remove a price impediment.

Natural gas has been used in Sale and Maffra for some time—logically, because those cities and towns are close to the source of supply. The honourable member for Gippsland East has referred to Bairnsdale, which is a town that ought to have natural gas, as should other towns in South Gippsland, including Yarram, which is on the edge of the Gelliondale coalfield, and Leongatha, which has the largest milk products.
factory in the southern hemisphere. At present, to supply fuel to that plant, coal trucks are run across the Strzeleckis from the Latrobe Valley. The plant could be an obvious user of natural gas and I hope the Government will extend the liquefied petroleum gas line down through Yarram, Foster and Leongatha as a justifiable and economical use of gas produced in the Gippsland petroleum fields.

The Bill is straightforward and I am glad it has the support of all honourable members. We look forward to the day when most of Victoria has natural gas pipelines to provide a relatively cheap energy source in the State. If not used, natural gas can decay, unlike oil, which can stay in the ground without any natural depletion. However, the reservoirs of natural gas may be lost with change in the structure of the ground holding those reservoirs. It is not a question of wasteful use of natural gas for domestic and industrial applications as it was once considered to be. The Opposition considered it wasteful when used in power generation. Natural gas is being used in peak load power stations in the Latrobe Valley and has wide application in industry in Victoria.

Mr LIEBERMAN (Minister for Minerals and Energy)—Honourable members who have contributed to the debate and supported the Bill have also endorsed the general policy of the Government on this aspect of energy use in Victoria. It is quite obvious from the remarks of honourable members of all parties that they appreciate, as the Government does and has for many years, the importance of developing and exploiting Victoria's natural gas resources. Victoria is fortunate in having vast natural gas resources which, hopefully, will serve the State through to the next century. The Government is also confident that, with judicious exploration and proper policies for exploration encouragement onshore and offshore, Victoria has a chance of developing and discovering more fields and resources of natural gas.

Only a couple of weeks ago I informed the House that Beach Petroleum NL which had been exploring in the north Paaratte area in Victoria had found promising signs of natural gas. As the Leader of the Opposition knows, as yet no pronouncement of a commercial well has been made, but it is encouraging to think that the stepout wells and the new drills have encountered natural gas. In one case the flow of natural gas has been almost 99 per cent pure methane, which indicates that, if a commercial field were available, methane could be put straight into the heater. The company has indicated that in the next twelve months the investment in its exploration programme, in conjunction with its partners on and off shore Victoria, is likely to exceed about $22 million, which compares with about $3 million in the previous year. That indicates the reaction from exploration companies to the potential of Victoria.

All Victorians hope and wish that these endeavours will be successful. The exploitation of resources is an interesting and vital issue for all Victorians and Australians. During the remainder of the Parliamentary session I look forward to the dialogue between all parties on how they would best wish the policies on energy to be developed for Victoria. Their comments will be of assistance to the Government in tackling these momentous issues in this decade.

The question of pricing of liquefied petroleum gas has been contentious. The ex refinery price has risen from $67 a tonne to $250 a tonne, which is a dramatic increase, attributable to the world parity pricing policy of the Commonwealth Government. Rises in the wholesale price of the gas are now linked to rises in price of crude oil. For some considerable time the Victorian Government, supported by members of the Labor Party and the National Party, has urged the Commonwealth Government to ensure that sudden and massive increases in prices should not occur and that a balanced approach should be taken to pricing.

Although the world parity pricing issue is generally supported by most Australians, the Victorian Government has voiced opposition to sud-
den and massive price increases and has been seeking a pricing policy which is responsible and lessens the impact on country consumers of liquefied petroleum gas. The Government has made representations energetically, as have others, to the Commonwealth, seeking concessions because of the impact of the pricing policy. It is pleasing to note that those representations have resulted in the Commonwealth Government agreeing on 28 March 1980 to introduce the $80 a tonne subsidy for domestic use and for some non-profit institutions which were not able to plug into natural gas but which sought to use liquefied petroleum gas.

From 30 September 1980, as the Bill proclaims, the $80 a tonne subsidy will be deemed to be extended to all stationary LPG users in Victoria outside the area served by natural gas. That is welcome and is the result of a lot of hard work and representation to the Commonwealth. It mirrors the arrangement with the Commonwealth. The difficulty that the Government has had in relation to that announcement is in ensuring, as the honourable member for Glenhuntly points out, that administration of that policy is not over-bureaucratic and is simple and able to be interpreted without too much humbug. As a result of the work of the officers representing the Victorian Government in my department and the officers of the Commonwealth, the Commonwealth has proclaimed its requirements in relation to the availability of natural gas. In effect that means that property which is more than 20 kilometres from a gas main will attract the subsidy except those mentioned in the second-reading speech that are excluded for good reason.

At the conference of Ministers for Minerals and Energy in Launceston last week, which I attended, some concern was expressed to the Commonwealth about the need to ensure a phase-in of this policy because if natural gas becomes available in a particular community it is not to be desired that overnight the industries in that community would be suddenly cut off from the $80 a tonne subsidy. There should be a sensible phase-in with time given to the technicians and companies to take advantage of the availability of natural gas. I am glad that the Commonwealth has seemed to be receptive on that matter. After all, it is common sense.

Honourable members will agree that where natural gas is available in Victoria, it is an attractive fuel for consumers. When available through reticulation, supplies of natural gas are available until the turn of the century. The Government has worked hard and I pay tribute to my predecessor, Mr Balfour, for the work he did in extending natural gas to Victorians. It is a proud achievement of his and, of course, of the Government, that about 80 per cent of Victorians are today enjoying the benefits of natural gas by reticulation. It is a fine record but the Government does not intend to rest on its laurels. It has a policy to extend natural gas to as many Victorians as possible. I pay credit to the State Electricity Commission which does not receive enough credit. I remind honourable members that almost 98 per cent of Victorians are provided with electrical reticulation safely and efficiently and at reasonable prices. It is the result of the hard work, dedication and teamwork of the State Electricity Commission. It is about time that honourable members opposite reflected on that and stopped the nitpicking of the State Electricity Commission because it has a big job to do for Victoria and its morale should not be undermined by that sort of nitpicking.

The consumers of LPG are unable to use and enjoy the benefits of natural gas. The Government has been pursuing vigorously with the Commonwealth the means by which natural gas can be extended to the communities in Victoria that do not have it at present. Extensive research has been carried out with the Gas and Fuel Corporation and negotiations are still taking place with the Commonwealth as a result of the findings of this research. Three pipeline projects have been identified which could supply certain amounts of gas. For example, the Goulburn Valley, including Echuca and Rochester would require and would consume 1.7 peda-

Mr Lieberman
joules per annum; north-western Victoria would consume 0.6 pedajoules per annum; and south west Victoria would consume 2.4 pedajoules per annum. The Government is approaching this project in a responsible way. The Leader of the Opposition agrees with me that the question of finding funds to provide the reticulation and maintain the service, if income is not sufficient to provide that, is the big problem. One needs the consumers.

It ought to be possible to evolve a policy whereby we will be able to do it progressively and in a responsible manner. The Victorian Government has put to the Commonwealth Government a proposal that it should provide funds to make up the shortfall between the amount of loan funds that could be serviced from income from the consumer in these areas, with the State being responsible for the first component and perhaps some lead time. These are the sorts of matters, in principle, that we have discussed.

Mr B. J. Evans—So you are abandoning people who do not live in towns?

Mr LIEBERMAN—I am afraid the honourable member for Gippsland East has once again misunderstood the position, but never mind. I noted his earlier comments, and I understand his zeal relating to Gippsland. I wonder whether he is prepared to share the droughts and floods as well!

The approach of the Commonwealth is that a complete financial analysis is required to determine where the funding can be obtained and how it could be serviced, and that is the real key to it. In addition to that there is the possibility, as was mentioned by some honourable members, that the price for LPG, where natural gas is not available, could perhaps be reviewed or subsidized by adopting a broad uniform approach—a "shandy" would be a correct description.

If I understand what some members of the Opposition have said, I believe they are suggesting in principle that it would be acceptable to the Victorian people that a shandy price be adopted under which people who use natural gas should pay a little more to go towards the additional cost of providing that LPG where natural gas is not available. I am not over-representing the situation; I said members of the Opposition appeared to be suggesting that in principle. I did not say they were embracing that policy, because politics is involved, and I realize that, but that is a principle which would have to be examined.

There is no doubt that the Commonwealth approach through its Treasury is that the user should pay. I believe the Commonwealth Treasury is wrong in trying to impose that sort of policy abruptly, without having researched the impact completely, but that is the sort of dialogue that is going on.

We intend to persevere until we provide natural gas reticulation to as many Victorians as possible at the uniform tariff which at present applies. The Victorian Government has ensured that, where natural gas is available to those 80 per cent of Victorians, the price they pay will be exactly the same wherever they are in Victoria. That is a Jim Balfour policy, and I commend him for that and hope we can continue to achieve that sort of policy in relation to the remaining 20 per cent. The Commonwealth Government has indicated to the States that it regards the continued use of liquefied petroleum gas as an integral part of energy planning in Australia, and has emphasized the increased conversion of Commonwealth and State vehicles to the use of the gas.

In relation to the subsidy of $80 a tonne, Victoria and the other States have urged the Commonwealth to give certainty and surety to all of us that the subsidy will not be taken away at the end of 1982 but that it will continue. The Commonwealth is deliberating that point, and my view is that the Commonwealth will not remove the subsidy but will adhere to it. I think all Australians would want it to continue in that fashion.

The Bill is important because it marks a further progression of a rationalization of energy policies by means of price mechanisms. Much more remains to be done, but the subsidy that has been gained will be appreciated by most Victorians.
The motion was agreed to.

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

STATE ELECTRICITY COMMISSION
(AMENDMENT) BILL (No. 2)

The debate (adjourned from March 12) on the motion of Mr Lieberman (Minister for Minerals and Energy) for the second reading of this Bill was resumed.

Mr WILKES (Leader of the Opposition)—This Bill increases the borrowing powers of the State Electricity Commission by $900 million or 48 per cent. It also makes several other amendments of a machinery nature to the present Act.

In the past two financial years, 1978-79 and 1979-80, a total of $895 million has been spent by the State Electricity Commission on its capital works programmes. Of that amount, 70 per cent has been used in the construction of power stations. Five power stations have been under construction since 1978, and this has led to the need for a substantial increase in the ceiling of the borrowing powers of the commission. I cannot remember a Bill having been introduced increasing the borrowing powers by 50 per cent.

On 26 November last year the Melbourne Age carried an advertisement over the signature of Mr Charles Trethowan, the Chairman of the State Electricity Commission, which stated:

Can we get a word in? The SEC is not bankrupt or insolvent. The SEC is not running out of power.

The honourable member for Narracan, as Minister for Minerals and Energy, had earlier made similar statements in the House when replying to the Opposition motion that a Royal Commission be appointed to investigate the State Electricity Commission.

On 13 March this year the Age headlined a report by the present Minister for Minerals and Energy in the second-reading speech when he was introducing the Bill, stating:

SEC is short of cash and power—Lieberman.

Those were two conflicting statements. Honourable members will notice that in his second-reading speech the Minister directly contradicted the Chairman of the State Electricity Commission in the advertisement which he placed in the Age newspaper last year. That will become a common occurrence during the remaining twelve months of the life of the Government unless a Royal Commission is appointed.

I warn the new Minister not to accept the official State Electricity Commission line on finance, energy and industrial relations, as did his predecessor, because it did not do his predecessor any good. I have a high regard for the work that the honourable gentleman's predecessor did in his portfolio, but the present Minister for Minerals and Energy should live up to his self-image of being “a very questioning Minister”, as was reported in the SEC News, otherwise he may end up with the honourable member for Narracan, the former Minister, on the back bench.

The new Minister for Minerals and Energy has referred to delays in the State Electricity Commission power station construction programme. The honourable gentleman has stated:

They left the electricity supply system is a precarious balance between generating capability and customer requirement. It has been able to meet the system’s energy requirements only by extended running of high cost metropolitan stations and gas turbine plant and by further over-drawing its entitlement to energy from the Snowy hydro-electric system.

Why did this occur? The Minister admits that the workers building Newport “D”, Jeeralang and Dartmouth dam have done an excellent job with “minimal time lost to industrial disputes”. However, when it comes to base load coal fired power stations, the Minister cannot resist the temptation to have a crack at the unions. The Minister said that the Yallourn W stage 2 has been plagued by continuous industrial action and that Loy Yang has also been severely affected by industrial disputes.

I am pointing out that this is probably the understatement of the year. The Minister will have an opportunity of saying precisely what he meant.
when he made that statement. I take honourable members back to the question the Minister raised. The Minister said that both the Yallourn W stage 2 and Loy Yang had been plagued by continuous industrial action and had been severely affected by industrial disputes. If that is not a reflection on the union itself, what is? The Minister says that he did not mean that.

Mr Lieberman—There is more than one party to an industrial dispute.

Mr Wilkes—the Minister is right about that. On November 13 1980, the honourable member for Reservoir, during the debate on the Royal Commission in this Chamber, used the minutes of the various secret meetings held at Monash House to prove that the Loy Yang dispute was in fact a lock-out jointly engineered by the contractors, who wanted to tame the Builders Labourers Federation at that time, and the State Electricity Commission, which wanted to avoid what was described as a liquidity crisis. In the short-term, that is financial insolvency.

On 17 March 1981, the Minister of Labour and Industry admitted, in answer to a question without notice, that some 544 Loy Yang workers had been dismissed as part of an industrial relations tactic and put into a position of unfair hardship. Compensation of $3 million, of course, is about to be paid or in the process of being paid by the Government.

On 26 March 1981, the Premier was reported in the Age as having said:

We have had discussions with the SEC and we have told them that we want them to produce much better project management.

That is what the Premier was reported as having said and I do not doubt that he said it because, with the co-operation of the honourable member for Reservoir and other members of the Opposition, I can understand why he would want to say that. The Premier stated that the Government wanted the State Electricity Commission to produce much better project management. The Premier said, "This is one of the problems which showed up at Loy Yang last year... escalation has occurred which is not really necessary". The problem was not work bans, demarcation disputes or strikes. The problem was and still is the State Electricity Commission and the Government and the Government's approach to the State Electricity Commission.

I have indicated in a previous debate, as have the honourable members for Morwell and Reservoir, the precise action the Government should take in respect to the State Electricity Commission. Of course, the Government has resisted taking that action. However, Victoria's shortage of base-load coal fired generating capacity is due to an even more fundamental problem than the State Electricity Commission's provocative industrial relations methods. The delays are mostly due to poor long-term planning and a rash of design changes after projects have been approved by the State Electricity Commission. The State Electricity Commission claims to pursue a long range planning target of increasing the share of coal-fired electricity in Victoria. In fact, this share has fallen from 66.8 per cent in 1971–72 to 60.3 per cent in 1979–80. That is the latest year for which statistics are available. Those statistics are not easily available from the State Electricity Commission.

So, if we divide the past twelve years into two equal periods we discover that the next additions to Victoria's coal-fired generating capacity—that is new units built, less old units retired—they averaged 124 megawatts per annum from 1969 to 1974 only 54 megawatts per annum from 1975 to 1980.

Therefore, the State Electricity Commission has more than halved its rate of construction of power stations based on brown coal. On 10 March 1981, the Minister answered a question that I placed on the Notice Paper in the following terms. The Minister stated that the cost of design changes—that is modifications and some new works—from conception of the project to final design as assessed at June 1980, is approximately 10 per cent of the estimated project costs. The Minister
stated that design changes and modifications represent 10 per cent of the estimated project cost.

Since the last Budget papers stated that the project will cost approximately $3,043 million as at June 1980 prices, the Minister is actually admitting that over $300 million worth of design changes have been made at Loy Yang. I ask the Minister whether the Public Works Committee authorized those alterations. I also ask whether any examination or comment had been made by Treasury as to the extent of those design changes and alterations at Loy Yang. Of course not! What about the inevitable delays as elements of this complex civil engineering project—in fact the largest in Australia—are rearranged to accommodate State Electricity Commission design changes? What does the Minister have to say about that? The Government has not made any expression in that direction.

While poor long-range planning delays, delays due to design changes and the provocative industrial relations stance by the State Electricity Commission account for Victoria's critical shortage of coal-fired generating capacity, the questions remain unanswered. Why can we not squeeze more energy out of the coal-fired power stations that we have operating now? Whereas the Hazelwood power station supposedly put in a good performance last year, it was utilized at 69 per cent of its plant capacity. Why was Yallourn power station run at only 61 per cent of capacity when it was known to be capable of producing 69 per cent? Why did Morwell register only 76 per cent against its 85 per cent capacity?

Mr Birrell—Demand.

Mr WILKES—The honourable member says "demand". There is a genius! Why is it that the Yallourn "W" power station returned a mere 60 per cent compared with its 75 per cent demonstrated upper limit? The answer is not to be found in the actions of those so-called militant trade unions that the Government keeps referring to and that the Minister refers to from time to time. The Minister says that it is not true, but he will have an opportunity of saying whether it is true or not.

On March 10 1981 the Minister accidentally included in Hansard along with his reply to a question that I placed on the Notice Paper, a table headed, "Briefing information for Minister for Minerals and Energy".

At the foot of that table was the following assessment:

From this table it is evident that the time lost by industrial disputes, both those directly involving the State Electricity Commission and those involving the SEC as a consequence of external factors outside the control of the SEC, is a small percentage of the hours worked by the SEC's Latrobe Valley workforce of approximately 8000 employees.

It is no wonder that the Minister failed to attach that sheet to the copy of his answer that he sent to me. It pulls the rug from beneath his Government's policy in respect to the union bashing indulged in by the Government to obscure the real reasons for the low power station productivity in Victoria. The real reason is managerial and technical inefficiency within the State Electricity Commission as measured by the incidence of forced outages like the unbalanced shut-downs of generating units within the coal fired power stations that exist today.

Again on 10 March of this year the Minister replied to a further question I had placed on the Notice Paper. The first question I had placed on the Notice Paper sought information about forced outages—that is the term now used by the Government and the State Electricity Commission—and the second referred to industrial outages, meaning generation shut-downs due to industrial actions, whether they be the fault of the State Electricity Commission or the trade union movement or both.

Over the past five years, on various generator units, 11,437 hours have been lost due to industrial outages. That figure may sound high but I remind honourable members of the assessment given in the Minister's briefing information paper and invite them to com-
pare it with the 56,594 hours lost due to forced outages. That latter figure is five times as high as the former.

I do not accept the Minister's introductory excuses that high moisture content and high fouling properties are largely the cause. My question specifically excluded shut-downs, for reasons of planned maintenance, to which his remarks properly applied.

My message for the people of Victoria is this: Every time they hear the State Electricity Commission or the Government blame pending blackouts, brownouts, and industrial load-shedding on the trade union movement, they should remember that there are two sides to every industrial dispute in this State, especially in the power Industry, and that only one-sixth of the inconvenience to consumers, whether domestic, industrial or commercial, will be caused by industrial action and the other five-sixths will be due to managerial and technical inefficiency and the Government's failure to recognize that.

I turn now to the Minister's remarks in his second-reading speech on the cost of the State Electricity Commission's construction programme for the next three years and his proposals for financing that programme. On 28 November 1980, the honourable member for Morwell in response to a misrepresentation by the Treasurer, in this House offered to table the State Electricity Commission's ten-year forward construction programme estimates dated 16 May 1980, and a comparison of the Minister's figures with those appearing in the document is most revealing. Unless the State Electricity Commission is secretly planning another power station, perhaps a second Jeeralang, to supplement Alcoa's gas fired electricity during Portland's first two years of smelting—I refer to the first two years of smelting because that seems to be the period it will be in operation before Loy Yang comes on stream—the Minister's estimates imply a 16 per cent per annum rate of inflation over the next three years. I advise him to check his figures. I wonder whether his Federal colleagues would share that pessimism with the Minister!

Almost half of the $443 million allocated for transmission lines and terminal stations is attributable to a single project, namely, the 500-kilovolt double-circuit power line being built from Melbourne to Portland for the exclusive benefit of Alcoa. As that company will own the terminal station at the Portland end, there is no way that that line will be of assistance to any existing State Electricity Commission customer in the south west of the State. In any event, Alcoa's stepped-down voltage will be incompatible with the local sub-transmission grid that already exists. As the best plant utilization that Loy Yang is likely to achieve will be 70 per cent, effectively only 2800 of its 4000 megawatt nominal capacity will be available. That poses a problem to the Minister and, indeed, to the State Electricity Commission. Of that 4000 megawatts, Alcoa's Portland smelter at full development will take 880 megawatts, or more than 31 per cent of that capacity; that is when stages 2, 3 and 4 are in operation.

If one reads the submission made by the State Electricity Commission in relation to the proposed Driffield project, there appears to be some doubt on whether that will be the requirement. Therefore, $380 million of the $1207 million allocated for the Loy Yang project can now be seen to be attributable directly to Alcoa, and some of the capital works in other categories will also be attributable to Alcoa or at least they will be Alcoa-related. At least $580 million or 24 per cent of the total construction programme, or 64 per cent of the $900 million borrowing programme referred to in the Bill, would not be necessary but for Alcoa's smelter at Portland.

I hope the Minister will eventually realize that what the Opposition and a string of independent commentators have now been saying for a long time at least bears scrutiny by him. The State Electricity Commission will make a sizeable loss on sales of electricity to Alcoa. That has been said in this place on a number of occasions.

Mr Lieberman—Why don't you produce your figures?
Mr WILKES—I am prepared to make the figures available to the Minister at any time. They were made available to his predecessor, and look what happened to him! The Opposition will be pleased to make the figures available to the Minister and to the State Electricity Commission. I believe they have already been made available to the commission. The Labor Party’s figures have been substantiated by other authorities and they have not been disputed to any extent by the Minister who says to honourable members that the Government will not be selling power to Alcoa at a loss. The Opposition knows that the Government is selling power to Alcoa at 1.8 cents per kilowatt-hour but honourable members have not been told who will fund the difference between that 1.8 cents per kilowatt-hour and the cost of generating electricity at Newport and Jeeralang, which costs substantially more than 1.8 cents per kilowatt-hour. Honourable members have never been told who will subsidize Alcoa.

If one takes the average of the cost of producing a kilowatt of electricity and multiplies it by the amount of power that Alcoa will need over the two years between April 1983 and May 1985 when Loy Yang comes on stream and subtracts from that the amount of electricity multiplied by 1.8, one obtains a figure of $112.8 million. That is the sum that will have to be made up, provided that Alcoa draws power from Newport and Jeeralang until Loy Yang comes on stream. I ask the Minister to tell Parliament and the people of Victoria who will subsidize Alcoa to the tune of $112.8 million for power over and above the rate fixed by the agreement between the State Electricity Commission and Alcoa. Those are the questions that ought to be answered. I should like the Minister, or the State Electricity Commission for that matter, to tell us honestly what it would cost to produce a kilowatt of electricity at Newport and at Jeeralang. Obviously there is a differential and I should like to know what the actual average cost will be because if Alcoa is going to pull power from Jeeralang—it is obvious that it will—and from the Newport gas-fired power station as against coal-fired power station, if the Minister does his sums correctly he will learn that the additional cost will be in the vicinity of $112.8 million. The Minister ought to tell the House who is going to foot that bill.

The Minister for Minerals and Energy says, by interjection, that I am wrong. We are used to the Minister sitting here and saying that we are wrong and that is the end of it. Nobody produces any figures and says we are wrong. The Minister does not even know that there is a difference between the generating cost of electricity for gas-fired stations and coal-fired stations. The Minister says, by interjection, that is not true. It is a simple mathematical equation. I have told the Minister we will produce figures—we have nothing to hide—and those figures will bear scrutiny by anyone from the State Electricity Commission, Treasury or the Minister’s department, including the Minister. There is no doubt about that.

I have said that the State Electricity Commission will make a sizeable loss on sales of electricity to Alcoa on tariff Option 5—possibly $84 million per annum at full smelter development—and this loss will be recouped by raising all electricity prices faster than they would otherwise have moved.

On financing of the commission’s $2397 million three-year construction programme, the Minister points out in his second-reading speech that during the past two years the proportions have been 37 per cent borrowing, 26 per cent internal funding and 37 per cent trade credit. The trade credit share includes temporary financing, self-help contributions by customers and other advances. However, the commission’s ten-year construction programme estimates show that over the next three years the proportions will be, 44 per cent borrowing, 23 per cent internal funding and 33 per cent trade credit. As at 16 May 1980, the State Electricity Commission expected to greatly increase its share of borrowing and slightly reduce the shares of internal funding and trade credit.
Excessive trade credit at short term interest rates sometimes exceeding 18 per cent per annum with high administrative costs is recognized by the Minister as financially irresponsible, so the Opposition applauds the Minister, and if necessary the commission for their insistence on reducing the share of trade credit from 37 per cent to 33 per cent.

On 9 June 1980 the State Electricity Commission warned Treasury that:

... continuation of trade credit financing at the present level, and within current guidelines, will provide further difficulties in future years when substantial repayments become due, placing further strains on the financial resources available to the commission.

But what do we find in the Minister's speech? Not a 44 per cent borrowing share but a 38 per cent borrowing share. Combined with a 33 per cent share of trade credit, this implies a 29 per cent proportion of internal funding rather than an 23 per cent share. That is, instead of there being lower pressure for tariff rises to generate extra internal finance there is going to be higher pressure. This, on top of both natural cost inflation and the cross subsidy for Alcoa, gives some concern.

The Minister says he will not stop at 29 per cent either but that he plans to raise the share of internal funding to 50 per cent. Imagine what that would do to electricity tariffs in this State today. I cannot believe the Minister is serious when he says that. If he wants to set this sort of target, let him set rational financial targets, such as a certain rate of return on capital invested—not a piece of meaningless "ad hoc" like "50 per cent internal funding of works programme".

Recalling that the Minister's proposals amount to one thing—higher tariffs due to servicing the Alcoa project and chasing his 50 per cent self financing target—I shall turn to the Age of 24 December 1980—Christmas Eve—where, in a letter to the editor, Mr. Charles Trethowan promised Victorians a handsome Christmas present. He said:

I give SEC customers two unqualified assurances:

1. Electricity charges in Victoria will not change for at least 12 months from the date of the last increases.

That was one assurance. The second assurance was that:

2. The next tariff rise will be no higher than the increase in the CPI.

Given what the Minister is asking for in this Bill and the ramifications of the ceiling of an additional 48 per cent on the borrowing capacity or what of the State Electricity can do, may do or in fact will do, I challenge the Minister to state clearly here and now whether he and his Government stand behind the statement made by the Chairman of the State Electricity Commission. The Opposition eagerly awaits a reply on that matter from the Minister.

I end on the note that whilst this House is prepared to allow the State Electricity Commission of Victoria to increase its borrowing capacity by some 48 per cent or $900 million it ill behoves this Government not to take into consideration some of the problems that have been generated by the commission and some of the problems that have been aggravated by the policies of this Government.

If the Minister is not prepared to acknowledge those problems and the relationship of those problems, firstly, to the liquidity of the commission and, secondly, its ability to meet the demands of future development in this State, passing this Bill will not account for very much. In fact the problems that will stem from it will be even greater than the problems with which we are confronted today.

Mr B. J. EVANS (Gippsland East)—I believe it is true to say that during the first 50 years of its existence the State Electricity Commission filled a very important role as far as the community was concerned and despite of the fact it was a public utility—one might term it as a Socialist enterprise—within the private enterprise economy of this State it was doing a magnificent job. Over the first 50 years it was unique in countries of a free enterprise philosophy to have power production in the hands of the State.

I believe the State Electricity Commission did a very good job. In fact, in my experience during the latter part
of those years the main criticism I had to offer was that it was not extending its services around the rural areas of this State as rapidly as I should have liked. But all of these things take time. Now, to all intents and purposes, the State Electricity Commission extends its network to all corners of the State. There are still one or two minor exceptions, such as Mount Hotham, but hopefully in the fullness of time that problem might be resolved.

However, over recent years the State Electricity Commission seems to have fallen under a great deal of criticism, emanating mostly from the Labor Party. I suggest that many of the points raised by the Leader of the Opposition during his remarks today are really not questions which the House is competent to determine. On the one hand the Opposition makes some allegations and the Government, with the commission as its trained adviser, denies the allegations, and no one in the community can be satisfied with the outcome of that confrontation.

Perhaps the time has arrived where other processes available to the Parliament should be used more effectively to get to the truth of the claims and counter-claims that are being made. I refer to the committee functions of the Parliament.

In the past, projects submitted by the State Electricity Commission, such as the Loy Yang project and the Driffield project, have been referred to the Public Works Committee, but that committee is looking more at the physical side of things than at the aspects which have been raised today, and the inquiries conducted by the Public Works Committee are not specifically related to over-all policies.

I submit that it would be appropriate for a Parliamentary committee to look at the significance of this measure and to determine whether or not the borrowing powers of the State Electricity Commission should be increased by $900 million. That is a substantial sum of money to be asking Parliament to authorize. There would not be many other Parliaments in the world which would be asked to authorize such an amount without such scrutiny, but I submit that there should be much closer scrutiny of the proposed works referred to in the measure, so the Parliament and its members who serve on the investigating committee could be better informed.

It was my view that, when the Government announced the establishment of the Public Accounts and Expenditure Review Committee, questions such as this would be referred to that committee. I appreciate that there are problems involved in doing that—the big problem is time. This is a factor which has not been taken into account by the Opposition in levelling its criticisms. I suggest honourable members have to go back some years to ascertain where the problems had their origin, particularly the problem of meeting the needs of the community for electric power supplies. I now go back to the construction of the first of the Yallourn power stations in the 1960s. The State Electricity Commission more or less submitted its proposals for the construction of future power stations. The proposals were then referred to the Public Works Committee and after due consideration the projects were usually approved and were started.

Then the Government introduced the aspect of environmental impact studies. Once the Government introduced that aspect, it was not sufficient to examine one proposal; the responsible committee had to be reasonably satisfied that the projects of the commission or whatever body was proposing them complied with environmental requirements.

Under the guidelines issued for the consideration of environmental impact studies, virtually all alternatives had to be examined during the investigation. The various proposals had to be considered to make sure all possible alternatives were brought to light, including the alternative of doing nothing. This gave rise to a tremendous amount of argument, discussion and unhappiness in the community.

The decision by the Government to require the production of environmental impact studies, to the extent
that has been going on in recent years, has been one of the major factors in holding up development in this State. It is also one of the major reasons why the State Electricity Commission has not been able to get on with the job of submitting proposals for the construction of power stations to meet the demands as they arise in the community. In many cases there is too much time wasted arguing about the proposals which are put up, to determine whether or not the requirements of the environmental impact studies have been complied with.

The position has been reached where the commission has to spend much time in preparing submissions simply to meet the requirements that the Government has laid down instead of submitting a project as a tangible proposition. As I stated earlier, in the past the proposal to erect a power station was investigated and the project either approved or rejected. However, the requirement for environmental impact studies has aggravated the situation and I submit that is what occurred over the proposed construction of a power station at Newport. I am sure honourable members have a recollection of the issues that were raised over that particular project. They were not questions of whether the power station was needed or whether there was a need to generate additional power; the question at issue concentrated on environmental aspects, and despite years of argument, Victoria has had a power station constructed at Newport. I am sure honourable members have a recollection of the issues that were raised over that particular project. They were not questions of whether the power station was needed or whether there was a need to generate additional power; the question at issue concentrated on environmental aspects, and despite years of argument, Victoria has had a power station constructed at Newport. Surely the situation which existed over the construction of that power station could have been avoided if the State Electricity Commission had been allowed to get on with the job as it wanted to do in the first place.

Honourable members are interjecting and querying my attitude. I have stated not once but on many occasions that the value of environmental impact studies or anything of that kind has not convinced me that they should be required. I suggest that honourable members who make these comments still have to prove to me that serious mistakes were made in the past under the system that operated previously. I defy honourable members to prove that serious mistakes have been made in the past.

The factors to which I have been referring have been most significant, but have created a situation where the commission is virtually racing against time to catch up with the backlog of power station construction in order to meet power demands to ensure the development of this State. It is a sad state of affairs if the Government is to be criticized for holding back development in this State because of the inability of the commission to provide the power needs that are required.

The history of power station development over the past ten years or so has indicated fairly clearly that Victoria is never going to catch up unless pressure can be placed on unionists to get on with the job and do their work.

It was interesting to hear the allegations made by the Leader of the Opposition in relation to union bashing. The Leader of the Opposition made the claim that the main problem lay with managerial and technical incompetence. Despite the interjections of the honourable member for Reservoir, I was always under the impression that managerial and technical people in the State Electricity Commission were also members of unions. I find it hard to follow the reasoning of the honourable member for Reservoir, that five-sixths of the trouble lies with those people. If that argument is correct, the honourable member for Reservoir is still criticizing unionists, whether it be their inability or unwillingness to do their work or an inability to do it properly. The honourable member cannot have it both ways. He is criticizing people whom I thought he would support in this House.

The facts are on the wall so far as the State Electricity Commission is concerned. It is able to produce power at a price competitive with that of any other country in the world. That is the standard by which one judges its technical competence and managerial ability. That competence and ability was proved until the early 1970s.
opened the State Electricity Commission to criticism was the Government's decision to throw so many restrictions and inhibitions in its way through environmental studies instead of allowing it to get on with its job of building power stations and providing the most economic power. Engineers and people involved in these projects have always taken into account environmental considerations. The environmental statement requires that engineers put down in black and white everything that goes through their minds. In the past they thought about them but now they have to write them down and quantify them to prove that they thought about them.

Mr Wilkes—It is the design changes, not the environmental impact studies.

Mr B. J. EVANS—The Leader of the Opposition would be equally critical if a power station was built and design changes or improvements that came to light during the course of the construction of that station were not incorporated. Such things are always incorporated by businessmen and it is ridiculous to suggest that at one point of time the design must be final, even though the job has not been completed.

The Bill encompasses a tremendous range of questions. The one to which I shall refer is perhaps less significant from the point of view of the State Electricity Commission and the community. It is the problems confronting landowners in areas overlying coal throughout Gippsland. This is not a new problem and if the honourable member for Morwell had been present he would have raised the aspect. The people who own property which overlies coal in the immediate vicinity of the coalfields throughout Gippsland are in difficulties. In relation to the Loy Yang power station, because of planning requirements some people were not allowed to build new homes on their properties or to make improvements. They had to make do with old homes and for extended periods of time, up to thirty years. It is not reasonable to expect that of any member of the community.

In a completely free enterprise society such as the United States of America, it would be a bonanza to find that one's farm lay over immensely valuable resources such as coal. Many American landowners have made a fortune because somebody has found oil on their properties, but in Australia that situation does not apply. If one happens to own a property that is over coal, one has problems. One can be faced with being unable to develop the farm. It may be a dairy farm with the walk-through type milking shed and a need may exist to install a rotary milking plant. The owner would not be able to do that. He could not obtain a permit to develop the property because of the imminent use or acquisition of that property or its possible long-term acquisition.

The value of a property situated over coal would depreciate, and if the owner wished to sell, the buyer would soon learn about the coal. The market value of that property would be reduced. Some elementary principle should be established on this question. Any person in such a position who wishes to sell his farm should be able to obtain the full value of the property without regard to the fact that it overlies a coal area.

If he wishes to continue living on the property for a certain period, he should be able to develop that property, build a new house, shed or whatever, provided it is for the normal use that could be expected on that farming property. He should be able to expect full compensation for those improvements from the Government at the time the Government acquires the land. This should apply not just to the State Electricity Commission because many of these properties overlie coal which will not be used by the commission for coal but utilized for coal-to-oil processes or other purposes. Whichever Government instrumentality is involved should keep in mind the same principle.

Any person with a property in this situation should be allowed to develop it in the normal way, knowing that full compensation will be paid for whatever improvements he puts on the
farm. Even if he wishes to build an expensive house on the land, he should not be prevented from doing so simply to make a cheaper acquisition for the Government in the long run.

Where land is acquired, the valuation paid for the land should be the valuation as at the date of payment. In many cases, as I understand it, the valuation is established as at the date of notice to treat. In many cases the negotiations following a notice to treat may take a number of years. In the meantime, property values can change and the individuals concerned are placed in a position were they have to find an alternative property. That is becoming increasingly difficult. All these factors must be taken into consideration. Therefore, compensation should be related to the valuation on the date on which settlement is actually made.

Mr Wilkes—It has to be made as of that date.

Mr B. J. EVANS—Yes, that is the very point I am making. The date should be the date of settlement. However, I believe one has to go further than that. One has to examine all the factors involved and realize that people have to find other properties which will suit their needs.

I can quote examples of heavy expenses that have been incurred by people trying to obtain satisfaction from the State Electricity Commission and the like in order to reach some satisfactory arrangement on the price paid for their land. Because of the complex issues involved it is much more difficult than a simple situation where the Country Roads Board acquires a piece of land for road widening projects. That is a fairly simple operation, which is usually fairly quickly negotiated. It is not always difficult for the people concerned to find some other alternative to meet their needs.

In the Driffield case the whole community is to be dislodged. It is not just a case of one person transferring from a place of residence. Families of some of the people at Driffield have lived in that area for more than 100 years. It is pretty hard on them to pull up stakes and move to a new area where they are completely separated from old friends. All these factors must be taken into account when compensation is being determined.

The Driffield project is one that is only just receiving the attention of the community, and honourable members would be well advised to visit the area and gain some idea of the immensity of the project. I refer particularly to the diversion of the Morwell River where 275 different properties are to be involved to a greater or lesser degree. Some properties will be rendered uneconomic to the owner, although some people will be affected to a relatively minor extent.

The Bill has the support of the National Party because obviously without the provision for additional borrowing powers the State Electricity Commission must run into even more difficulties. My sympathies lie with the commission and the troubles that are besetting it now. I have already canvassed my ideas on how those troubles have arisen and I hope Governments of the future may see the wisdom of my remarks. The Government needs to cut out—for the want of a more descriptive word—the messing around that the Government instrumentalities as well as private enterprise are required to undertake before development is allowed to take place. When that position is achieved we may well see a vast improvement in the productivity of Australia and a vast improvement in the available job opportunities. If that is the case Australia will be a much happier and better community in which to live.

Mr JOLLY (Dandenong)—I shall speak on the financial aspects of the Bill because they are extremely important. Three fundamental issues need to be considered. Firstly, I refer to the extent of Parliamentary scrutiny, as the Bill includes major increases in the Australian Loan Council allocation to the State Electricity Commission. The Minister has indicated that in the next three financial years the relevant figure is $900 million. That is a lot of money
in anybody's terms. Secondly, apart from the issue of Parliamentary scrutiny, there is the issue of public accountability. Information should be made available not only to the House, but also to the public at large so that they can assess the implications of various decisions.

I believe they are critical issues that need to be considered. Thirdly, the capital works programme in particular in reference to the Australian Loan Council allocation needs to be seen in the context of the total allocation to Victoria. That concerns me immensely. In order to put this into some sort of perspective, I shall refer to the information that was made available in the last Budget speech on Australian Loan Council allocations to the major statutory authorities in Victoria.

In 1979–80 the allocation to the State Electricity Commission was $200 million. This represented 41.5 per cent of the total Australian Loan Council allocation. That is a significant figure. However, by 1980–81—this is the first year of that three-year period—the loan allocation to the commission had increased to $247.8 million, representing 46.6 per cent of the total.

To try and assess the position in 1981–82 it is necessary to make a number of assumptions because the information that has been presented to the House via the second-reading speech of the Minister for Minerals and Energy does not give any indication of the break-up in each of the three financial years. To attempt to assess the magnitude for the forthcoming financial year, 1981–82, it is necessary to make some assumption about the cost escalation factor and, secondly, to make assumptions about the Australian Loan Council allocation which is likely to apply to Victoria. On the assumption that there is a 10 per cent increase in Australian Loan Council allocations to the major authorities in Victoria the sum of about $587.5 million will be allocated to Victoria next financial year.

From the statements in the press and the rumours about, that may be an optimistic statement. The Australian Loan Council allocation to the major authorities in Victoria may not reach $588 million next year. Given the other assumption I made, that the cost escalation factor allowed for in the State Electricity Commission estimates is 10 per cent—it is not possible to ascertain that from information given by the Minister—the amount of $310 million will be allocated to the State Electricity Commission in 1981–82.

That is a huge sum of money. In fact, on the basis of these estimates, it represents almost 53 per cent of the Australian Loan Council allocations to the major statutory authorities. So, we are facing an extremely large investment and a large increase in the percentage allocation in the three years I have mentioned, from 1979–80 to 1981–82. It appears that the percentage allocated to the State Electricity Commission is to increase from something like 42 per cent in 1979–80 to 53 per cent in 1981–82.

As I said, that is based on the assumption that I have had to make. That also implies that next financial year there will be an increase in the Australian Loan Council allocation to the State Electricity Commission of some 25 per cent. Again, I would appreciate clarification from the Minister as to whether that is the correct order of magnitude. That sort of information should be made available to Parliament. If honourable members are to assess whether it is appropriate to obtain a $900 million increase, we need to know the break-up from one year to the next. Honourable members also need to know far more. We need to examine the total investment programme of the State Electricity Commission over each of the next three years. Again, based on the same sort of assumptions as I mentioned previously, the total level of investment by the State Electricity Commission in 1981–82 will be approximately $850 million. That figure includes the Australian Loan Council allocation and funds from other sources.

We, of course, are most concerned about this increase because it is an increase of 35 per cent. It means there
will be increasing reliance on non-loan funds and these can come from only three different sources, which have already been highlighted by the Leader of the Opposition in the debate today. The first source for raising investment funds in 1981–82 is by way of price increases. Again we are not in a position to assess the likely increase in the price of electricity that will follow as a result of this expenditure programme.

We are also concerned, not only about the absolute price increase that is likely to occur in order to meet this capital works programme, but also about the extent of cross-subsidization that exists within the State Electricity Commission. Apparently, the submission presented to the Public Works Committee today indicates that the cost of power produced by Driffield will be about 2.6 cents per kilowatt hour. That gives a firm indication, given the similarity of the type of generating equipment used in Driffield with that at Loy Yang, that the price of electricity per kilowatt hour at September 1980 prices will be about the same for Loy Yang. That gives an idea of the magnitude of the subsidy to Alcoa when it is being charged, excluding the turnover tax, 1.7 cents per kilowatt hour.

The State Electricity Commission submission indicates that the cost of producing electricity at September 1980 prices is 2.6 cents per kilowatt hour in the case of Driffield. I do not have a copy of the submission with me but I will certainly show it to the Minister later in respect of the 2.6 per kilowatt hour price. However, I have no hesitation in vouching for the accuracy of that figure. Therefore the issue that needs to be considered is what sort of price increase is implied as a result of this massive expenditure programme in 1981–82, and indeed, up to 1982–83.

The second issue is what internal funds are available at the State Electricity Commission. The extent of the criticism that has recently been thrown at the commission gives the impression that there are very few hidden reserves in the commission at present. The State Electricity Commission has run them down in recent times to make sure that its capital works programme was fulfilled. Again, this House has not been presented with any information on this issue.

The third source of finance is credit finance. The Leader of the Opposition has already indicated that this will mean that in certain circumstances interest rates in excess of 18 per cent per annum will have to be paid. Although credit finance means that one can fulfil one’s short-term needs, eventually that interest must be repaid and that has implications for increases in the price of electricity in the future. That issue has not been dealt with in any detail by the Minister in his second-reading speech.

The Minister, by interjection, has asked for the figures to be made available. I assume he has asked the State Electricity Commission to make the figures available and that he will make them available to other honourable members, because the figures should be made available to Parliament so that honourable members can assess the position of the commission. This business of having to rely on leaks and so on is completely unsatisfactory. It is time the objectives of the State Electricity Commission and the objectives of the Government in relation to the position of electricity were expounded in detail.

I must say when it comes to assessing the capital works programme, it is extremely disturbing that Parliament is in fact faced with a fait accompli. Honourable members are not in the position to sensibly evaluate whether it is advisable to allocate an additional $900 million in the next three financial years. The only statement we have had from the Minister on this—and apparently this is the new direction—was the statement in his second-reading speech in which he said:

As honourable members can see, the commission is committed to capital expenditure at substantially higher levels than ever before in the next three years.

That is a statement of what will occur; it is not a justification. I am appalled that within this State when a major capital works programme goes before the Public Works Committee
there is no necessary input from State Treasury on these capital works programmes. That is a completely unsatisfactory way of making decisions, particularly major economic decisions in the State.

There are historical problems as a result of the lack of economic and financial analysis by the Government but we are also facing a future problem. It has been indicated that another power generation plant will be built at Driffield. This, of course, is subject to inquiry by the Public Works Committee which is looking at the geographical and engineering aspects of that site. However, no necessary analysis is being undertaken by the State Treasury on the cost benefits of that exercise. No detailed economic evaluation is being undertaken. Given we have very scarce resources and also that in time there will be a greater proportion of Australian Loan Council funds being taken by the State Electricity Commission, it is absolutely imperative that a full economic evaluation and cost-benefit studies are undertaken and made available to Parliament for scrutiny by Parliamentarians and for the wider scrutiny of the public. Economists generally should be in the position to assess the economic performance and economic aspects of decisions like that.

Indeed, I am tired of decisions being made in Parliament when the Government is not prepared to provide detailed information on economic decisions which are vital to the future development of Victoria. This shooting from the hip approach is absolutely atrocious in the 1980s. It might have been justified in the early stages when there was growth without Government intervention, but it is certainly not justified now. Victoria is not only a stagnant State economically but it is also deteriorating compared with the rest of Australia. There is no attempt by the Government to introduce modern financial techniques in this State. Another example is coming before Parliament today. Clearly there are no new directions. We are faced with a fait accompli. We are told there will be an increase of $900 million in investments in the next three years but there is no economic evaluation and no detailed explanation of why it is going to take place. That situation should be urgently rectified.

There is also no detailed examination of the various components of the capital works programme that appears in the Minister's second-reading speech. We are told that the total sum in the next three years is $2397 million. The Minister indicated that transmission lines and terminal stations will be allocated $443 million. It is assumed that approximately half of that amount is for the power lines to provide electricity to Alcoa at Portland. This Government apparently rejected the offer or did not negotiate hard enough to ensure that Alcoa met the cost or provided the finance for these power lines. It is time that alternative was examined, because we are now facing the alternative that either a proportion of the cost is being met by the scarce loan allocations or it comes out of credit finance. We are also informed that this means that interest could be in excess of 18 per cent. Who pays under those circumstances? Of course, the household and the small businessman who operates more labour-intensive techniques than Alcoa at Portland.

If the general financial implications of the approach of the Government are examined, not only is the State Electricity Commission in a position of withdrawing Loan Council funds from other major statutory authorities in the State, but that needs also to be linked with the Government support of the Federal Government's monetary policy. That will reduce the rate of growth of money supply. Therefore, right across Australia, and in Victoria, the availability of finance will become less and less, and there will be an increase in the rate of interest. Given that massive funds are being devoted to the development of the State Electricity Commission capital works programme, then the housing industry will suffer. The ability of the ordinary wage and salary earners to meet repayments with high interest rates will become less and less, and there will be an ever slowing...
down of the building industry in this State. That is the situation at the present time.

It is totally inadequate for the Minister to ask everyone to support the $900 million increase in the capital works programme, without providing honourable members with a detailed economic evaluation, including a detailed cost-benefit study. In particular lessons should be learned from past mistakes. The Government cannot afford to be in the position where engineers dominate economic decision making within the public sector in Victoria. In the future, careful economic analysis must apply, particularly to the proposed expenditure on the Driffield station, where large expenditure will be incurred in the future.

The second aspect of the Bill that I wanted to take up relates to Clause 6, which refers to the requirements in respect of the sinking fund that will be waived on overseas borrowings because they are not necessary in the first couple of years of obtaining loans from overseas. I am pleased that the Minister is moving in this direction, but again he has adopted a piecemeal approach. It is "ad hocery" once again. The concept of sinking funds emanated in the nineteenth century. We are now heading towards the 21st century, yet sinking funds still prevail. The Minister should recognize that by tying liquid assets up in sinking funds, job opportunities are being lost and the capital works programme is smaller than it should be.

Given the shortage of funds, and the need to boost employment in this State, it is a disgrace that the Government has not moved quickly into the area of sinking funds and put the State's public enterprises on a commercial footing so that they use modern management techniques. I do not imply that the State Electricity Commission is one of the worst organizations in this respect. It is not. Its system of accounting is a lot better than many other authorities in the public sector.

It is criminal that the Government adheres to an outmoded concept of the sinking fund as this approach was thrown out by private enterprise more than 50 years ago. The result is that the capital works programme in this State is cut back and job opportunities lost.

These are the issues that should be debated, because I believe, although this is a small Bill, it has important financial implications for Victoria.

Mr MACKINNON (Box Hill)—Honourable members know that the Bill contains a number of different items, one of which relates to increasing the authority for the State Electricity Commission to borrow. The Bill also relates to the basis on which the loans may be raised, provides more flexibility within that arrangement, and for the payment of interest and other such matters. There is also reference to the valuation of land which the commission may propose to acquire at a later date.

I relate my remarks to the question of the State Electricity Commission's borrowing. The Bill substantially increases the borrowing powers of the State Electricity Commission, but I do not think there is any suggestion that the commission will rush out and borrow to the limit in one year. This provision looks ahead, and allows the commission to plan on a reasonable basis. I am surprised at the suggestion that the State Electricity Commission may not have the advantage of up-to-date financial thinking. It is not so long ago that Mr Campbell Johnston was appointed as one of the commissioners, and he is one of the foremost authorities on financial matters. I am sure that the commission has gained from his knowledge and expertise in this area. Whether it has further to go I am not qualified to judge, as I am not a financial expert.

The Government was aware of the need for the commission to have competence in this area and it made provision for that in the appointment of Mr Campbell Johnston. I am satisfied that in this area the Government has acted competently.

I also refer to the historical aspects of the State Electricity Commission, which, in a sense, were referred to by
the honourable member for Gippsland East. It is salutary to reflect on the importance of brown coal to Victoria. Prior to the coalfields being developed, Victoria was reliant almost entirely on black coal from New South Wales. One has only to recall what I describe as the "black years" after the second world war, when strikes on the New South Wales coalfields threw the whole of Melbourne's gas supplies into utter chaos. Anyone who lived through the late 1940s will recall those cold, miserable winters. I think the honourable member for Bundooora would recall this time and the turmoil that occurred. At that time, Victoria did not have to rely on black coal from New South Wales for firing generators to supply electricity, so while the State might have been short on gas for heating, it was not short on electricity. The move taken by the Government in those days to base Victoria's electricity supply on the brown coalfields was a matter of great far-sightedness and forethought, and stood the State in good stead.

We have now moved into a different era where a number of things are making the situation more complex. There is talk of increasing the electricity generating capacity, which will require very large investments, and this must be a matter of concern to honourable members. The problem then arises, when the investments should be made, where, and on what basis.

The honourable member for Gippsland East referred to the environmental impact, the significant delays in that area. It must be recognized that these benefits to our quality of life impose penalties in economic development, and the extent to which economic development is held back at the expense of over-fussy concern for quality of life must be seriously considered. These are matters that the community needs to weigh up. As legislators, representatives of the community in the Parliament, it is part of our task to assist in this weigh up, and to reflect the views of the community. The community today is looking much more closely at the need for economic development.

Mr Mackinnon

Victoria's economic development will not proceed unless full co-operation is received from the unions. It is a matter of extreme regret that such co-operation has not been forthcoming from the unions.

Economic development and employment run parallel. Economic development is obstructive when certain action is taken by groups seeking to achieve their own aims. It is disturbing to note that there has been no responsible comment from honourable members opposite on the industrial disruption that has occurred in the Latrobe Valley. The problem of industrial action is one that should be immediately overcome. I accept the remarks made by the Leader of the Opposition that all political parties should work towards achieving a consensus. However, I am far from satisfied that there has been any clear indication by the unions to work towards solving the problem. Unless that indication is given, Victoria will continue to suffer difficulties.

As usual, the Leader of the Opposition made negative statements about Alcoa of Australia Ltd and the necessary power generation. I have yet to sight the figures that prove the so-called enormous cost burden that will occur.

Mr Fordham—You do not understand them; they are a bit complex.

Mr Mackinnon—There is nothing complex about the figures; it is a question of whether the figures are satisfactory. A large proportion of the power that will go to Alcoa must be derived from the base load generating plant. It is the extent to which the peak load plants are used as base load plants that will affect the total costs and it is only in that sense that the peak load plants could be included. It is nonsense to add the total production of the peak load plants to that of the base load plants.

The provision that deals with determining the value of land acquired by the State Electricity Commission represents forward thinking. It remains to be seen whether that provision will be as satisfactory as it is envisaged. It is the intention of the Government that
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no landholder should be disadvantaged in any way as a result of having his property situated above a brown coal seam. That sensible provision will provide confidence for the community and will prevent any disadvantage from occurring.

Another measure that will bring some of the requirements of the Act up to date is that relating to the changes in the way in which payment of interest on stock debentures occurs. The State Electricity Commission will have more flexibility to seek funds on the Australian or overseas stock markets.

There are a number of small but important provisions in the Bill. The debate has turned on the importance of the State Electricity Commission to Victoria. I have confidence in the way that the commission and the Minister for Minerals and Energy have approached the matter.

Mr CAIN (Bundoora)—The honourable member for Dandenong voiced his concern about the consequence of the capacity of other organizations to borrow because of the increased capacity of the State Electricity Commission to obtain funds. The Bill confers upon the commission a huge increase in borrowing capacity and, therefore, it will provide a public authority with a wide power that will commit the community to what that authority does.

In the second-reading speech, the Minister for Minerals and Energy made no attempt to place the consequences of such an amendment in perspective and examine the effects it will have on Victoria. The Minister made no attempt to evaluate the 60 per cent increase in loan borrowing capacity and the effect that will have on the total borrowings that are contemplated by others. What consequence will that have on the capacity of other organizations to borrow?

The Minister has not acknowledged that the Government is in the business of making and selling power as its top priority regardless of the consequences that will have on other forms of development. The Government is in the power manufacturing and selling business in a big way. There should have been comment in the second-reading speech or in accompanying papers on the consequence the increased borrowing capacity will have on Victoria's ailing manufacturing industries, the service industries, the labour intensive industries and the small businesses that the Opposition is concerned about. The provision on borrowing powers concerns the Opposition. No attempt is made to evaluate and express any view on the effect of that provision on those areas.

Secondly, I refer to compensation payable to owners of land who are affected by State Electricity Commission activities in that area. The Bill propose an amendment to section 23, which was amended in 1979. At present, section 23 (2) provides that in determining the market value under the provisions of the Land Compensation Act a calculation is made which, in effect, ignores the consequences of any interim development order or plan as it affects the land. Clause 2 of the Bill adds to that dispensation by the exclusion of plans and interim development orders the consequences of any publication by or on behalf of the commission of any notice or statement related to any proposal. That is a broad provision. The amendment is saying that a blight is imposed on land consequent upon even the slightest suggestion of use at any time in the future. The particular area of land concerned is land outside and on the fringe of the land that is subject to any present interim development order and land that it is contemplated will be used for the construction of power stations adjacent to the coal bearing land. It raises many questions.

Where the acquisition is imminent, some attempt can be made to quantify the compensation that will be paid with a great deal more accuracy than will be the case when acquisition is postponed for some time after the plan, interim development order or notice. The blight that is cast by the notice concerns persons in the area who want to know where they stand. As the honourable member for Gippsland East said, they are restricted and inhibited
in effecting improvements because they do not know the time scale, how long it will be before their land will be acquired and whether it is economically wise and justifiable to spend either small or large sums on those properties.

Whatever course is followed, the cost of acquiring land, which is, in effect, a production cost, is imposed on either the commission and the persons paying electricity charges in the State, or the taxpayers generally and one might ask who should pay. Should it be the commission, through its consumers, or should it be the taxpayers generally, through the Government?

The other alternative is one that I put to the House before: Is it not time an endeavour was made to impose the cost that is incurred by decisions of this kind, which are planning and land-use decisions, on those landowners who benefit from similar decisions? In other words, landowners in the Gippsland area whose land value increases quite remarkably because of the involvement of the State Electricity Commission in the area.

Mr B. J. Evans—Where are these?

Mr CAIN—They are in towns where land values increase because of the activities generated by the commission. There is, as a consequence of that activity, an appreciable increase in some land values. I am suggesting that the time is not far away when some attempt has to be made to say that those who suffer some detriment as a consequence of public authority activity, in this case the State Electricity Commission, and are quite properly compensated, ought to be compensated from a fund that is contributed to, if not entirely, at least in part, from the windfalls others enjoy because of the activity of the same authority.

That is a philosophical concept that does not sit happily with some members of the Government, but it does with others and it ought to be considered. I accept that it is difficult to quantify and to set up a structure that performs this task but, as a matter of equity, and I know the honourable member for Doncaster shares this view, it should be considered and examined.

A further question is: What is fair compensation? Honourable members should remember that when determining compensation under the Land Compensation Act there will be some temporal gap between the time these activities take place—notices, interim development orders and so on—and the assessment of market value to occur at the time the acquisition takes place or the time the notice is given which must have regard to earlier action. That presents all sorts of problems in assessing compensation. The Land Compensation Act now provides, as modified by the provision, to pay market value, which on these amendments is the rural value of the land regardless of any interim development order, planning scheme and so on that affects it and, now, regardless of any notice.

It is very difficult concept to satisfy and the honourable member for Gippsland East touched on the problem of what can be done for a farmer who is concerned about the replacement cost of his farm because of what is occurring and, having assessed the market value of the farm, if the farmer wants to continue farming, he must buy something to replace it.

Mr Hayes—He has plenty of time.

Mr CAIN—He has to go on to the market to replace his farm.

Mr Hayes—He is not pushed.

Mr CAIN—I am not suggesting that he is pushed. Assuming his farm is acquired and he receives compensation calculated on the basis of market value with the qualification I mention, he will buy in a market that has a scarcity factor injected into it because of the acquisition of his and other farms and that is the problem he faces. He will buy in a market that would increase in value because fewer farms will be available in that area.

Applications for compensation under the Land Compensation Act with those qualifications built in will be difficult to resolve fairly and equitably. I am
not saying that I know the answers, but problems will be faced because of the number of farms that will be affected in that area. The concern of a number of landowners is what they do while waiting for the acquisition to occur after the blight has been cast on their property. Many persons are asking—and the Minister ought to consider it—whether the State Electricity Commission should at an early stage be prepared to treat with those persons regarding an early acquisition before there is a requirement to use that farm for a particular purpose. That ought to be investigated because hardship is caused to those who can get no firm indication of when their land will be acquired. This is something which the Minister ought to consider seriously because it imposes great hardship. For people who have been on the land for many years, it is a crunch decision whether they seek to remain on the land in some other place. An early decision about what is to happen to their properties would help them to make their own decisions.

As the Leader of the Opposition indicated, the Opposition does not oppose this measure, but offers the remarks made by the Leader, the honourable member for Dandenong and myself on some aspects of the Bill to which insufficient attention has been given by the Minister, both in his speech and in the calculation of compensation under the existing provisions and the amendments to the land compensation provisions.

Mr SIMMONDS (Reservoir)—I should have thought a Bill which provides the House with an opportunity of making an analysis of the functioning of the State Electricity Commission under the Government would have attracted some defence of the Government's action in its administration of the commission, particularly in the past twelve months. In the past twelve months the commission has been the subject of massive public advertising campaigns to justify Government policy, yet when the proposed legislation dealing with the loan borrowings of that organization is before the Chamber, hardly a Government supporter is prepared to put a position in respect of the problems of the State Electricity Commission because of the purely political manner in which the commission has been asked to act in the past twelve months. It is a reflection on the Government that the honourable member for Narracan, the former Minister for Minerals and Energy, has not made a contribution to the debate to justify the decisions he made during his term of office which subsequently led to his resignation. The new Minister for Minerals and Energy is either unaware of what is taking place or is unable to tell the House adequately the costing structure of the State Electricity Commission.

The honourable member for Box Hill made a small contribution in which he indicated some concern about the industrial relations and industrial disunity that exist over the operations of the State Electricity Commission and its construction projects. An honourable member interjects to say, "Perhaps it is true." I share his concern at the industrial relations disaster of the State Electricity Commission. I do not know of any other instrumentality or organization in this State which would have initiated a lock-out of seven months' duration involving 600 of its employees or sub-contractors.

Mr Birrell—Who locked them out?

Mr SIMMONDS—The Government, through the State Electricity Commission, embarked on a policy. The honourable member for Geelong West should talk to the Minister of Labour and Industry; he could tell the House that a contribution was made to the industrial relations policy applied to the Loy Yang project which cost the State not $12 million, but, on his estimation, slightly less than $3 million. That is the confession of the Government on the Loy Yang issue.

If one wants a clear analysis of what occurred, one should refer to a minor industrial dispute involving batch operators that occurred over a claim for $17 a week for about eight workers. In that case the Government panicked and prepared a programme of dismissals to
achieve an industrial objective. The State Electricity Commission was involved in that programme.

Mr BIRRELL—That is wrong.

Mr SIMMONDS—If the honourable member is not aware of that, he should be made aware of it. The State Electricity Commission was involved, and on 28 March Mr Jack Johnson went to the metal trades negotiating committee, went to the contractors and the peak body. The proposition was put that the contractors should be able to dismiss the employees to bring about an industrial relations situation which the Government was seeking through the State Electricity Commission. There is no argument about that; it is a matter of record. The confession was made in this Chamber and the cost to the State will be high.

Mr BIRRELL (Geelong West)—On a point of order, I am just wondering, despite the latitude given to honourable members when speaking on Bills of this nature, particularly where borrowing powers are being increased substantially and where very little else is involved in the Bill, whether the industrial relations policy of the State Electricity Commission over the past twelve months is relevant to the Bill.

Mr WILKES (Leader of the Opposition)—In his second-reading speech, the Minister adverted specifically to industrial relations. The speech referred to three power stations where, in the Minister's view, there was little or no industrial unrest, and to two other power stations where extensive industrial unrest had occurred.

The Minister has already adverted to these matters, and I believe the honourable member for Reservoir is in order because he is commenting on a proposition raised by the Minister in his second-reading speech.

The ACTING SPEAKER (Mr WILTON)—There is no point of order. Legislation of this nature, which is increasing the borrowing powers of a statutory authority, opens up a fairly wide-ranging debate.

Mr SIMMONDS (Reservoir)—Thank you, Mr Acting Speaker. The borrowing powers being extended in this manner arises from a situation where the State Electricity Commission is making additional hardship payments to workers on the Loy Yang project. About 540 workers are involved and the total payment is close to $3 million, on the Minister's figures.

If one takes the figures of the honourable member for Forest Hill, who moved a motion on this matter in the past fortnight, one sees that he claims that that dispute was costing the State $1 million a day. If one takes his figures on the escalation in costs and considers what that will mean in increasing loan borrowings, one sees that the figure of $1 million a day for seven months would be an astronomical escalation.

The honourable member for Forest Hill deliberately tried to indicate that this was the result of a demarcation dispute. The Minister of Labour and Industry previously advised the House that it was a result of the industrial relations tactic of the State Electricity Commission and had cost the State the amount of money I indicated in my previous contribution.

Of course, other people suffer. Last week a deputation of people came to the Chamber to see the Premier, and he might have told the House about the truck operators in the area who are suffering individual losses of $10 000 to $12 000 and are looking for carry-on finance similar to the hardship payments provided to trade unionists in the area to tide them over the impact of the disastrous industrial relations policy which is being carried out in respect of this matter. That is the reality of the industrial relations aspect of one project.

I want to take the point a little further in dealing with one of the most important State instrumentalities which provides the power and resources for employment of the majority of people in this State and which would almost double its future capacity to meet requirements and provide full employment for every person in this State who is prepared and willing to work.
On that basis we need a State Electricity Commission which is capable of providing those resources, but we also need to ensure that those resources are not handed over at less than cost to friends of the Government to the detriment of the people who are currently in industry and are customers of the State Electricity Commission. We want to see that there is accountability in this place for the policies of the State Electricity Commission, if there is a failure of the commission to complete its projects in time and if it continues the sort of industrial relations policy which locks out a work force of 600 people for seven months. Recently a proposition was put by the Government that it is opposed to productivity agreements for reduced working hours, and I ask the Minister for Minerals and Energy, in view of the policy put by the Minister for Labour and Industry, where he stands in respect of the agreement negotiated by State Electricity Commission workers on the achievement of a shorter working week which was negotiated under the provisions of the Conciliation and Arbitration Act which provided for productivity agreements.

The agreement which was signed and operative from 1 January this year was consummated and subject to a provision for monitoring and review. I understand that today Commissioner Brown is receiving a report in respect of the monitoring provisions of the agreement. I ask whether the Government has now embarked on a position of dishonouring that agreement or, alternatively, whether it has some other method of providing a sound and effective industrial relations policy to ensure that projects are completed on time and that the Alcoa plant will not be built and ready to receive power before the Loy Yang plant is completed. I understand from projections that the period being talked about is two years. If the Government continues to embark on its present industrial relations policy, there is no guarantee that Loy Yang will be built in that period or any other foreseeable period. If the Government continues with its disastrous approach to industrial relations, further disputation will cause further delay in those projects.

I ask the Minister to make a contribution to the debate and to come clean with the House on whether he endorses the agreement which has been signed and is operating for State Electricity Commission employees and on his attitude to other workers in this State who may have similar arguments put in respect of projects for which he has some responsibility. If that is clearly understood, the position indicated by the honourable member for Box Hill may be reached. I agree with him that there ought to be a proper industrial relations policy in this State, and there ought to be an understanding of the issues and an agreement to confer.

I make the point that the State Electricity Commission agreement for shorter working hours was achieved without industrial stoppages; it was achieved by negotiation on principles explained by both sides at the conference table.

Mr Birrell—What is wrong with a 37½-hour week?

Mr Simmons—I am explaining to the honourable member for Geelong West the approach embarked upon by the Government in relation to Loy Yang where it chose to lock out more than 600 workers in respect of a minor operation by a handful of batch operators for seventeen weeks. The Premier knows what the situation was. He consummated the agreement, acknowledged the hardship his Government had inflicted on those workers and on the State and, to his credit, he acknowledged that to the extent that a fund was set up and is now being distributed to the people concerned.

We must learn from those experiences and move into a situation where the State Electricity Commission can perform in the manner envisaged by its founders. I remind the House of the 1926 Royal Commission and the statements of General Sir John Monash and Sir Harold Clapp at the time when the railways and the State Electricity Commission in this State were being
developed. There was a concept of development and it was envisaged that the people of Victoria should share in the prosperity. Today, the State Electricity Commission is the milch cow which provides the resources for some very big and influential friends of the Government, and it is the responsibility of the Government to make a contribution towards developing the State Electricity Commission in the manner I have indicated.

There is a responsibility on the Government to divorce itself from the concept of making available cheap energy to multi-national companies like Alcoa, which is setting up a plant at Portland, and to ensure that the people of Victoria are given prime consideration. If that policy is adopted, jobs in manufacturing industry will be preserved at a relatively cheap price, together with the capacity to maintain that power. The alternative is to subsidize the operations of the power-consuming aluminium industry—indeed, the packaging of power and exporting it, to the detriment of other industries and other uses to which those resources can be put in Victoria.

The arguments put by the Leader of the Opposition and my colleagues remain unanswered. There is no indication other than that Victoria's people will be ripped off by the Government in the interests of those who are the real masters.

The ACTING SPEAKER (Mr Wilton)—Before calling on the Minister to wind up the debate, I advise honourable members that it will be necessary for me at two minutes to six to remind the House that the time has arrived for the joint sitting. I am not sure how long the honourable gentleman wishes to take on his address to the House.

Mr LIEBERMAN (Minister for Minerals and Energy)—I should like to wind up the debate now. I understand there are no further speakers.

The contributions made by members from all parties have been valuable. The second-reading speech, which has been referred to several times, provided much detail. I will take into account the comments of honourable members, particularly those of the honourable member for Dandenong, concerning further particulars and see what I can do to provide the information to assist honourable members.

It is important to say that, during the debate, comments have been made asking where Victoria is heading, what its future is to be and what direction its planning is taking. It must be borne in mind that the State Electricity Commission has done a magnificent job for Victoria and will continue to do so. It employs 22,000 people and is regarded throughout the world as one of the best energy producing organizations in the world. Its reputation is high and the people who make up its staff have contributed so much to Victoria that they should not be overlooked.

None of us here would disregard the challenge facing the State Electricity Commission, in the next decade and beyond, in providing Victoria with a safe, efficient and secure means of power generation so that, not only can Victorians enjoy warmth and comfort in their homes and safety in the streets, but also they will have enough energy to provide industrial expansion and a reliable base on which to plan Victoria and expand its economy. We must get behind the people in the State Electricity Commission in regard to that particular project.

The Gas and Fuel Corporation also has an important contribution to make, as do the people concerned with solar energy and the Brown Coal Council. A real team is working for all Victorians to achieve what is needed in this State. On that note, I conclude my remarks and thank honourable members for their support of this important Bill.

The motion was agreed to.

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

The sitting was suspended at 5.58 p.m. until 8.5 p.m.
JOINT SITTING OF PARLIAMENT

Victorian Institute of Secondary Education: Council of Adult Education

The DEPUTY SPEAKER (Mr A. T. Evans)—I have to report that, this day, this House met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose three members of the Parliament of Victoria to be recommended for appointment to the Council of the Victorian Institute of Secondary Education and to choose one member of the Parliament of Victoria to be recommended for appointment to the Council of Adult Education, and that the Honourable Bernard Phillip Dunn, M.L.C., Donald James Mackinnon, Esq., M.P., and Mrs Pauline Therese Toner, M.P., have been duly chosen to be recommended for appointment to the Council of the Victorian Institute of Secondary Education and to choose one member of the Parliament of Victoria to be recommended for appointment to the Council of Adult Education, and that the Honourable Hector Roy Ward, M.L.C., has been duly chosen to be recommended for appointment to the Council of Adult Education.

REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL

The debate (adjourned from March 19) on the motion of Mr Wood (Minister of Public Works) for the second reading of this Bill was resumed.

Mr SPYKER (Heatherton)—This Bill provides for excisions to be made from three permanently reserved areas of Crown land. The Opposition offers no objection, and supports the Bill. The first excision, in the township of Alexandra, is a site for public recreation and water supply purposes. The area of 2366 square metres to be excised from the reserve is shown in Part 2 of the Schedule and is under the control of the Shire of Alexandra as a committee of management.

The present bitumen roadway, Replacement Road, has been maintained by the shire council for many years, and is currently Crown land. It is on the extreme end of Leckie Park between Station and Perkins streets. The council has purchased additional land at the north western end of Leckie Park so that there will be no loss to Leckie Park as a result of the excision.

The position the shire found itself in was that F.R.S. Industries, a subsidiary of Henderson's Federal Spring Works Pty Ltd, has spent $750 000 on the plant on the eastern side of Replacement Road. I am sure this plant will be welcomed by the people of Alexandra because it will provide job opportunities in the area.

The reason for the excision is that the area is at present Crown land and the shire council wishes to formally proclaimed as a road because a large factory has recently been constructed on abutting freehold land for decentralized industry and the development requires access to the roadway. So it is obviously important that that matter is clarified and that Replacement Road, which has been there for many years, is proclaimed as a road and not held as Crown land.

The second item relates to a portion of land on the foreshore of Western Port which is reserved as a site for public purposes. This piece of land is sought by the San Remo Fishermen's Co-operative Society Ltd, which has been on its present site for about twenty years. At present the society leases two sheds on the jetty at San Remo, and the present site is too small for the society's purposes. The Public Works Department which is at present doing work on the jetty has requested the San Remo Fishermen's Co-operative Society Ltd to remove the sheds from the jetty. The additional space is urgently needed to construct new sheds and to allow the society to store the large amount of fishing equipment and tackle which it needs in its industry.

The interesting information I have received from the San Remo Fishermen's Co-operative Society Ltd is that San Remo is now the third largest fishing port in Victoria and it is a growing port. That is why the additional land is needed next door to the present site, which I have been advised is currently waste-land. It is unsuitable for any other purpose and...
would double the present site of the co-operative. Therefore, the growth in that port is to be welcomed and obviously it will improve the employment opportunities in the area.

The third item is in the township of Cobden and is a site reserved for public park and swimming baths. The additional land which is required in that area is for the Cobden Primary School which currently is on a very small site. There are three portable class-rooms in the school grounds and the school enrolments are increasing. The proposed excision of land is an area of 7876 square metres in the Shire of Heytesbury. The land is at present a gully and very much a waste land. I have been assured that the land serves no other useful purpose at the moment.

At present the Shire of Heytesbury is putting barrel drains on the site as it carries the stormwater from the township of Cobden. Agreement has been reached between the Shire of Heytesbury and the Education Department on the cost of construction of the barrel drain. The proposal is that when that drain is constructed, the land will have to be filled in substantially. It is quite a deep gully and the land will have to be raised about 30 to 40 feet. It is estimated that it will take about two years before the present site is suitable for the recreational purposes of the Cobden Primary School. It is to be hoped that that can be done as quickly as possible because the three additional portable, class-rooms which are already in the school grounds make it a tight situation for the recreational purposes of the children at the school.

I certainly hope the proposed legislation has a speedy passage through Parliament and that the works on the land for the Cobden Primary School, in particular, will be carried out as quickly as possible and that the land will be filled in as quickly as possible to enable the children at the Cobden Primary School to use the site. Having looked at the proposed land between Peter Street, Victoria Street and Walker Street, I believe it is an excellent area and an excellent facility to have a public park and swimming pool so close to the school. The use of additional land at the school for recreational purposes would make it an ideal complex for the people of Cobden. It can only enhance the area and create better leisure activities for the people of Cobden and the children of the Cobden Primary School. Therefore, I fully support items 1, 2 and 3. I hope the Bill has a speedy passage through Parliament and that the additional land will be put to good use for the people of Victoria.

Mr McGrath (Lowan)—The purpose of the Bill is to revoke the permanent reservations of certain lands and for purposes connected therewith. As the honourable member for Heatherton has already said, there are three particular areas of land involved. The first one is in the township of Alexandra and is known as Leckie Park. It may be interesting to note that this park is named after a very well-known family, of whom I believe Dame Pattie Menzies is a descendant. Certainly, the family would be very well known in the area. The area required is for a road, as has been spelt out. It is for the purposes of a secondary industry that will employ something like 40 people to support the motor car industry. The provision in the Bill is to allow that company further access to a roadway. The land will be no loss to the Crown but it will be of advantage to the factory. Undoubtedly, as people are employed there, it will be of advantage to the people and the township of Alexandra. I have spoken to my colleague, the honourable member for Benalla, and I believe he will make further comments about this area so I will leave that to him.

Item 2 relates to portions of the foreshore of Western Port. Once again the honourable member for Heatherton outlined that this area is to be excised to provide storage space for the San Remo fishermen. The State Government and the local council are working together to assist the citizens who live in this community.

Mr Spyker
The other item refers to the Shire of Heytesbury. I received a response from the Shire Secretary, Mr Whelan, who said that everything that has been included in the Bill is as that council would wish it. He made the further point that all landowners around the area have agreed to a portion of the Shenfield Street area being allocated to the Cobden Primary School.

This small Bill will provide facilities for the children of that community. No doubt, as we make plans for our children in this day and age, it is important that they have at their disposal adequate recreational grounds to meet their needs and the recreational pursuits that they may choose to follow.

The measure represents a common-sense application of the need for local councils and Government to work together to bring about the proper utilization of Crown land to benefit the people living in nearby areas. It is better to have an ideal utilization of land for the residents who live in the particular community. The National Party supports the Bill.

Mr TREWIN (Benalla)—I refer to that part of the Bill which affects the township of Alexandra, which is situated about 60 miles north-east of Melbourne, contact with which is made through the Black Spur. The area of land involved in the measure is not large and already there is a sealed road on the land in question.

The honourable member for Lowan mentioned Leckie Park. The area of land has been know as Leckie Park for many years and as the honourable member mentioned, Leckie Park is well known to some of the old and settled families in the district, some of those settlers being the parents of Dame Pattie Menzies and Judge Leckie. Both those persons recently visited Alexandra to participate in an important function, the opening of the Dame Pattie Menzies Centre for Handicapped Persons.

The piece of land in question is on the side of Leckie Park which is located on what is known as U.T. Creek. It is probably of interest to honourable members to indicate that gold was taken from that creek in the early days and it is probably the winning of that gold that subsequently brought about the settlement of people in the area now known as Alexandra.

Leckie Park is a very beautiful park containing bowling greens, tennis courts, basketball courts and a cricket ground and is used by the local people as well as by visitors who come to Alexandra to look at many of the beauties of the district.

The measure proposes excising a piece of land from the park area so that the council will be permitted to carry out necessary work within the township. A new decentralized industry, a subsidiary of Henderson’s Federal Spring Works Pty Ltd, which makes and fits trimming for motor car doors, has been established in the nearby area. The last time I visited Alexandra that industry was employing about 40 people, mainly female labour, but the industry is proving an important adjunct to the welfare of the community. The factory is firmly established and is shortly to be opened by the Premier. The land in question will enable the council to provide a much better access to the factory and will enable the municipality to carry out necessary works to further enhance the attractiveness of the area know as Leckie Park.

It is of interest to note that this area was, by Order in Council, set aside as a park in 1887. That indicates the area has enjoyed a long history as a park. The land was set aside for public recreation and water supply services. On one side of the creek there is a water reservation and no doubt that was placed there so the land could not be taken up, and nor could it be utilized in any other way than for recreational purposes.

This is an important but small piece of legislation benefiting the people of Alexandra and I am sure they are grateful that the measure is before the Parliament because once the Bill has been passed, the municipality will be able to proceed with the necessary work to further improve that part of the town.
Mr WOOD (Minister of Public Works)—As has been mentioned, this is an important Bill for the people of Sah Remo, Alexandra and Cobden. I thank the honourable members for Heatherton, Lowan and Benalla for their contributions.

The motion was agreed to.

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

LAND CONSERVATION (AMENDMENT) BILL

The debate (Interrupted on March 31) on the motion of Mr Wood (Minister of Public Works):

That this Bill be now read a second time.

and on Mr B. J. Evans's amendment:

That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to provide for proposed recommendations to be prepared by a regional lands conservation committee comprising—(a) a regional representative of the Ministry for Conservation; (b) a divisional forester employed under the Forests Act 1958; (c) a representative of municipalities of which a study area forms a part; (d) a representative of the Rural Fire Brigades Association region within the study area; and (e) a representative of field naturalists clubs or similar organizations from within the same municipalities mentioned in paragraph (c).” was resumed.

Mr COLEMAN (Syndal)—The last time the measure was before the House, honourable members were discussing the Bill and the amendment moved by the honourable member for Gippsland East. At the time the debate was interrupted, I was referring to the closed catchment policy of the Board of Works and I had been mentioning the way in which the Board of Works had implemented that policy prior to the turn of the century, so far as the O'Shanassy and Maroondah catchments were concerned and since the middle 1950s so far as the Upper Yarra catchment is concerned.

Any honourable member who lives in Melbourne would have noticed there has been a deterioration in the water quality of Melbourne since the Yering Gorge pumping station and Winneke reservoir have come into operation. Part of the problem is due to the chlorination which is associated with that operation, and it would seem that there is a need to continue with a closed catchment policy to ensure Melbourne receives a shandy of Yering Gorge or Winneke reservoir water mixed with water which comes from the Maroondah, O'Shanassy and Upper Yarra catchment areas. This procedure will enable the Board of Works to maintain some semblence of quality of water which the residents of Melbourne have been used to receiving.

I am a supporter of the reuse of water, but it seems to me that with the water that is utilized for drinking purposes, everything possible should be done to ensure that its quality is maintained.

To relate my comments to the Bill, I make the point that most of the catchment areas for the water supply of Melbourne are located within the Melbourne study area. The suggestion in the amendment by the honourable member for Gippsland East is that there should be a regional lands conservation committee comprising: (a) a regional representative of the Ministry for Conservation; (b) a divisional forester employed under the Forests Act 1958; (c) a representative of municipalities of which a study area forms a part; (d) a representative of the Rural Fire Brigades Association region within the study area; and (e) a representative of field naturalists clubs or similar organizations from within the same municipalities mentioned in paragraph (c).

The Melbourne study area encompasses virtually the whole of the metropolitan area and provides practically all the passive recreational land for that area. To suggest that a regional lands conservation committee which would make recommendations to the Land Conservation Council on matters affecting the Melbourne study area should not comprise a Board of Works representative would be a complete abrogation of the responsibility of the Melbourne and Metropolitan Board of Works in the Melbourne study area. This excludes the most important body, the Melbourne...
and Metropolitan Board of Works, from the committee which might consider land use within the Land Conservation Council subject area.

Pressure has been put on members of this House to try to open up the closed catchment policy that the Board of Works has followed over a period of time for the benefit of the residents of Melbourne. The forest industries research management group commissioned a study entitled "Catchments, a Multiple Resource Base". This publication came into the hands of members of Parliament in the latter half of last year and was issued on 3 November last year. It was written by the then Chairman of the Forests Commission, Dr Moulds.

Mr B. J. Evans—He was the retired chairman.

Mr COLEMAN—If that is so, I apologize. When Dr Moulds was sitting on the Land Conservation Council to consider recommendations for the Melbourne study area, he was Chairman of the Forests Commission, and he subsequently put his views in a paper commissioned by the forest industries resource management group. In that document Dr Moulds supports the concept of a closed catchment. On page 16 of the report he said:

As further evidence of the disastrous effects of fires on catchments Ferguson and Moulds reported that careful surveys by the State Rivers & Water Supply Commission showed that in the year following the 1939 fires in Victoria, the capacity of the Eildon Reservoir was reduced through siltation by 1,000 acre feet and that this equalled the total silt deposit for the previous nine years.

This correlates to a catchment which supplies to Melbourne what has come to be regarded as a fair quality of water. If the forests management input in the Melbourne metropolitan catchment study indicates that sort of siltation which will leave turbidity in the water, it is not acceptable.

I am intrigued that the honourable member for Gippsland East who is interjecting wants to argue that the various resources of the Melbourne study area might be used for the timber industry. That Melbourne study area contains the greatest concentration of ash and by far the largest concentration of millable timber close to a major market. Because of the proximity, it attracts the highest royalties, but the question that arises in my mind is the point proposed by Mr T. H. Gunnesson, the chairman of the group in a letter which accompanied the study. In point 4 he said:

Are you aware of the significant opportunities for decentralized investment and employment (up to 1,500 new jobs) in the region which would accompany utilization of timber resources in the M.M.B.W. catchments?

For about four years in this Parliament honourable members have heard about the decline of the building industry in Victoria. By far the bulk of the timber for that industry comes from the Bairnsdale region. If the catchment area were opened up for exploitation, of necessity it would mean that jobs would disappear in the east Gippsland region. I do not think the honourable member for Gippsland East would want that to happen, and I cannot understand why he pursues his present argument. What he suggests by way of a regional lands conservation committee precludes membership of anybody from the Board of Works which still controls the catchment area. I wonder how this amendment can be applicable to the study as a whole.

I commend the Board of Works for the work it has done in its own right. It has been under much pressure. The recently released Water Supply Catchment Hydrology Research study was produced in 1980.

Mr B. J. Evans—Every factor in it supports what Dr Moulds said.

Mr COLEMAN—That is not so. For the benefit of the honourable member for Gippsland East I will read into Hansard the specific matters raised. They are in the form of answers to questions by the Minister and were the basis on which the Melbourne and Metropolitan Board of Works tried to ascertain what would be the effect on the Melbourne water supply if limited logging took place in the area. The question posed by the Minister which pre-empted this study was:

... to determine whether, or under what conditions, controlled logging in the water catch-
ments may be practicable without detriment to the quality or quantity of the water supply.

The answer was:

Timber harvesting carried out without rigorous implementation of appropriate catchment protection prescriptions will have a major impact on water quality of serious consequence to water supply.

That does not tie in with what Dr Moulds was saying. The answer continued:

To avoid the likelihood of large scale earth movements or widespread erosion, timber harvesting must be excluded from areas with slopes of 25 degrees or greater and from areas with more erodible soils.

Provided that both roading and timber harvesting are well planned and catchment protection prescriptions rigorously implemented at all times, limited roading and timber harvesting could be carried out in appropriate areas without detriment to conventional streamflow quality parameters.

Any roading in Melbourne’s water supply catchments must be of low intensity with a minimum of stream crossings and close control exercised over the length and slope of roads draining towards the streams.

This is all taking place in the area close to Melbourne which is regarded by most people in Melbourne as a scenic area. It is a place close to Melbourne where people go to find relief from the tensions associated with Melbourne life, and to that extent there are plenty of reasons why it should be maintained. The report further states:

Melbourne’s water supply system is unfiltered and as such it is sensitive to changes in streamflow turbidity. Failure to maintain a high standard of planning, conduct and supervision of roading and timber harvesting operations would necessitate water filtration at a very high capital cost.

That matter, to a point has been overtaken by the events because the Winneke reservoir has come into operation and, of course, the management of the Winneke reservoir and the Yering Gorge operation are in the area under consideration in the Yarra Valley study area and are part of the Melbourne study area plus an area used for agricultural pursuits. Therefore Melbourne’s water supply has been changed to that extent in that it is now subject to chlorination and some filtration. The report further states:

The age and density of mountain ash forest, which are affected both by fire and timber harvesting have a major impact on streamflow yield.

Bushfires which convert oldgrowth forest to dense regrowth forest cause large reductions in streamflow yield.

Clearfelling and conventional regeneration would cause long term reductions in streamflow yield.

Reduction of forest density by thinning or selective cutting without deliberate regeneration increases streamflow yields, but the persistence of these increases has not been established to date.

To that extent the research is not complete. I have had the pleasure of going to East Gippsland with a number of groups to study forest utilization in that area. The policy ought to seek to utilize those forests in East Gippsland which have matured before utilizing the forests which have been established since the 1926 and 1939 fires. If that overlooked policy were implemented in much of the Gippsland area it would be beneficial to both the State and the forests concerned. I have no argument with the wood chip industry, and I strongly support the use of tree heads and of forest refuse for the manufacture and production of wood chips.

It seems appropriate and it is a proper use of the State’s resources if we can extract from the established forests as much of the usable timber as possible. It may be prudent at some later date to come back to the Melbourne Study Area and extract the timber available then.

Mr B. J. Evans—That is what the Land Conservation Council recommended.

Mr COLEMAN—The Land Conservation Council and the Melbourne study area report left much discretion to the Government and the Board of Works as to what might be used. The honourable member may well know that. One of the principal recommendations contained in A29 1.1 of the Land Conservation Council report is:

That use and management of this park ensure that these aims are achieved without detriment to the vital use of the area as a water supply catchment.
When the Land Conservation Council made its recommendation on the Melbourne study area it had very much in mind the impact on metropolitan Melbourne of water catchment in that area. We ought to exploit those areas that are opened up for timber production at present, to obtain the winnable timber and then come back to the Melbourne study area when the forest has matured and use the timber that is available.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I again appeal to members on both sides of the House to adhere to the ruling of the Chair, which is made firm in the Standing Orders, that there shall be no audible conversation in the House. Hardly one member is not trying to compete with the honourable member for Syndal.

Mr COLEMAN—I shall finish where I started—I support the proposed legislation and oppose the amendment.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! Before the honourable member for Carrum begins his remarks I remind members of the Opposition that it was rather difficult to know who the spokesman was to be because so many honourable members were moving around the House and standing about conducting conversations.

Mr CATHIE (Carrum)—I oppose the amendment moved by the honourable member for Gippsland East because it seems to me that the Land Conservation Council, as a body that has been set up by this Parliament, has a State-wide responsibility. That responsibility extends to all of the competing interests involved in the management of the land resources of Victoria and is an important responsibility.

The honourable member for Syndal mentioned one of those responsibilities concerning water resources. He referred to the purity of the water supplies for the City of Melbourne. There is the question of the pressure for timber as against the pressure for conserving our water resources. In determining where to strike the balance we have to exercise in effect a State-wide responsibility. That is something that is far too important, even in the preliminary stages of preparing a report for any defined study area, for the Land Conservation Council to say that it intends to allow these decisions to stand. The honourable member must realize that recommendations lead to decisions. The honourable member for Gippsland East is suggesting that we simply hand over the whole of this responsibility to a group of local people.

Mr B. J. Evans—What is wrong with local people?

Mr CATHIE—Local people ought to be involved, consulted and allowed to participate, but they should not be allowed to make major recommendations to the Land Conservation Council when they are subject to local pressures, which may not take into account the water resources.

Mr B. J. Evans—Have you heard of democracy?

Mr CATHIE—Democracy involves wider responsibilities and the acceptance of those responsibilities. I hope the members of the National Party are prepared to concede that. The honourable member for Gippsland East has proposed that in making the preliminary recommendations for land resources and land resource management in Victoria we should hand over that responsibility to people who may not have the expertise, back-up and support of research. These people may not have the wider vision that is often necessary. I shall cite an example. Members of the National Party may laugh; they do not have to accept the wider responsibility. They can simply look after their own narrow, sectional interests. Members of the Labor Party have a wider responsibility, which we accept. It may well be that it is not only in the national interest, but in the world’s interest that a national park be established in the Victorian alpine area to link up with the Kosciusko National Park across the border in New South Wales. A national park could well be established in that area which is vitally important not only in terms of water resources but also in terms of world interest. Water resources are vital and important to the people of Victoria, and it is not only what is important to the
people of Victoria but what is important to the world. There may be the opportunity to establish in the alpine region of Australia an alpine park that would measure up to world standards, which could be catalogued among the great national parks in the world. That vision is too great for the members of the National Party.

The honourable member for Gippsland East once again shows his ignorance. I invite him to visit Carrum at any time and see the fine area of water known as Port Phillip Bay, which is a marvellous natural recreation area for the people of Melbourne. I would hope even people from east Gippsland come down and enjoy it.

The honourable member for Gippsland East is attempting to say, “Forget about those responsibilities in creating a national park of world standards; we will allow these sorts of people to make the recommendations: a regional representative of the Ministry for Conservation, a divisional forester, a representative of the local municipality, a representative of the rural fire brigades, and” —just thrown in, so it cannot be suggested that he is anti-conservation— “a representative of field naturalist clubs within the municipalities of that area”. I believe all those bodies ought to be consulted, and ought to be involved in the formulation of preliminary recommendations. But the people who have the responsibility to make those preliminary recommendations, and the people who have the expertise, the administrative support and the ability to undertake the research can do it only at a State-wide level, and it can only be done by the Land Conservation Council.

Let me remind honourable members, particularly members of the National Party, who constitutes the membership of the Land Conservation Council. It consists of the Chairman of the Soil Conservation Authority, or his nominee; the Director of Agriculture, or his nominee; the Chairman of the Forests Commission or his nominee; the Secretary for Lands; the Chairman of the State Rivers and Water Supply Commission; the Secretary for Mines; the Director of the Fisheries and Wildlife Division; the Director of National Parks; a person with experience in conservation technique used in developing land for primary production, and two persons with special knowledge of and experience in some aspect of the conservation of natural resources, from a panel of names submitted by the Conservation Council of Victoria.

If I were to say which body has the wider responsibility and is in a better position to determine, out of all the conflicting interests that compete for the need for water resources, the need to get timber, the need to produce honey, the need to conserve the forests not only as a place of recreation and enjoyment for the people of Australia—

Mr Blrrell—What about agistment in the summer?

Mr Cathie—The honourable member raises the whole question of agistment in the summer. That is another issue where there are competing interests, but the most qualified body to determine the best balance between all those competing interests is not the body being proposed by the honourable member for Gippsland East, it is the body that is set out in the legislation, even if it does include the amendment now proposed by the Government—a person who has experience in industry and commerce appointed by the Government.

Mr B. J. Evans—that body still makes the final recommendations.

Mr Cathie—it still makes the final recommendations, but those final recommendations from the many study areas that have already been reported on are not so different from the preliminary recommendations that arose from the previous study groups. They may be very different if this proposition is accepted by the Parliament.

I did not mean to make a lengthy speech. I simply wanted to warn the House that there are grave dangers that that important balance, which has been established and maintained through the Land Conservation Council, is in danger of being destroyed if the amendment
moved by the honourable member for Gippsland East is supported by the House.

Mr HANN (Rodney)—I support the amendment so ably put by the member for Gippsland East. Probably no other member of this House is more able, or more experienced, in this question of the Land Conservation Council, and has given more time and shown more interest in the matter, than has the honourable member for Gippsland East. The proposal that he has put to this Parliament, after a great deal of thought and consideration, and based on his experience, is a very important one, because it sets out to provide valuable local input into the proposed recommendations for these various proposals.

It is becoming very obvious, particularly to members of Parliament who represent country Victoria, that significantly the Land Conservation Council is charged with the responsibility of looking only at country Victoria, not at the metropolitan area. The honourable member for Syndal is well aware that there are many areas of public lands in the metropolis. Country members are becoming aware of the implications of the Land Conservation Council upon the freedom and the rights of individuals throughout country Victoria, and it is interesting to note the input from country members during this debate.

I wish to comment, firstly, on the challenge issued to the famous four who have been putting out public statements in the Wimmera concerning the Grampians study. In the Weekly Times of this week, these same four are quoted as saying that the whole of the Grampians area ought to be classified as forest area. Those famous four consist of the Minister of Agriculture, the Minister for Local Government, the honourable member for Portland, and one of the honourable members for Western Province, Mr Chamberlain. The honourable member for Geelong West says he agrees with them. It is important to recognize that the honourable member for Geelong West made a positive contribution to this debate, and has shown some courage. It will be interesting to see whether he will put that courage to the test and support the amendment moved by the honourable member for Gippsland East. The National Party challenges two members of the famous four—and they are famous because the Minister for Conservation in another place has deplored their action in making that statement—to make a contribution to this debate. Rather than making noises in the areas they represent, those honourable members should make their views known in the Parliament.

Mr Burgin—That is not where it counts.

Mr HANN—The honourable member for Polwarth says that the Parliament is not where it counts. That interjection typifies the attitude of some members of the Government party. Those honourable members make a big song and dance in the areas they represent. The honourable member for Midlands is quoted in his local area as being totally responsible for the introduction of this Bill.

Mr Ebery—That is not correct. I have made no public statement like that.

Mr HANN—The honourable member for Midlands now says that is not correct. A man rang me about the Bill and he said, “Our local member was responsible for this particular amendment”. I listened carefully when the honourable member for Midlands spoke on the Bill and he did not claim any credit for it. One can only presume that, once again, that is an example of an honourable member saying something to the people whom he represents and something different in the Parliament.

The honourable member for Midlands said that he deplored many of the recommendations concerning the north central area. The honourable member faces the challenge of doing something about the situation. If the honourable member was prepared to support the amendment, he would support an important mechanism that would enable people in the north central area to be better represented on the Land Conservation Council. The honourable
member for Carrum tried to ignore the fact that the local regional body should be responsible for the proposed recommendations of the Land Conservation Council. However, regional representation should be built into the Land Conservation Council.

The Whipstick Forest is an important area north of Bendigo. That area has been ably represented by a local management committee. People in the north central area are of the opinion that the Land Conservation Council sat down and divided the area up into four different portions and said, "Look, you take a portion, we will take a portion; this department over here gets a portion and we will set that portion aside for that department so that everybody is happy". Many country people are concerned that decisions are being made without due regard for the long-term consequences of the use of those areas.

Mr Cathie—Who chopped all the trees down and created the salinity problems?

Mr Hann—Few trees have been chopped down in the Whipstick Forest. If the honourable member for Carrum took the time to visit a few country areas, especially the Whipstick Forest, he would discover that only a portion is used for producing eucalyptus oil. However, the regrowth is rapid and the forest recovers quickly. It does not cause any salinity problem.

One should examine the contribution to the debate by the honourable member for Syndal. That contribution was a slur on the regional representatives of the various departments suggested by the honourable member for Gippsland East. The honourable member for Syndal claims those representatives were not capable of providing the necessary recommendation and input. It is important that that be placed on the record.

The honourable member for Gippsland East made an important contribution to the debate by moving an amendment. If a prize were to be awarded, any independent adjudicator would have to award the prize to the honourable member for Gippsland East because he made the most positive contribution to the debate on the future of the Land Conservation Council. It is to be hoped that those other honourable members who represent areas that are presently under consideration by the Land Conservation Council are prepared to stand up on the issue and take another long hard look at the council and support the amendment moved by the honourable member for Gippsland East.

Mr Wood (Minister of Public Works)—During the debate much concern has been expressed about the need for local input and local representation on the Land Conservation Council. How does one achieve a proper balance of representation on the Land Conservation Council? The honourable member for Gippsland East said that all members of the Land Conservation Council should be from the area under review. The honourable member for Carrum went through a list of people who the honourable member for Gippsland East considered should be members.

As the honourable member for Syndal said, what happens if there is no representative of a field naturalists' club or a similar organization within certain municipalities so the area under review did not have a field naturalists' club? The Act would fail to solve the problem if the amendment were adopted. Where does one stop? The honourable member for Gippsland East went overboard when he suggested that representation broader than local interests should not be involved. That is not a responsible attitude because, if the amendment were adopted, there would be no balance between expertise and local knowledge on the Land Conservation Council.

The inference behind the amendment is that the members of the Land Conservation Council are completely incom-
petent, irresponsible and not doing their jobs. The Land Conservation Council has performed a tremendous task. There are some twelve study areas throughout Victoria for which recommendations have practically been completed so the Land Conservation Council is in the final stages of completing its study of Victoria. The suggestion put forward by the honourable member for Gippsland East is not based on sound principles and if the amendment were accepted, Victoria would be left with a ludicrous situation.

There must be some uniformity in the recommendations of the Land Conservation Council. If a different policy were applied from region to region, a ludicrous situation could arise. There could be two adjoining regions and in one of those regions, the committee could be very heavily weighted with its members having strong conservation attitudes. The committee operating in that region could make strong recommendations in favour of conservation and could exclude farming, timber harvesting or cattle grazing activities or the recommendations could affect current historic or traditional cattle grazing areas—all manner of things could be excluded.

On the other hand, in the adjoining region the committee could take a completely opposite stand as its members might have no interest in conservation. To where would this lead? A situation could arise where there could be two recommendations, one recommending that many commercial activities be undertaken on Crown lands, and the other completely and utterly blocking every activity in their recommendations.

The honourable member for Gippsland East referred to local representation from the area in which the study is taking place. I assume from his comments that there would be people in the particular region studying the recommendations of the Land Conservation Council for that area and in an adjoining region there could be a completely different group of people having different attitudes. It could lead to a crazy situation.

The Government opposes the amendment moved by the honourable member for Gippsland East, who should have given more thought to the whole subject. I suggest the amendment was framed in a hurry. It sounds good and is quite arguable; that the representatives have to possess local knowledge and there has to be local input. I agree with the honourable member for Carrum that local people have their input and they put their views before the Land Conservation Council. It is a long process but there is ample opportunity for local people to have some input in the framing of the final recommendations of the Land Conservation Council.

I was disappointed with the honourable member for Rodney. During this debate the honourable member has raised the matter of four members of Parliament getting up in the House and stating their belief that the Forests Commission should take control of the Grampians. The honourable member has been calling on those four honourable members to show that they have the courage of their convictions; that if they really believe what they have stated outside, then they should come into this Chamber and state it here.

Mr Hann—That is exactly what I said.

Mr WOOD—that is right. As representatives of their area, honourable members are entitled to make comments on what they believe is in the best interests of the community or in the best interests of their constituents, the people they represent.

If honourable members are to come into this Chamber and repeat what they have stated outside, then why does not the honourable member for Rodney rise in this Chamber and state that his party Leader is not worthy of being his boss? The honourable member has stated that many times and his statements have appeared in the newspapers. If, as he
suggests, honourable members are to have the courage of their convictions, then that would be the logical conclusion.

In my opinion honourable members are entitled to make comment on what they believe is fit and proper for their own area, but just because these statements are made one cannot expect or demand that honourable members come into this Chamber and state the same things again, just because they have made a certain statement out in the field.

I challenge the honourable member for Rodney to get up and state what he thinks about his party Leader.

Mr B. J. Evans—You ought to be ashamed of yourself.

Mr WOOD—It is typical of members of the National Party; they cannot take it. As I have stated, the Bill proposes to include on the Land Conservation Council a member who has experience in industry and commerce. This appointment will provide an additional input and no doubt the person who is eventually appointed by the responsible Minister will make a contribution. It is my belief that industry and commerce should have a say in the recommendations formulated by the Land Conservation Council.

This is a minor Bill, but much has been made of it. I am sure the person who will eventually be appointed to the position will make a valuable contribution to the final recommendations of the Land Conservation Council.

The House divided on the question that the words proposed by Mr B. J. Evans to be omitted stand part of the motion (Mrs Patrick in the chair).

Ayes . . . . . . 68
Noes . . . . . . 6

Majority against the amendment . . . . 62
and (c) allow for the Director of Finance or his nominee to be a member of the Land Conservation Council.

Mr BIRRELL (Geelong West)—I raise a point of order, Madam Acting Speaker. The contingent motion is on the instruction that, “Upon the Land Conservation (Amendment) Bill being committed—” this contingent motion shall be moved. Should you be occupying the Speaker’s chair?

The ACTING SPEAKER (Mrs Patrick)—The honourable member for Geelong West has raised a point of order. The matter must be considered while the Speaker is in the Chair because it is an instruction to the Committee that will, if the House so desires, go on in the Committee stage of the Bill.

Mr B. J. EVANS (Gippsland East)—I feel confident that I will convince the House of that. The purpose of the Bill is to change the constitution of the Land Conservation Council. That very fact suggests that there is a considerable body of opinion in the community and in the Government which conceives that the Land Conservation Council is not making recommendations in the best interests of the people of this State, because if it were doing so there would be no need to change its composition. If all its decisions were as perfect as honourable members have been led to believe during the debate which preceded this one, I know of no rational reason why the House should be debating any proposed change to the constitution of the Land Conservation Council.

Apart from that, there is plenty of other evidence to suggest that there is wide-ranging and grave disquiet amongst members of the community, particularly members of the Government party, about the recommendations of the Land Conservation Council. It is that underlying disquiet which has led to the amendment being moved to the Act that is currently under consideration by the House.

It leaves me aghast to think that any member of this House, much less a Minister, can say that he can tell people in the electorate he represents whatever he likes, then come into the House and act in an absolutely opposite way when a motion of this kind is moved. That defies the imagination. That is precisely summing up the argument of the Minister of Public Works, who is at the table. He defended his right to go out into the electorate and defended the right of his colleagues, the “Big Four” in the Western District, who had gone to the press in that area and expressed their opinions in opposition to the National Parks Service taking control of the Grampians, and maintaining their view that the Forests Commission should retain control of the Grampians.

Mr WOOD (Minister of Public Works)—On a point of order, during the previous debate when I started to get into the field of the “Big Four” I was told to stick to the Bill. I would like to know what the subject that the honourable member for Gippsland East is now raising has to do with the amendment he has placed before the House.

Mr B. J. EVANS (Gippsland East)—May I answer the query, which is a very valid one?

The ACTING SPEAKER (Mrs Patrick)—On the point of order.

Mr B. J. EVANS—Madam Acting Speaker, I do not think there was any point of order. The Minister simply asked me to relate my remarks to the motion.

The ACTING SPEAKER—Order! I do not uphold the point of order, but I suggest that the honourable member for Gippsland East should stop straying far and wide and return to his instruction to the Committee.

Mr B. J. EVANS—As I indicated in my opening remarks, my first purpose in speaking to this proposal is to prove to the House that there is widespread disquiet at the recommendations which have been made by the Land Conservation Council. I have evidence that this applies to two Ministers of the Crown, and I can produce further evidence that a third Minister is not happy about the recommendations that it is anticipated the Land Conservation Council will make. Two other members of the Government party are
also not happy about the Land Conservation Council's proposals. That is evidence to back up my arguments that further changes should be made to the legislation which is concerned with the composition of the Land Conservation Council and that the amendment proposed in the legislation does not go far enough and should go further. That is the whole point of my motion. It was moved to prove the point that the proposal of the Government before the House is not adequate and does not go far enough. I have no better evidence to back up my case than the fact that at least two Ministers of the Crown support my contention in that regard.

I return to the situation in which two Ministers and two back-benchers went to the press throughout the Western District saying that the Forests Commission must maintain control of the Grampians when everybody in that part of the world knows that it is a day down miseire that the Grampians will be recommended to be declared a national park. Already maps showing the Grampians in red, the colour which in Land Conservation Council reports indicate national park areas, are being circulated. I do not think anybody with a knowledge of the recommendations of the Land Conservation Council would deny what I am saying. That would be flying in the face of the policy which has been established by the Land Conservation Council from the outset in its study of the State of Victoria.

The first anguished cries about the recommendations of the commission came from that same corner of the State when the south-western study area was investigated as the first of the study areas by the Land Conservation Council. The Shire of Portland, which was the municipality most affected by the recommendations, was so disturbed by these recommendations that it wrote to every municipality throughout the State to warn them of the consequences of not taking an interest in the Land Conservation Council and stating how local ideas and aspirations would be completely overridden by this body which had been set up by the Government.

Mr B. J. Evans

Forewarned by the plaintive cries from the Shire of Portland, when the Land Conservation Council went to the East Gippsland study area, which encompasses the Shire of Orbost, I took particular trouble to urge the people of that area to take an interest in the work of the Land Conservation Council. I addressed the local shire council, the local chambers of commerce, field naturalists’ clubs, environmental groups and any group of people that may have been interested in the proposed development in that part of the State. The result of that was that an unprecedented number of submissions at that time was made for the East Gippsland study area—something like 500 submissions were received, which took the Land Conservation Council by surprise.

I mentioned earlier, before I was put off the track, the attitude of Ministers of the Crown. I point out also that the Minister for Economic Development, when he was Minister of Agriculture, is on record in Hansard, page 9587 of 8 May 1980, when a similar proposition was being debated before the House and I moved an amendment to confer upon the Forests Commission the legal power to manage national parks, as having said:

I am sorry the honourable member for Gippsland East did not give me the benefit of examining his amendment earlier when I could have had the opportunity of conferring with my colleagues, the Minister for Conservation and the Minister of Forests.

The honourable member is either ahead of his time or behind his time, in that one would see that there would have to be some form of rationalization of the all-embracing services of government.

He went on to say:

... I am disappointed that I did not have the opportunity of discussing the amendment with my colleagues more directly responsible, because notwithstanding the present capacity of the Forests Commission, in my view eventually it will need to have a rationalized responsibility for forest areas declared as national parks. However, I find that impossible at this stage although I would not like to rule it out for the future.

There was another Minister of the Crown stating in this House that he believed national parks should come under the jurisdiction of the Forests Commission.
I suggest that members representing the Western District are kidding themselves and deceiving their electors if they believe the Grampians will not be recommended as a national park by the Land Conservation Council as currently constituted.

Mr Cathie—I hope it will be a national park.

Mr B. J. Evans—I notice that the honourable member for Carrum voted with the Government a few moments ago. That particular exercise by the Opposition in voting with the Government has done more to ensure that the Grampians become a national park than any other single act I can call to mind.

I suggest to honourable members representing the Western District that, if they are sincere in what they are saying to their people, they must support the proposition I am advancing. Although it will not ensure that the Grampians are not recommended as a national park, it will provide a better balance of common sense, logic and experience in the Land Conservation Council and render it more likely that the council will make sounder recommendations for the Government's consideration than it has done up to the present time.

Mr Burgin—There is a touch of Norm Gallagher in that.

Mr B. J. Evans—The comment of the honourable member for Polwarth is interesting. He has obviously given a little thought to the proposed amendments and I hope that honourable members will hear from him the views he expresses in the electorate of Polwarth. I hope he will treat honourable members to his views on children being refused the right to ride horses on one side of the Great Ocean Road because it is a national park. I wonder whether the honourable member upholds that decision, which is a direct consequence of the recommendation of the Land Conservation Council. It is all very well for him to sit in the corner making smart remarks, but let him justify here in this House his attitude in the electorate he represents.

I should like to make reference now to a situation which developed as a result of decisions of the Land Conservation Council and the obvious lack of understanding by members of the Government of the implications. The Shire of Orbost has been deeply concerned over the years about its flagging financial resources and has seen its opportunity of developing, as every municipality seeks to do, in order to improve its economic base to enable it to provide the amenities and facilities that people expect from local government. The Shire of Orbost has always regarded the magnificent coastline, of which it controls 150 miles or more, as having a potential for development. When the Land Conservation Council considered this area it recommended—the constitution of the Croajingalong National Park which extends along the coast for 100 miles from Bemm River to Cape Howe. In January of last year the Premier visited Orbost and during the course of that visit he opened new Forests Commission offices in Orbost. During his comments at the opening, he made laudatory remarks about the work performed by the Forests Commission. Unfortunately, he did not hear the remarks such as I heard from the back rows of the audience. I will not use the exact words, but people were asking questions such as, "Why the blazes are you handing great lumps of land over to the National Parks Service if the Forests Commission is so good at managing the forests?" Prior to that opening session, the Shire of Orbost had put to the Premier its aspirations for coastal village development and referred to an area near the Wenga Inlet which had been a small national park for many years and which has ultimately been incorporated into the much larger national park of Croajingalong.

Strangely enough, the Premier, some fifteen or sixteen years ago when he was the Minister for Local Government, together with the then Chief Secretary, the late Sir Arthur Rylah, and I flew along that coastline and the result of that inspection was that the Government decided to build a coast road all
the way from Marlo to Mallacoota right through the area which now, fifteen years later, it has converted into a national park. I make that point to illustrate that the Premier must have known his geography.

After hearing the views put by the Shire of Orbost, the Premier invited that municipality to make a submission of its ideas. As a result of that invitation, the council engaged consultants to prepare preliminary plans for a coastal village development in the area and sent a copy of those plans to me at the same time as they were sent to the Premier. On receipt of the plans, I immediately asked the Premier a question in the House on whether he was prepared to consider coastal village development within the confines of a national park.

The ACTING SPEAKER (Mrs Pat­rick)—The honourable member is recounting the history of this matter and it is interesting, but I suggest that he should return to the ambit of the argument he wants to put to the House.

Mr B. J. EVANS—The ambit of the argument I am advancing is that the Land Conservation Council has, for a period of years, been making recommendations which are completely foreign to the aims and aspirations of people in the areas most directly affected, and I am giving an illustration that the Government is unaware of the effects. I believe it is incumbent upon me as an elected representative to say in this House what I say outside it, and to acquaint the House with what goes on in this field. I do not think honourable members can fairly judge the argument I am advancing unless they have illustrations of the sorts of effects that are felt in country areas. Although many honourable members may find it uninteresting, I intend to exercise my right to express my opinion in this House.

I shall go on with the point that, the shire having been invited to submit proposals in this regard, I asked the Premier whether he would agree to examine proposals for coastal village development within the confines of a national park; his answer was a straightout “No”. In other words, he was prepared to mislead that municipality into spending a considerable sum of money in preparing plans which he had no intention of considering anyway. I make the point that in the business of going out into the country and saying one thing, and then coming back to Melbourne and doing precisely the opposite, members of the Liberal Party have the example from the very top. It is high time people in rural areas of this State began to understand how they are being misled and misguided in supporting the Liberal Party. I could go on for much longer to illustrate that point but I realize some honourable members are beginning to understand that there is a need for a change in the basic organization of the Land Conservation Council.

I will now indicate to the House why I believe the changes I propose should be made. I first refer to the omission of the two members nominated by the Conservation Council of Victoria. It is possible that at the time this Bill was originally before the House in 1970 for the purpose of setting up the Land Conservation Council, the Conservation Council of Victoria which at that time was a relatively unknown body, may have had a direct interest in purely conservation matters. Even at that time I had grave reservations about how this relatively unknown body should rank high enough to justify the right to nominate two members to the Land Conservation Council.

I have become more and more concerned, particularly over recent years, by the recommendation of the Land Conservation Council and the influence exerted by the Conservation Council of Victoria. I have endeavoured to make inquiries as to whom constitutes the Conservation Council of Victoria. Where do they come from and what expertise do they have? We are told they are experts in conservation, but I think it is fair to ask where they come from.

Mr Cathie—They are nominated to represent all conservationists.
Mr B. J. EVANS—That is an interesting comment. I did receive a letter from Mr Wescott, Director of the Conservation Council of Victoria, in which he endeavours to prove the tremendous support his organization receives. He quotes figures to show how it is expanding. In 1978 there were 110 organizations described as affiliated and associate members. In 1979 that figure rose to 126. In 1978 the estimated number of people in these groups was 25,000 which rose to 45,000 in 1979.

Dr COGHILL (Werribee)—On a point of order, I put it to you, Madam Acting Speaker, that the honourable member should be debating the reasons why his proposed motion should become an instruction to the Committee to be considered in Committee. I put it that in speaking to his motion he is in fact debating whether or not it should be an instruction to the Committee to consider these matters.

Mr B. J. EVANS (Gippsland East)—I find this an extraordinary point of order. Surely the purpose of my motion was to convince the House that there should be changes. If I am not permitted to put before the House a reasoned argument why I think the two representatives of the Conservation Council of Victoria should be removed from the Land Conservation Council, the House will not have the benefit of my argument. This is a ridiculous point of order put forward by the honourable member for Werribee.

Dr VAUGHAN (Glenhuntly)—On a point of order, it is my understanding of the Standing Orders that an instruction to the Committee, when it is being debated, needs to address itself to the technical point that the Committee itself needs to consider. The arguments in favour of the amendment should be canvassed in Committee. The restrictive technical point that should be argued by the honourable member for Gippsland East is that the Committee needs to consider his amendment.

I have not heard arguments on this technical point and I ask you, Madam Acting Speaker, to rule that the honourable member for Gippsland East is out of order in canvassing arguments he would otherwise be putting in Committee if the House were to agree to this motion.

The ACTING SPEAKER (Mrs Patrick)—I do not uphold the point of order but I suggest to the honourable member for Gippsland East that he has been given a good deal of latitude and he should attempt to confine his argument to the instruction he wants given to the Committee.

Mr B. J. EVANS—Madam Acting Speaker, if you care to read the instruction it states that the two members representing the Conservation Council of Victoria should be removed. Surely the first thing I have to prove is that the Conservation Council of Victoria is not representative. I am now quoting figures about which I know the honourable member for Werribee is sensitive but I ask the House to consider how a group of 45,000 people—if we take that in the context of the total population of Victoria—can justify not just one but two representatives on the Conservation Council of Victoria.

I suggest as an alternative that there should be a representative of the Municipal Association of Victoria which represents virtually everybody in the State, and as a second string, a representative from the Trades Hall Council. Over the years on many occasions I have heard the Opposition argue that a representative of the Trades Hall Council should be on bodies of this nature.

Dr VAUGHAN (Glenhuntly)—On a point of order, it is my understanding of the Standing Orders that an instruction to the Committee, when it is being debated, needs to address itself to the technical point that the Committee itself needs to consider. The arguments in favour of the amendment should be canvassed in Committee. The restrictive technical point that should be argued by the honourable member for Gippsland East is that the Committee needs to consider his amendment.

I have not heard arguments on this technical point and I ask you, Madam Acting Speaker, to rule that the honourable member for Gippsland East is out of order in canvassing arguments he would otherwise be putting in Committee if the House were to agree to this motion.

The ACTING SPEAKER (Mrs Patrick)—I do not uphold the point of order. The honourable member for Gippsland East must try to justify his motion for the instruction to the Committee. However, I suggest that he should try to tell us a little more briefly than he is at the moment why he wants this instruction to be given to the Committee.

Mr B. J. EVANS (Gippsland East)—Madam Acting Speaker, I remind you that the proposer of a motion has unlimited time and I propose to use whatever time is necessary.
The ACTING SPEAKER—Yes, I understand that.

Mr B. J. EVANS—I now refer to the organizations which are listed by the Conservation Council of Victoria as being constituent members of that organization. I will not read all of them—I am not all that keen—but I will refer to the Blackwood Food and Wine Society which seems to be more interested in consumption than conservation. There are also such organizations as the Australian Natives Association. The Conservation Council of Victoria claims 45,000 supporters which presumably include all the members of the Australian Natives Association. Most of them would not have heard of an Antechinus—a small animal—a marsupial mouse which lives in Gippsland East. I will not elaborate on its activities as they are not appropriate in this debate.

Included is the Graziers Association of Victoria and other such organizations. This information was included in a pamphlet produced by the Conservation Council of Victoria. Although the Director of the Conservation Council of Victoria says that I am wrong in saying that the council claims these members, I have it on excellent authority that half of the members of the council are members of the Australian Railways Union. I defy anyone to prove that that point is wrong. That is the sort of fact that members of the Government party ought to get into their thick skulls. That although the Conservation Council of Victoria may have been appropriate when the Bill was introduced 11 years ago that organization has now been taken over by left-wing organizations. The honourable member for Werribee is nodding his head. I think he is indicating that he knows that the Conservation Council of Victoria is a left-wing organization. It has been infiltrated by the left-wing organizations in this State and it is those organizations that are now running the Conservation Council of Victoria. To support that contention, I point out that only the other day I received an invitation to attend the launching of a publication which the Conservation Council of Victoria has put out on the brown coal resources in the Latrobe Valley. That invitation came from the Gippsland Trades and Labour Council.

The Conservation Council of Victoria is funded by the Government to the tune of $12,000 a year. It also receives a substantial sum of money from the Commonwealth Government, and the absurd situation has been reached where Governments in this country are paying professional agitators who are speaking out and arguing against the policies which the Governments are trying to put into effect.

Government supporters of the Alcoa development at Portland should realize that the Conservation Council of Victoria is one of the most outspoken critics of that proposal. Honourable members should also realize that the activities of the Conservation Council of Victoria embrace and support the policies of the Australian Labor Party and if Government supporters ask the Conservation Council of Victoria to prove that it has 45,000 members, they will find that half of those members are members of the Australian Railways Union.

Mr Lacy—You will not be saying that tomorrow night.

Mr B. J. EVANS—No, I am going to a very good conference tomorrow night. The first proposition I put in support of my motion that there be an instruction to the Committee is that the two representatives of the Conservation Council should be deleted. That is an obvious move which would be agreed to by anybody who has any concern for the balanced development of the State. I am interested to see the Minister for Economic Development in the Chamber and I remind the honourable gentleman of his comment during a debate last year when a similar matter was canvassed—I am sure I have his support on this issue.

The proposition I am putting is that one of those two members from the Conservation Council of Victoria should be substituted with a representative from the Municipal Association of Victoria. It is self evident that local government ought to be involved. If local government is involved in the planning
of private land, surely to goodness it should also be involved in the planning of public land, because that is what the Land Conservation Council is doing. It makes sense to me that the Municipal Association of Victoria should be represented on the Land Conservation Council.

I am not particularly rapt in the next proposition, that is, that the second should be a representative from the Victorian Trades Hall Council. After all, honourable members have to make some concessions to the Australian Labor Party, but such representation would have the advantage of representing a far greater number of people than the representatives of the Conservation Council of Victoria. Would it not be better to have a representative from the Trades Hall Council representing all unionists than the representative from the Conservation Council of Victoria representing members of the Australian Railways Union?

The other proposition which is contained in my motion is that there be a representative from Treasury. I suggest that the Director of Finance or his nominee should be a member of the Land Conservation Council. Here again I acknowledge the point made at the Australian Labor Party conference a couple of weeks ago when its spokesman on economic affairs said that it is time the Treasury in this State ceased to be a bookkeeping exercise for the Government and became involved in financial planning.

**Dr Coghill—Hear, Hear!**

**Mr B. J. EVANS—I am glad to hear the honourable member for Werribee support that contention. If ever there were a need for some body to have a member with financial involvement, it is the Land Conservation Council because it goes along willy nilly making recommendations without any thought to the cost of putting the recommendations into effect.**

**It might not be apparent to honourable members, but whenever the Land Conservation Council makes a recommendation, it is always subject to qualification, which is always overlooked by the Government. The qualification is that the proposed new management agency should have the funds to be able to manage the area properly. That is not the only consideration that has to be taken into account. What also has to be considered is the loss of revenue from our vast areas of forests if the Forests Commission is no longer able to permit logging and grazing operations to proceed. The stage would be reached where the forest areas would no longer be revenue producing.**

Surely the Treasury must be concerned about these aspects. Also, from where is the money to come to perform the necessary work? Where is the National Parks Service to obtain the equipment such as the Forests Commission now obtains from logging contractors who operate in forest areas? This is a very important factor and it concerns me that the Land Conservation Council does not take these matters into account.

From where are the funds to come to provide the enormous amount of equipment to replace that equipment currently scattered throughout the forest areas but which is on call to the Forests Commission immediately an outbreak of fire occurs? If logging operations are not to continue in those forest areas, then obviously the equipment will not be available. Who is to provide the money to enable this equipment to be sited in forest areas in strategic areas around the countryside so it can be readily available on the outbreak of fire?

If the equipment is to be provided, what will be the cost of that equipment to the community as a whole. Inevitably an outbreak of fire will occur and honourable members know that it is imperative that the fire-fighting authorities quickly reach an outbreak and bring it under control. An organization will have to be responsible for fighting forest fires and on that score and many other scores it is reasonable that the Treasury, through the Director of Finance, should be represented on the Land Conservation Council.
gest that that is another proposition which should appeal to the Committee.

I hope honourable members accept the force of my argument and agree that these matters should be considered in Committee. Whether or not that happens, it will be my intention to move an amendment during the Committee stage to insert the words “forest-based” before the word “industry” in the measure before the House.

With the additional appointments the Land Conservation Council would be better balanced, more representative and operate democratically, and yet it could still not be likely to declare the Grampians as a national park. I do not think the propositions I have put forward would swing the pendulum fully the other way. In fact, I should like the Land Conservation Council to be more broadly based even. I am disappointed that the House did not agree to my proposition advanced during the second-reading debate as that proposition would have added considerable balance to the membership of the recommendations.

I submit that the proposals I am presently advancing would considerably improve the Land Conservation Council. They would bring more rationality into its decision making, and the Land Conservation Council would be far more acceptable to the vast proportion of the people in this State, and surely that is the objective of the Parliament.

Dr COGHILL (Werribee)—Earlier in the debate on this Bill, the honourable member for Gippsland East was described as being particularly knowledgeable on the matter of land conservation and the activities of the Land Conservation Council. The contribution that he has just made contains no evidence that that is so. Indeed, throughout his speech the honourable member for Gippsland East has relied on misrepresentation—

Mr Ross-Edwards—Explain yourself.

Dr COGHILL—I refer to page 6633 of Hansard where the honourable member for Gippsland East is reported as attributing certain statements and views to me. I have not expressed those views in this House or elsewhere. He said:

Mr B. J. EVANS (Gippsland East)—I raise a point of order. The honourable member is referring to a debate in the current sessional period. I am not sure whether it is this current debate or another debate and I should be pleased to know whether it is this debate.

The DEPUTY SPEAKER (Mr A. T. Evans)—I am assured that it is this debate, and the honourable member for Werribee is in order.

Dr COGHILL (Werribee)—The honourable member for Gippsland East asserted that I believed and, by inference, that the Labor Party believed, that everybody should be thrown out of the mountain areas and that only bushwalkers and four-wheel-drive vehicles should be allowed to enter those areas. I made no such statement in the second-reading stage or any other part of this debate, nor did any member of my party. He also suggested that I was “against all profit”. I have not put that view in this House in this debate or at any other time. The honourable member is deliberately misrepresenting and has fabricated that assertion. As the Minister says, it is par for the course.

It is clear from the motion that the honourable member for Gippsland East intends to destroy the present functions and structure of the Land Conservation Council. He admits that by interjection. The honourable member is not even certain about what he wants to do. He has given two separate notices of motion about what the conservation committee should be. First he gave notice that he would move that one member of the Conservation Council of Victoria represented on the Land Conservation Council. Now he says that no member of that council should be on the Land Conservation Council. The honourable member claims that in the space of 24 hours he has learnt something about the Land Conservation Council of Victoria. I respectfully suggest that if the honourable member and his party are to consider proposed legislation such as this pro-
properly, they should do their homework before giving notice of motion which is later corrected because further information has been obtained or because they have reconsidered their position or had some new pressure placed upon them to which they felt obliged to capitulate.

The Conservation Council of Victoria performs a valuable role and has a valuable membership from which to draw persons for the Land Conservation Council. The honourable member for Gippsland East has suggested that the Conservation Council of Victoria claims a total membership 45,000 and that somehow that number is insignificant. I ask the honourable member to reflect on the number of people whom he represents and who he asserts should be solely responsible for the development of recommendations for the East Gippsland area. He has been suggesting that a small and unrepresentative group should be entirely responsible.

The Conservation Council of Victoria represents a broad range of interests which are not purely profit interests, whereas those advocated by the honourable member for Gippsland East are primarily concerned with profit. Members of the Conservation Council of Victoria are interested in conservation for its own sake of wild life, environments and so forth. They are also interested in preserving recreational areas in the public lands of Victoria. Those views should be represented.

The sole point by the honourable member for Gippsland East and the sole argument in support of the matter becoming an instruction to the Committee was that the recommendations of the Land Conservation Council in the past have not corresponded with what he claims to be local opinion in the study area. It is significant that the local opinion to which the honourable member refers is not the opinion of the whole community or a representative opinion of a large section of the community in the study areas. The honourable member is referring to the opinion of those who could gain personally and financially by the exploitation of these public lands.

That is the public opinion to which the honourable member has been referring, not those other members of the community who might want to retain these areas for conservation or recreational purposes. If the views put by the honourable member for Gippsland East were carried out to their logical and natural conclusion we would be talking about national parks which were not much more than barren clear-felled steep eroding hillsides. That is not something that any of us want to see. It is clear that the honourable member for Gippsland East has not put a constructive or reasonable case for the Committee to consider such an instruction as this, and the Opposition opposes the motion.

Mr COLEMAN (Syndal)—The contingent motion moved by the honourable member for Gippsland East is a fascinating one because it has been distorted by the contribution from the honourable member for Werribee. In
his original amendment the honourable member for Gippsland East was endeavouring to have local input into those matters which are presented before the Land Conservation Council. The contingent motion endeavours to amend the membership of the Land Conservation Council. To that extent it may well be that what the honourable member is suggesting has some merit. It intrigues me that the honourable member for Werribee tries to denigrate the proposition put forward by the honourable member for Gippsland East in that at least one of the people recommended for replacement on the Land Conservation Council is a representative from the Victorian Trades Hall Council.

It seems to me that the honourable member for Werribee is in a cleft stick situation. He does not know whether to support the Land Conservation Council or the Trades Hall Council. To that extent, honourable members have had an expose of the sort of representation provided by the honourable member for Werribee. There are a number of members of the Opposition who honourable members quite readily would say would be extremely anxious to see the Trades Hall Council represented on the Land Conservation Council. However, the honourable member has not been able to come out and say, "Yes" or "No".

Honourable members have witnessed a typical fence-sitting operation, which one might usually associate with another party. Honourable members do not know whether the honourable member for Werribee really wants to have Land Conservation Council representation or Trades Hall Council representation. I suggest that in the whole wash up of the affair he probably supports the third proposition put forward by the honourable member for Gippsland East, and that is to allow for the Director of Finance or his nominee to be a member of the Land Conservation Council. That is what the Bill is all about. The Bill seeks to nominate a person experienced in industry and commerce, appointed by the Governor in Council.

It is an interesting situation. Honourable members have witnessed a personal attack between the honourable member for Werribee and the honourable member for Gippsland East as to what has previously transpired in some area of activity where they have had some association. However, when it comes to supporting the motion we find that there are two ends of the pole, which is unfortunate. The situation has now been reached where the honourable member for Gippsland East has not received the support that he might have expected for this instruction to the Committee.

I thought I made my point clear during my earlier remarks. I support the Bill. I think there are plenty of reasons why the honourable member for Werribee might support the Bill as well but he is not in a position to decide where he stands on the instruction of the Committee. I believe there is still an opportunity, during discussion of clause 2 of the Bill, for the honourable member for Werribee to make his position clear and I hope he does so. The honourable member should put on paper where he stands on this particular issue and also where he stands on the issue of grazing because he has had a long association with rural industries. To my knowledge, the honourable member has yet to put his views about alpine grazing and forest grazing on paper. Plenty of room exists for the honourable member to state his view in respect of both the instruction to the Committee and Labor Party policy on this issue.

Mr CATHIE (Carrum)—The honourable member for Werribee made it quite clear that the Opposition is opposing the contingent notice of motion. Indeed, if the House were to carry this recommendation to the Committee it would be a damaging, destructive and negative approach.

Such an approach would throw back the work of the Land Conservation Council by at least a decade. It shows that the thinking of the National Party has not advanced with the times. The honourable member for Gippsland East stated as the sole reason why the
instruction should be given to the Committee that considerable disquiet existed, presumably in the area that he represents. The honourable member did not give specific evidence as to where the disquiet exists. Who has expressed disquiet? How widespread is it? I was shadow Minister for conservation and the environment for three years and for the whole of that time I cannot recall any body of disquiet about the composition of the Land Conservation Council. I have not come across any disquiet either in correspondence or meetings.

There may well be some pockets of disquiet in some areas of Victoria but I do not believe that is representative of the general public interest and the general view of the Victorian community, who, by and large, are satisfied with the work of the Land Conservation Council. It shows the narrow-minded attitude of the Government when it says that the reason I am not aware of the evidence is that no one would write to the Labor Party. The Labor Party represents only 50 per cent of the people in Victoria, but the Government wants to dismiss 50 per cent of the people. The Labor Party represents those people and has a true and wide responsibility towards the important assets which the natural background of this State provides.

The only area of disquiet that I am aware of comes from the forest industries research management group. I am not even sure that that group is representative of the whole timber industry in the community. Of course, Victoria needs a timber industry and needs to protect the jobs within the industry. However, the work of the Land Conservation Council has achieved tremendous and creative results. That body has performed a remarkable job and has achieved a balance between all the competing interests. I think about twelve study area recommendations have been tabled to date. The instruction to the Committee is designed to wreck that balance completely and to dismantle the Land Conservation Council, as honourable members know it, and to throw recommendations for land management in this State to powerful vested interests.

In accordance with Sessional Orders, the debate was interrupted.

ADJOURNMENT

Home facilities for handicapped persons
-Safety lights on school buses—Housing Commission rental accommodation—Drug trafficking—Special accommodation houses—Cusack report—Unmanned railway stations—Legal aid

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! Business having been interrupted, the question is that the House do now adjourn.

Mr CATHIE (Carrum)—I raise a matter for the attention of the Minister of Housing. I am disturbed at the failure of the Minister of Housing to respond to requests by the Occupational Therapy Department of St Vincent's Hospital. That department wrote to the Minister of Housing on 9 January and, apart from a formal acknowledgment on 12 January, the occupational therapist at St Vincent's Hospital has not received a reply, nor have any of the matters she raised in her letter been attended to.

The occupational therapist at the hospital does home visiting for the hospital. That involves visiting homes of patients prior to discharge to assess what aid they need when they return home. Most of the patients who live in Housing Commission apartments are elderly women with few resources. The most frequent types of aid these women need are grip rails over the bath or alongside the toilet. The most common complaint encountered by the occupational therapist at St Vincent's Hospital is from women who have had total hip replacements after years of suffering from arthritis. That prevents them from bending from the hip to get in and out of a bath or from rising from sitting on the toilet with nothing to hold on to.

St Vincent's Hospital supplies grab rails free of charge to patients, but they must wait an exceedingly long
time for the Housing Commission to install them. Frequently, a fall at home has precipitated their admission to hospital and, naturally, they are anxious about further falls.

I shall give some examples. An elderly woman in North Carlton has been waiting since November 1980 for someone from the Housing Commission to put four screws in a grab rail left on the promises by the occupational therapist. The occupational therapist has written letters to the permit department of the tenancy branch. The lady in question has had many falls, and on one occasion while sitting on the toilet she had a blackout, fell and lay on the floor for three hours until a neighbour found her and called an ambulance. She sustained fractures to her ankle and foot. She is 79 years of age and suffers with ischaemic heart disease and congestive cardiac failure.

Another lady in Prahran had a total hip replacement and suffers from osteoarthritis, heart disease, cardiac failure and hypertension. The occupational therapist requested that the hip bath in her apartment be replaced with a shower recess and a flexible shower hose. She is still waiting. It is now four months since the lady has been able to have a bath or shower. Her last one was in the hospital. I could go on and on giving examples.

The point is that the occupational therapist at St Vincent's Hospital raised the matters with the Minister as long ago as January of this year and she has not received any response from him. The sorts of cases I have described to the House are occurring day and night because of the callous disregard of the Minister to these urgent needs.

Mr McGRATH (Lowan)—I raise for the attention of the Minister for Police and Emergency Services a matter that has been brought to his attention before, not by me, but by other honourable members, including Mr Dunn, in another place. It relates to yellow flashing lights on school buses. I refer especially to country areas where school buses travel on main highways to transport country children into towns or the city for education, both at primary and secondary levels.

I have children who are taken to school by school bus on a main highway. I have seen traffic pass the school bus at a high speed. That traffic includes road transports and cars. It occurs to me quite often that dangers are associated with school buses. I am supported in this argument by school bus operators in the electorate that I represent. If the buses had flashing lights on all four corners, it would provide a flashing warning to approaching motorists that a school bus was slowing or stopping on the edge of a highway. This would provide a further safeguard to children who are either alighting from or boarding buses.

I ask the Minister to consider the introduction of legislation to have safety lights fixed to school buses. A school bus operator made the point to me the other day that when he pulls up on the side of the road in winter conditions, whether it be fog or rain, he considers that some traffic has difficulty in seeing the bus, even though its headlights and tail lights are on. He considers that the provision of flashing lights at the corners of buses would be an added safeguard. I ask the Minister to give consideration to implementing this suggestion for school buses, especially in country areas.

I understand that many emergency service vehicles around the city carry flashing lights. I consider that this practice could be implemented outside the city and would provide more protection for school children in country Victoria.

Mr SPYKER (Heatherton)—I raise for the attention of the Minister of Housing the concern expressed by people in my locality about the cancellation of the Housing Commission building development at Graham Road, Highton, which is the site of the old gas works. The land was bought some time ago by the commission. A public announcement was made by the previous Minister that $6 million would be spent there on a housing project. It stated that 90 homes were to be built for people in the area.
I am concerned at the length of the Housing Commission waiting list at present. It is a six-year wait for people who wish to buy Housing Commission homes or to apply for rental accommodation. I am gravely concerned about the repercussions this has on families in the electorate that I represent. The position is such that in certain areas no rental accommodation exists.

Mr SPYKER—As I was saying, a grave crisis exists for rental accommodation, particularly in the electorate that I represent. Virtually no rental accommodation is available, especially for low and middle income earners. Some people find themselves in deplorable conditions in old homes, and in one case a family of six lives in an old farm house with a dirt floor because they cannot afford decent rental housing accommodation. The conditions in which this family live are a health hazard. If they complain to the health authorities, the house will be condemned and they have nowhere else to go. They are confronted with living in deplorable conditions that no human being should have to live under.

There is pressure on families living in these conditions. There has been much talk about retaining the family unit and keeping families together. This sort of situation causes enormous stress to families and can create family breakdowns.

I have made representations to the Minister from time to time but his only suggestion has been to offer emergency accommodation in high-rise units in the city. This breaks the link children have with their schools and localities, which is unfortunate. I ask the Minister to alleviate the present shortage of rental accommodation and to make a major reduction in the Housing Commission waiting list so that families do not have to wait for long periods to obtain accommodation. I also ask that he ensure that the proposed projects to be constructed by the Housing Commission proceed immediately, and that the Government be humane, if that is possible, in considering the needs of people who are in such dire straits in regard to housing.

Mr COLLINS (Noble Park)—The matter I wish to bring to the attention of my colleague, the Minister for Police and Emergency Services, relates to recent statements that have been made in the Sun on Tuesday 7 April, and Wednesday 8 April, which report comments by the new Australian Bureau of Criminal Intelligence chief, Mr Silvester.

In these articles in the Sun, Mr Silvester has suggested in very positive terms—

Slaves on pot farms, say police.

Late last year, and earlier this year, in the same newspaper there were various reports about activities by the Victorian police in northern Victoria with an operation called “Operation Leo”. The first night of “Operation Leo” drew a complete blank, and, to quote the Herald of 3 April, they drew a complete blank according to police sources because the first stage, which involved raids on 50 properties near Swan Hill on 12 January, failed to find drugs because growers had been tipped off.

On 12 January, when the police went to this particular part of town to seek out certain marijuana plantations, nobody was home and there was no marijuana, and the police spokesman claimed that the persons concerned had been tipped off. I suggest the odds are that there was no proof in the first place, or, if there were, someone in the Police Force tipped off the growers.

The particular point I wish to make with the Minister for Police and Emergency Services is that if one examines what happened earlier this year, and what is being said now, a claim has been made that slaves are working on marijuana plantations in this State. If there are, why are not the proprietors of
these particular properties being round-ed up, and why are the police not finding the slaves and bringing someone to trial in this State?

The inference throughout Mr Silvester’s statement to the media clearly suggests that an organized society is operating in this State in which large numbers of migrant itinerant Italian workers are being subjected to all kinds of pressure and slave labour, to produce marijuana.

The point for the Minister to consider is that there are 12,000 slaves in the city of Melbourne who are hard-core heroin addicts; anything up to 1000 girls are slaves of massage parlours and brothels in this State and heroin addicts. If Mr Silvester is so concerned, and he may well be right with his concern, about slaves working to produce an illicit drug, what in God’s name is being done about the heroin traffickers and distributors in the city of Melbourne, because the police agree there are 12,000 hard core addicts, and that they are all slaves to the system of drug abuse and drug addiction.

The police agree that at least 50 per cent of the girls working in massage parlors in Melbourne are hard core addicts. This Parliament recently passed legislation to deal with those who seek to procure or to keep persons in a brothel against their will by virtue of drug addiction.

I pose to Mr Silvester in his new senior position—and I trust he will do the job that has been entrusted to him—that to come out with statements like this in the media, in such a general form, is not acceptable to this Parliament. It is not acceptable to me personally. For what it is worth, on my wife’s side, on my father-in-law’s side, one half of the family is Calabrian and one half is Sicilian. Is Mr Silvester going to suggest that on my father-in-law’s side the automatic connotation is that they are members of the Mafia?

Mr ROPER (Brunswick)—I raise a matter with the Minister of Health. I do not see him in the Chamber, but it is of such importance that I will raise it anyway. It concerns the continued allegations that the special accommodation house provisions of the Health Act are not working, and that there are a whole series of severe cases of abuse and rip-offs in the area.

I put to the Government, and I would put it to the Minister if he were here, that the State Government should ensure that legislation concerning special accommodation houses is adequately enforced through the Health Act. I am alarmed, but not surprised, at the report by Sister Laurel Childs of the Alfred Hospital, and Sister Annette Madden of Caulfield Hospital, who have found that some of Melbourne’s special accommodation houses are still grossly unsatisfactory. It is obvious that while there have been improvements as a result of the legislation passed last year, the State Government and the legislation have not gone far enough.

It is also obvious from the material provided by Sisters Childs and Madden that old people are still being ripped off and abused, and the sisters have given chapter and verse to the press, and previously to officers of the Health Commission. Legislation should be introduced immediately by the Government to give the Health Commission greater powers. One of the things that should be considered is the two amendments put forward by the Opposition last year, but which were defeated. They should now be agreed to.

The Government and the Minister should consider the provision that a court be able to cancel the registration of a special accommodation house, or vary the terms and conditions of registration. The Government should also make provision for a daily offence. Existing fines are inadequate, and when courts find appalling conditions, they cannot close these places. A number of proprietors have been found guilty of offences, but they have gone back to their accommodation house and have done the same thing the next day.

The ACTING SPEAKER (Mr A. T. Evans)—Order! The honourable member’s time has expired.
Proprietors are in a position to thumb their noses at the Health Commission and its officers. The cavalier attitude adopted by the Minister today should be condemned by the House. Once a proprietor is found unfit to run a special accommodation house, elderly people should not be left in the same unsatisfactory position. The Health Commission should accept the responsibility of placing them in adequate accommodation. There are plenty of good accommodation houses run by reputable proprietors, and these people should be used by the Health Commission and its officers to ensure that elderly people are properly placed if they are being mistreated or being ripped off. Last year the Opposition informed the Parliament that the crooks in the industry would take a very short time to find a way around the new legislation. Unfortunately, that has occurred and it is now up to the Government to enact immediate amendments to the special accommodation houses sections of the Health Act so that officers of the Health Commission have the necessary power to protect elderly people.

Mr WILLIAMS (Doncaster)—I draw to the attention of the Minister for Police and Emergency Services the need to again obtain the services of Mr John Cusack, who is one of the world’s authorities on the Mafia. Mr Cusack was brought to Victoria in 1964 to investigate murders at the Queen Victoria Market and he prepared a 10 000 word report for the then Chief Secretary, the late Sir Arthur Rylah. That report has never been made available to the public.

It is of some concern that in recent times a number of members of the Victoria Police Force have made statements that have angered the Italian community. According to Mr John Cusack, in 1964 there were only some 300 members of the honoured society in this State; whereas today there would be at least 60 000 Italian-born males in Victoria alone. So why blacken the name of 60 000 males when there are, according to John Cusack only 300 soldiers of the Mafia in Victoria? They are spread around in the fruit growing areas of Shepparton, Mildura, Griffith and Leeton in the Riverina. John Cusack said that the Mafia, even in 1964, was well entrenched in the extortion rackets, in breaking and entering and in illegal gambling and their legitimate cover was, of course, the fruit and vegetable market.

Mafia fruit and commission agents and merchants were, in 1964, engaging in unfair price fixing, in charging exorbitant interest rates on loans and they were engaging in forced labour of men and women on farms in the irrigation districts of Victoria producing vegetables.

Mr Ross-Edwards—Rubbish!

Mr WILLIAMS—The Leader of the National Party interjects and says “rubbish”. I was born on the River Murray and I know what I am talking about. I could name the Mafia Don in the area where I came from. I know where the Mafia Don is and there is no doubt that people were being brought out from Italy and being treated as slaves in those areas and their produce was being sent to the Queen Victoria Market—hence the murders.

In 1964 John Cusack predicted that by the end of the eighties the society’s huge cash resources and its strong-armed brotherhood would enable it to control union rackets, softdrink distribution, slot machines, pornography, sex parlours and entertainment. He even named the building and construction industry. This is in Cusack’s report and that is why I want it presented in the Parliament.

John Cusack warned that the society would corrupt football and racing. His last words when he left Australia were, “Never forget that the greatest fears held by Mafia-type society are publicity and tax inquiries”. The Mafia is no joke. John Cusack warned Victoria 25 years ago what would happen if the Honoured Society was allowed to take over. I believe John Cusack is still capable of updating the report and it should be presented to the Parliament in an updated form.
Mr STIRLING (Williamstown)—I raise with the Minister of Transport the problem faced by rail commuters who, arriving at their stations to catch a train, find the station unmanned and are advised by notice to purchase their tickets at their place of destination. When the commuters arrive at their destination they are subjected to the humiliating ordeal of being interrogated on why they want a ticket. I have received a number of verbal complaints on the matter. My Federal colleague, Mr Willis, referred a letter to me from a woman in Williamstown. That letter states:

I am not writing in protest of the closure of the Williamstown railway line—that is a problem in itself. I am however very upset by the humiliation I must undergo in order to reach my place of employment. For the past week there has been no one to man the Williamstown Beach station. There is a sign at the station stating that commuters are authorized to purchase tickets at their place of destination. However upon reaching Spencer Street station I am made to feel like a common criminal. Not only is it highly embarrassing to be repeatedly called aside and interrogated but it is also very time consuming when you are travelling during peak hours.

I would also like to add that two out of three mornings I have been confronted by ticket inspectors.

I realize that there are people who deliberately evade paying fares. However, those people who do seek to obtain tickets should not be subjected to this sort of treatment. Will the Minister investigate the matter to assist those commuters who, through no fault of their own, cannot purchase tickets at their point of embarkation but who are subjected to an ordeal at their point of destination?

Mr CAIN (Bundoora)—I raise a matter with the Minister representing the Attorney-General about the hardship that is being caused to many people in Victoria because of the breakdown in the provision of legal aid services. To all intents and purposes the provision of legal aid by the Commonwealth Government has, in effect, ceased. For the next three months little if any legal aid will be granted by the Commonwealth and, as a result, Victorians will have the worst provision of legal aid of any State of the Commonwealth.

Our fragmented legal aid system was to be united by the proposed Legal Aid Commission. There is presently the Public Solicitor, the Legal Aid Committee and the Commonwealth Legal Aid Office, which renders service to different categories of persons. A legal aid commission has been promised for the past five years. That commission would co-ordinate legal aid services and provide a satisfactory service. There is no guarantee that the commission, which has been promised for years now, will be functioning on the promised date—1 July this year. The best information I could obtain today was that there is no certainty about that.

If the present fragmented delivery of service is to continue, those who rely upon the Commonwealth provision of services will not have access to legal aid. Having regard to its present position, there is no prospect of the Commonwealth Government fulfilling the role it has undertaken in the provision of legal aid. This must go down as perhaps one of the worst examples of so-called co-operative federalism because the Federal Government is not playing its part.

The Attorney-General will have to intervene and ensure that some provision is made for those people who are going to be denied any aid in the coming months, at least between now and 30 June. There is an obligation on the Government to ensure that Victorians receive legal aid, as a matter of basic justice. Victorians are entitled to the legal aid they have been promised.

The only way in which provision can be made over the next three months, having regard to the Commonwealth Government's philosophical approach to this issue, is for the Attorney-General in another place, who is concerned about legal aid, to ensure that the State Government steps in and fills the gap that presently exists.

Mr KENNEDY (Minister for Housing)—The honourable member for Carrum referred to a matter raised with me on behalf of Housing Commission tenants who are receiving occupational therapy at St Vincent's Hospital. I shall continue to investigate the matter.
The honourable member for Heatherton referred to the delay in the provision of housing generally and of welfare housing specifically. Everyone is concerned about those matters and the speed at which welfare housing for rental can be provided, when there is a waiting list of 20,000, depends on certain factors. Given the funding the Government has and the programmes introduced recently, the Government is trying to be as humane as it can, as the honourable member indicated, in meeting the needs of persons. The speed at which those facilities can be provided will depend on funds available and how they are used.

The honourable member for Sunshine raised a matter for the Minister of Transport about unmanned stations and the purchasing of tickets at the place of destination. I shall refer that matter to the honourable gentleman.

The honourable member for Bundoora spoke of the breakdown in the provision of legal aid services in the State and I shall draw that matter to the attention of the Attorney-General.

Mr BORTHWICK (Minister of Health)—The honourable member for Brunswick referred to special accommodation homes. I, too, am alarmed to have read that there is some evidence that certain persons are still preying on the weak in the community.

Mr Simpson—Every day you are concerned!

Mr BORTHWICK—With the portfolio I hold, I cannot help being concerned because I am dealing with those kinds of problems.

Mr Simpson—The amendment may not have helped the situation.

Mr BORTHWICK—I do not believe the amendment passed last year contributed to the situation. It is exactly what I said then, that one of the significant problems in taking persons to court is to prove to the satisfaction of the court that it should take action. De-registering of those homes is an action that can result from a special form of hearing under the chairmanship of a stipendiary magistrate. Previously, these matters were challenged in the courts under certain writs.

If it were demonstrated that the commission had acted in some way that was not entirely fair the commission was overruled. With the help of the Attorney-General, these matters are now heard under the chairmanship of a stipendiary magistrate. The commission has forced one person completely out of business, another has been ordered to close and a third has been deregistered and has appealed to the County Court against that decision.

The system is starting to work as no other system before did. There have been nine successful prosecutions but frequently the evidence given to a court is not of the type to enable de-registration and successful prosecutions are often made on relatively minor offences rather than the major offence.

Mr Simpson—What is the ratio?

Mr BORTHWICK—The ratio of successful prosecutions so far has been eight out of nine. They are all separate cases. In some cases there has been more than one success under one prosecution. For a court to deregister a home, it has to have a level of evidence that is hard to get and it is far better to take action through the powers of the commission under a hearing before a stipendiary magistrate.

The commission is conducting between 30 and 35 inspections a week and since June last year has received 60 complaints—not 60 separate complaints but 60 complaints against a minority of those houses—and they are being followed up closely. I shall be meeting with that section on Friday morning to receive a first-hand report on how it views the operation of the Act and the regulations. I would prefer the section to be tougher in the prosecution of the law than apparently it has been.

I do not believe the suggestions of the honourable member for Brunswick will help in any way in this field. The less formal arrangement at present will enable the commission to ultimately close all of those fringe operators at the bottom end of this essential service.
Mr THOMPSON (Minister for Police and Emergency Services)—The honourable members for Noble Park and Doncaster have made a number of comments about drug trafficking operations. Although not alone in this respect, both honourable members have a keen desire to eliminate from Australia the world’s worst type of criminal, the drug trafficker. I have noted their comments carefully and will discuss them personally with the Chief Commissioner of Police. I only add now that drug trafficking is not confined to persons of one racial or ethnic group.

The honourable member for Lowan drew my attention to the need for some more ready means of observing when school buses are either loading or unloading children and suggested the use of yellow flashing lights. This matter has been examined previously by the Road Safety and Traffic Authority but I shall refer it to the authority again because there is some merit in the suggestion.

The House adjourned at 11.7 p.m.

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

MEDICAL EXAMINATION PROGRAMME
(Question No. 547)

Mr GAVIN (Coburg) asked the Minister of Health:

1. Why the medical examination programme for children at Victoria Street Pre-School Centre in Seymour has been abolished?
2. Whether these medical examinations will take place this year?

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

1. The medical examination for children in pre-schools has not been abolished.
2. It is expected that there will be a medical examination at the Victoria Street Pre-School Centre in 1981.

TRANSCENDENTAL MEDITATION PROGRAMME
(Question No. 860)

Mrs TONER (Greensborough) asked the Minister for Community Welfare Services:

Further to the Minister’s advice by letter of 22 October 1980, that transcendental meditation was an appropriate treatment option for a particular prisoner:

1. Whether this examination is being undertaken by expert psychologists and whether less controversial relaxation programmes are also being examined?
2. Whether any prisoners have undertaken the transcendental meditation programme while serving sentences in Victorian prisons?

Mr JONA (Minister for Community Welfare Services)—The answer is:

1. There is currently no transcendental meditation in operation in Victorian prisons.
2. The possibility of using transcendental meditation as a treatment option has been considered on occasion, but no prisoners have undertaken such a programme.
3. Other forms of relaxation therapy do occur within the prisons; these are carried out by trained specialist staff.

RALGRO
(Question No. 897)

Dr COGHILL (Werribee) asked the Minister of Health:

Whether the livestock growth promotant known as “Ralgro” is an oestrogen in terms of the definition included in section 242A of the Health Act 1958; if so, what action has been taken to ensure that its use complies with that section of the Act?

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

Yes. Its use has been restricted to that allowed in section 242A of the Health Act by its inclusion in Schedule 4 under the Poisons Act, to which the Drugs and Addiction and Restricted Substances Regulations apply. These regulations only allow “Ralgro” to be administered to animals by a veterinary surgeon or supplied by a pharmacist on the written prescription of a veterinary surgeon.
NATIONAL DATA BASE FOR CHILDREN’S SERVICES
(Question No. 1006)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the National Data Base for Children’s Services, and the material currently being prepared by the Health Commission for the study mentioned in the Progress Report of the State Co-ordination Council, December 1980, whether he will provide a copy of the Victorian material to the member for Brunswick as soon as possible; if not, why?

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

The detailed information regarding each centre was collected on a confidential basis; however, aggregated anonymous data will be provided when available.

ROYAL SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS
(Question No. 1132)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

On what date he received a request from the Royal Society for the Prevention of Cruelty to Animals for supplementary funds in 1980-81, what steps he took in response to the request and on what date or dates he advised the society of the Government’s response, indicating the content of that advice?

Mr AUSTIN (Minister of Agriculture)
—The answer is:

The Royal Society for the Prevention of Cruelty to Animals wrote to me on 10 February seeking an interview to discuss the financial circumstances of the society and this took place on 2 March 1981.

I raised the matter with the Treasurer immediately on his return from his mission to Asia and I advised the society on Monday, 16 March, that the Government would ensure that funding would be available to allow the continued employment of inspectorial staff for the remainder of the current financial year.

WELFARE OF FARM ANIMALS
(Question No. 1142)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of the code of accepted farming practice for the welfare of animals during transportation:

1. What is the maximum period for each species considered to be “recent” in the provision “animals awaiting transportation should have recent access to water”?

2. What exceptions are implied by the term “where possible” in the provision “loaded vehicles and trailers should not be parked so that animals are exposed to extremes of heat for more than one hour where possible without shade and adequate ventilation”?

3. What are the bases for the periods 36 hours and 6 hours in the provision “no animal should be left without water for more than 36 hours; this period may be extended if the journey can be completed within 6 hours”?

4. What criteria are to be applied in determining the suitability of ventilation in containers used for the transportation of chicks?

Mr AUSTIN (Minister of Agriculture)
—The answer is:

The codes of accepted farming practice were developed to serve as guidelines for the management of farm animals. They will be reviewed in the light of comment from all sectors of the community with an interest in the management of farm animals and progress towards the development of national codes of accepted farming practice.

(Question No. 1143)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of the code of accepted farming practice for the welfare of cattle:

1. Why there is no provision for restraint used on cattle to include procedures and equipment chosen to minimize the risk of injury and pain to the animal?

2. What are considered to be “the interests of animal welfare” which might justify tail docking?

3. In relation to the use of an anaesthetic in spaying what is meant by the term “as appropriate”?

Mr AUSTIN (Minister of Agriculture)
—The answer is:

The codes of accepted farming practice were developed to serve as guidelines for the management of farm animals. They will be reviewed in the light of comment from all sectors of the community with an interest in the management of farm animals and progress towards the development of national codes of accepted farming practice.

(Question No. 1144)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of the code of accepted farming practice for the welfare of sheep, why there is no provision for restraint used on sheep to include procedures and equipment chosen to minimize the risk of injury and pain.

Mr AUSTIN (Minister of Agriculture)
—The answer is:

The codes of accepted farming practice were developed to serve as guidelines for the
management of farm animals. They will be re­viewed in the light of comment from all sectors of the community with an interest in the management of farm animals and progress towards the development of national codes of accepted farming practice.

(Question No. 1145)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of the code of accepted farming practice for the welfare of the domestic fowl:

1. What is meant by the use of the word “modified” in the provision “disease should be treated, prevented or modified where possible”?

2. What is the basis of the implicit acceptance of death rates up to one per cent per week in the provision “if deaths exceed one per cent per week”?

Mr AUSTIN (Minister of Agriculture)

-The answer is:

The codes of accepted farming practice were developed to serve as guidelines for the management of farm animals. They will be reviewed in the light of comment from all sectors of the community with an interest in the management of farm animals and progress towards the development of national codes of accepted farming practice.

(Question No. 1153)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of the code of accepted farming practice for the welfare of the domestic fowl:

Part II as it relates to space, what is the basis of the density figures shown, indicating how they were arrived at and why some are higher than the equivalent British figure?

Mr AUSTIN (Minister of Agriculture)

-The answer is:

The codes of accepted farming practice were developed to serve as guidelines for the management of farm animals. They will be reviewed in the light of comment from all sectors of the community with an interest in the management of farm animals and progress towards the development of national codes of accepted farming practice.

HOUSING COMMISSION PAYMENTS

(Question No. 1173)

Mr CATHIE (Carrum) asked the Minister of Housing:

What are the conditions for paying out a Housing Commission contract before its completion indicating any provisions concerning when it can be paid out, how the amount to be paid is to be calculated, and how the interest to be paid in addition to the capital then owing is determined?

Mr KENNETT (Minister of Housing)

-The answer is:

Housing Commission contracts can be paid out at any time before completion. If a contract is paid out within the first five years of purchase the purchaser must sign an agreement not to sell the property within 5 years from the date of sale as required by section 41 of the Housing Act 1958. In addition, contracts of sale signed after 1 July 1977 give the Housing Commission a right of first refusal to repurchase the property at fair market value if a purchaser wishes to sell after the first 5 years have expired. This right is included in an agreement signed before the balance of principal is paid by the purchaser.

The amount to be paid is the balance of principal owing under the Contract of Sale, less any credit in the instalment account and/or the special repayments account, plus any fees for service of notices for non-payment of instalments and any arrears of instalments. In addition, any moneys outstanding because of advances to the purchaser by the Commission for maintenance or improvements to the property sold are taken into account. If the balance is repaid other than at the end of any month, the amount to be paid is the balance owing at the end of the month preceding settlement plus interest calculated on a daily basis for each day of the month in which settlement takes place.

MINISTERIAL ADVISER ON ABORIGINAL AFFAIRS

(Question No. 1216)

Mr CATHIE (Carrum) asked the Minister of Housing:

Whether he will lay on the table of the Library the report of his office and all related correspondence of the interviews and decision on the appointment of an adviser on aboriginal affairs?

Mr KENNETT (Minister of Housing)

-The answer is:

No.

(Question No. 1222)

Mr MATHEWS (Oakleigh) asked the Minister of Housing:

1. On what dates the position of Ministerial Adviser on Aboriginal Affairs was advertised, indicating—(a) the closing date; (b) the salary and Public Service classification offered; (c) the qualifications specified; (d) the number of applications received; and (e) the names of applicants short-listed?

2. On what date a Public Service panel interview was held with Mr Bruce McGuiness in connection with his application for the posi-
Joint Sitting of Parliament

Wednesday, 8 April 1981

Council of the Victorian Institute of Secondary Education: Council of Adult Education

A joint sitting of the Legislative Council and the Legislative Assembly was held this day in the Legislative Assembly. Chamber to elect members to be recommended for appointment to the Council of the Victorian Institute of Secondary Education to fill three vacancies for a term expiring on 10 January 1985 and to elect a member to be recommended for appointment to the Council of Adult Education to fill a vacancy for a term expiring on 4 December 1981.

Honourable members of both Houses assembled at 6.1 p.m.

Mr HAMER (Premier)—I move:
That the Honourable Sidney James Plowman, M.P., Speaker of the Legislative Assembly, be appointed President of this joint sitting.

Mr WILKES (Leader of the Opposition)—I second the motion.

The motion was agreed to.

The PRESIDENT (the Hon. S. J. Plowman)—I thank honourable members for the honour conferred upon me. I draw the attention of honourable members to the extracts from the relevant legislation, which have been circulated. It will be noted that each Act requires that the joint sitting be conducted in accordance with rules adopted for the purpose by members present at the sitting. The first procedure, therefore, will be the adoption of rules.

Mr HAMER (Premier)—I desire to submit rules of procedure, which are in the hands of honourable members, and I accordingly move:
That these rules be the rules of procedure for this joint sitting.

Mr WILKES (Leader of the Opposition)—I second the motion.

The motion was agreed to.

The PRESIDENT (the Hon. S. J. Plowman)—The rules having been adopted, I am now prepared to receive proposals from honourable members with regard to three members to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

Mr HAMER (Premier)—I propose:
That the Honourable Bernard Phillip Dunn, M.L.C.; Donald James Mackinnon Esquire, M.P.; and Mrs Pauline Therese Toner, M.P. be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

They are willing to be recommended for appointment to the council if chosen.

Mr WILKES (Leader of the Opposition)—I second the proposal.

The PRESIDENT (the Hon. S. J. Plowman)—Are there any further proposals?

As there are only three members proposed, I declare that the Honourable Bernard Phillip Dunn, M.L.C.; Donald James Mackinnon, Esquire, M.P.; and Mrs Pauline Therese Toner, M.P., have been chosen to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

I am now prepared to receive proposals from honourable members with...
Joint Sitting of Parliament

regard to a member to be recommended for appointment to the Council of Adult Education.

Mr HAMER (Premier)—I propose:
That the Honourable Hector Roy Ward, M.L.C., be recommended for appointment to the Council of Adult Education.

He is willing to be recommended for appointment if chosen.

Mr WILKES (Leader of the Opposition)—I second the proposal.

The PRESIDENT (the Hon. S. J. Plowman)—Are there any further proposals?

As there is only one member proposed, I declare that the Honourable Hector Roy Ward, M.L.C., has been chosen to be recommended for appointment to the Council of Adult Education.

I now declare the joint sitting closed.

The proceedings terminated at 6.5 p.m.
Legislative Assembly

Thursday, 9 April 1981

The SPEAKER (the Hon. S. J. Plowman) took the chair at 11.5 a.m. and read the prayer.

ABSENCE OF MINISTERS

The SPEAKER (the Hon. S. J. Plowman)—I have to announce that the Minister of Labour and Industry and the Minister of Educational Services will be absent from question time.

QUESTIONS WITHOUT NOTICE

AGRICULTURAL MARKETS

Mr WILKES (Leader of the Opposition)—I ask the Minister of Agriculture what steps the Government has taken to implement its 1979 election promise to establish a market task force to expand overseas markets of rural products. If the task force has been established, can the Minister advise when it was established, who are its members, what have been its activities to date and, finally, whether the Government has refused to pay the fares of officers of the Department of Agriculture who wish to investigate possible overseas markets?

Mr AUSTIN (Minister of Agriculture) —I shall answer the second part of the question first. We are frequently, and I am continually, signing approvals for officers of the Department of Agriculture to go overseas to improve their knowledge of agriculture, to look into marketing and so forth. Most of the responsibilities for the marketing of agricultural products are Federal matters rather than State ones. The State Government has said that it will assist in every way in the growth of agriculture and that during the next decade it expects that the total output of agriculture in most of the important areas will increase by about 25 per cent. I am more confident today than I was when that statement was made that we will in fact achieve that goal.

In most of our major industries, it is obvious that not only do we need to increase agricultural production by about 25 per cent, but also that markets should be available. In the dairying industry in particular, over the past ten years, there has been a decline in output of 25 per cent. That downward trend is levelling out and there is every indication that increased productivity, through artificial insemination, herd improvement, feed planning and the use of technology, will be achieved.

The SPEAKER (the Hon. S. J. Plowman)—Order! The Minister is now beginning to debate.

Mr AUSTIN—The overseas market for grain indicates that the current level of 3 per cent, which is the grain output—

Mr FORDHAM (Footscray) —I raise a point of order. The question was whether the Government would honour a commitment to establish a market task force. The Minister has mentioned a number of other matters. He has completed his answer.

The SPEAKER (the Hon. S. J. Plowman)—Order! The question was two-fold, referring firstly to a market task force and, secondly, to travelling arrangements for officers of the Department of Agriculture. The Minister should answer the first part of the question in completing his reply.

Mr AUSTIN (Minister of Agriculture) —I have said that the matter of marketing arrangements overseas is more a Federal responsibility. The State responsibility is to increase productivity and output, as was part of the statement in relation to jobs from growth and the new directions for the eighties. I was just mentioning the coarse grains and wheat. At present—

The SPEAKER (the Hon. S. J. Plowman)—Order! I suggest the Minister revert to the part of the question regarding travel allowances for officers of the Department of Agriculture to travel overseas. The first part of the question related to whether the task force had been set up, its membership and so forth. I do not think the question referred to development of markets or market prospects.
Mr AUSTIN—As I said, marketing arrangements and task forces are matters for the Federal Government rather than the State Government. The department is continually sending agricultural officers overseas to improve their marketing knowledge.

RESIDENTIAL TENANCIES ACT

Mr ROSS-EDWARDS (Leader of the National Party)—Will the Minister of Housing inform the House whether it is the intention of the Government to proclaim the Residential Tenancies Act and, if so, what machinery steps are being taken to bring this about?

Mr KENNEDY (Minister of Housing)—The question should be more correctly addressed to the Minister of Consumer Affairs, and I shall bring the matter to his attention when he returns.

SUNDAY FOOTBALL

Mrs CHAMBERS (Ballarat South)—I ask the Premier: When the Government considers the Victorian Football League's request for Sunday football, will he take into account the interests of the many silent sufferers—mostly women—who at the moment endure hours of replay on a Saturday and would find it the last straw to go through the same ordeal on a Sunday?

Mr HAMER (Premier)—I am aware that not everybody views football replays and that in the winter season some people feel deprived of what they regard as normal programmes. However, the content of broadcasting and television is not within the ambit of the State Government.

It is obviously necessary, in considering VFL football on a Sunday, to take all interests into account, including those of other codes and football leagues, and the views of other people, including those people who think they have enough in the way of broadcasting and television of football on Saturday, without invading Sunday as well.

PROTEAN (HOLDINGS) LTD

Mr FOGARTY (Sunshine)—Is the Premier aware that Protean (Holdings) Ltd now has acquired the Mascot group of meat processing establishments? Is the Premier also aware that two years ago he promised the people of Geelong that 500 to 800 people would be employed at the Protean (Holdings) Ltd meatworks at Geelong? Did the Premier take the people of Geelong for a ride? If not, what has he done to fulfill the promise in the meantime, because only a small fraction of the 800 people have been employed at those works?

Mr HAMER (Premier)—It was the intention, and so far as I am aware, still is the intention, of Protean (Holdings) Ltd at Geelong to expand its works. The Government has had discussions with the company about the additional area it will require for the purpose and every support is being given to the company in acquiring the land to extend the works. I do not have any recent information about the plans of the company, but I shall have the matter investigated and give the honourable member a reply.

MILDURA BASE HOSPITAL

Mr WHITING (Mildura)—In view of the shortage of staff for the newly-established psychiatric unit at the Mildura Base Hospital and the fact that the Minister is due to open that unit on 1 May, can the Minister of Health give an undertaking that additional staff will be provided before that date?

Mr BORTHWICK (Minister of Health)—A major problem in this State, as in Australia, in the staffing in the mental health area is the inability to attract into the service sufficient professionally trained people. Last year, the Health Commission conducted an intensive recruiting campaign in South Africa, the United Kingdom and Zimbabwe and received a reply from only one psychiatrist. It is hoped that person will take up duty later this year. The most recent downturn in Britain's economic situation has encouraged the commission to embark this week on a further intensive campaign on recruitment there.

In answer to the honourable member who interjects, a large number of psychiatrists are trained in this State. Victoria is the major training centre for psychiatrists in Australia. There are 60
in training in our psychiatric hospitals and 30 in training outside, but they will not work for the Health Commission because they make more money in Collins Street. The salaries paid are high by any standards.

It amuses me, Mr Speaker. Honourable members on the Opposition benches always defend the right of people to work or not to work, but when it comes to medicine they believe some form of compulsion or direction ought to exist.

The salaries available for psychiatrists in the mental health system are commensurate with all other specialist type salaries in the health services. Nevertheless, the Health Commission is unable to attract them.

Mr Wilkes—Why?

Mr BORTHWICK—The honourable member knows the reason.

The SPEAKER (the Hon. S. J. Plowman)—Order! The Minister is being led astray by interjections. If he wishes to answer the various questions raised by interjection, I shall have to consider them as being questions from the Opposition. I ask him to answer the question posed by the Deputy Leader of the National Party and to await further questions from the honourable members for Brunswick and Melbourne and others who interject if they wish to ask questions on this subject.

Mr BORTHWICK—Last year alone in Victoria, on 343 occasions advertisements were run for trained nurses. Our hospitals are unable to recruit all the nurses needed. There is no Treasury limitation on the numbers of nurses who can be employed and if nurses were available they would be employed. The reason why the necessary numbers of staff are not at Mildura is inability to attract people to the service.

FEMALE FOOTBALL UMPIRE

Mrs PATRICK (Brighton)—Recently, publicity has been given to the alleged refusal of the Victorian Football League to employ or to consider employing Rowena Allsop as an umpire. Has the Minister for Youth, Sport and Recreation taken steps to assist Miss Allsop or will the matter be considered by the Equal Opportunity Board?

Mr DIXON (Minister for Youth, Sport and Recreation)—I have taken steps in support of Rowena Allsop. I have written to the Registrar of the Equal Opportunity Board stating that my department supports the philosophy of the Equal Opportunity Act and believes the relevant criterion should be the ability of a person to perform a task and should have nothing to do with that person’s sex, race, marital status or religion. In that sense, I support the employment of female umpires.

Miss Allsop is 26 years of age and is a physical education teacher who has had a good deal of experience in handling school children. I think she could do a good job as an umpire. She has applied to umpire under-age matches, and I believe that is an appropriate application. I hope the Victorian Football League and Miss Allsop can reach an agreement which will enable not only Miss Allsop to be involved with umpiring, but also other young ladies who may wish to take up umpiring. It seems to me to be an admirable pursuit for both males and females.

A preliminary hearing will be held today and a settlement may be reached prior to that hearing so that all parties may find a way of enabling girls to take up football umpiring.

VICTORIAN AGRICULTURAL PRODUCTION

Mr WILTON (Broadmeadows)—My question to the Minister of Agriculture relates to the objective of the Government for agriculture in the 1980s. Why has the Victorian growth rate of agricultural production been significantly lower than the national average and, according to the most recent figures available, lower than any other State in Australia? Can the Minister inform the House what steps he and the Government propose to take to rectify the situation and to improve the growth of agricultural production in Victoria?
Mr AUSTIN (Minister of Agriculture)—One of the fascinating aspects of questions that are raised by the Opposition on agriculture and Government policies to increase agricultural production in future is that Opposition members seem to be knocking any aim of the Government to lift agricultural output in Victoria. Without the honourable member providing the figures that he quoted or the judgments he made on the figures, I cannot possibly answer that question in detail. One must consider the different sizes of the States, and the various agricultural pursuits and compare them.

I am prepared to do that and I am certain that agricultural production in Victoria would stand up favourably with Australian standards and, certainly, with world standards. Victoria is an efficient agricultural producing State. The dairy industry alone produces about 61 per cent of the dairy products of Australia and Victoria is gradually winning more and more markets, particularly on the national market, and will continue to do so.

I thought the honourable member for Broadmeadows would have been looking forward to a bright future in the 1980s for agriculture in Victoria and I thought he would be supporting, as the farming community generally has, the direction in which the Government is heading for a lift in output and productivity. I am certain that in the next few years Victoria, in no small way, will compare favourably with the other States.

MORNINGTON PENINSULA WATER SUPPLY

Mr DUNSTAN (Dromana)—I direct a question to the Minister of Agriculture, representing the Minister of Water Supply. Are the many complaints about the taste, odour and poor quality of water in the Mornington Peninsula system due to excess chlorination and, if so, what steps are being taken to rectify this malfunction?

Mr AUSTIN (Minister of Agriculture)—The State Rivers and Water Supply Commission does not use excessive amounts of chlorine. What happens at times is that the chlorine in the water supply gets on to the internal part of the piping system and that causes a reaction which results in an unpleasant odour and taste.

During periods when pipes need to be cleaned, the level of chlorine may be increased for a short time, and that has been done in the Mornington Peninsula area. However, it has now levelled out. The cleaning occurred in the past six weeks, and in the next few weeks that level will be reduced. Flushing and cleaning of the pipes is to take place. The Mornington Peninsula has 78 000 water users, and only 50 complaints have been received; the water quality is being improved.

VICTORIAN AGRICULTURAL PRODUCTION

Dr COGHILL (Werribee)—I direct a question to the Minister of Agriculture concerning the Government’s objectives for the 1980s in agriculture, in particular the objective of a 25 per cent over-all increase in production which is to be reached principally by increases in sheep, grains and dairy production. As these industries currently produce approximately 50 per cent of Victoria’s agricultural production, and as they would be required to increase their production by approximately 50 per cent for the objectives to be met, how will those increases be achieved simultaneously in the sheep and grain industries, given that those industries compete for the same agricultural land?

Mr AUSTIN (Minister of Agriculture)—If the member for Werribee knew anything about farming and agriculture, rather than some technical knowledge that he may gain from reading a book, he would understand that, given the incentives to do so, almost any farmer can lift his output.

Dr Coghill—50 per cent?

Mr AUSTIN—We are not talking about a 50 per cent increase. We are talking about an increase in production, or productivity, or output, over a period. It is a combination of all things, but the main factor is an increase in productivity—one which does not mean that a farmer is up for huge capital costs on
machinery and other items—given the same level of capital cost as exists on most farms today.

In the dairying, wheat and wool industries, it would be within the capabilities of farmers to produce those sorts of increases with very little capital expenditure. For instance, a dairy farmer, given the same number of cows that he has today, by the use of artificial insemination over a wider number of herds, given herd improvement usage by more farmers than use it today, and given feed planning, could increase his milk production by the proportion suggested. Moreover, young farmers are coming into farming, and some farmers who have been locked into farming—and this is what the Opposition would not know about—because of the economic situation in the farming community over the past few years, which was caused largely by the policies of the Whitlam Government after 1972, now, because of the upturn in agriculture, are able to get out of dairy farming and move into different farming activities.

The SPEAKER (the Hon. S. J. Plowman)—The honourable member for Melbourne's interjection, "It's a lot of bull", may be somewhat agricultural, but that is not acceptable as an interjection.

Mr AUSTIN—The trouble is, I am talking to members of the Opposition, people who know nothing about farming; there is not a farmer in their midst and there is never likely to be. Just to make it easier for the Opposition to understand, in something as simple as feed planning alone, it has been shown that in two years farmers who have used the technology of feed planning have increased their production by 10 per cent. Members of the Opposition probably do not know that, and that is the difficulty I have in talking to people who do not understand the problem and do not understand farming at all.

In the sheep industry, the sheep numbers are considerably down and there is room for the numbers to increase and, given reasonable seasons, they will increase.

The SPEAKER (the Hon. S. J. Plowman)—The question calls for a long and detailed answer. Perhaps the question may have been more specific, but I ask the Minister to round off his answer and provide the House with a few brief details.

Mr AUSTIN—Honourable members opposite have very little knowledge on farming matters. The farming community is appreciative of the actions the Government has taken, and optimism is an important facet in farming. The Government's new directions policy will lead to a 25 per cent increase in agricultural output, which would be a good goal to achieve in most of the major agricultural industries.

FISHING VESSEL "SHARK"

Mr B. J. EVANS (Gippsland East)—I refer the Minister of Public Works to the loss of the fishing vessel Shark which sank at Lakes Entrance three years ago with the loss of three lives, the circumstances surrounding the loss of that vessel and the subsequent salvage attempts. Has the Minister received recently submissions from interested persons who have made a number of serious allegations about those events? Do those allegations contain suggestions that officers from the Minister's department committed perjury at the subsequent marine board of inquiry? If so, what action has the Minister taken in the light of these allegations?

The SPEAKER (the Hon. S. J. Plowman)—Perhaps the Minister might advise the House if the subject of perjury is a matter before the courts and, therefore, may be sub judice?

Mr WOOD (Minister of Public Works)—No court action has been instigated. To my knowledge, the matter is not sub judice. The fishing vessel Shark capsized as it was entering the Lakes Entrance harbor in March 1978. Three lives were lost. There was a subsequent marine court of inquiry conducted by Judge Southwell and two master mariners. The court concluded that certain aspects may have been better handled at the time, but no one was blamed. During the court hearing, much evidence was given and many allegations were examined.
The owner of the vessel, Mr Newman, his brother and many other people from Lakes Entrance and members of Parliament have made certain allegations to me, said that all is not well and that they would seriously challenge some evidence that was given to the court. I have told those people that I am not prepared to investigate verbal allegations. If they are prepared to put the allegations in writing to me, I shall examine them.

A fortnight ago I met with Mr Newman's brother and discussed the matter. He said he would forward written statements to me to the effect that certain evidence was given that should not have been given and that certain facts have come to light since that inquiry was held. When I receive that evidence, I will examine it and determine what further action should be taken.

NORTON VILLIERS (AUST.) PTY LTD, BALLARAT

Mr A. T. EVANS (Ballarat North)—Has the attention of the Minister for Economic Development been drawn to recent reports in Ballarat newspapers pertaining to employment and Government contracts relating to Norton Villiers (Aust.) Pty Ltd?

Mr I. W. SMITH (Minister for Economic Development)—The honourable member for Ballarat North, together with his colleagues from Ballarat, are very diligent in bringing to my attention the aspirations of industries within Ballarat. One in particular interested me because it was visited recently by the honourable member for Niddrie. What does concern me is that the honourable member for Niddrie, as usual, accompanies his visits with some sort of press statement and he was quoted in the Ballarat Courier as saying that the Norton Villiers (Aust.) Pty Ltd plant had reduced employment to something around 40 people.

I should have thought the honourable member for Niddrie would have wanted to see the staff employed and speak with them because I know he is very keen to do those sorts of things. But clearly he cannot count because there were far more than 40 people employed there; in fact, there were something like 73. The same factory also employs an additional 33 people in its foundry, so that it is rather misleading to read an article in the Ballarat Courier which talks about reduced employment in the Norton Villiers factory when the contrary is true.

I request that when the honourable member for Niddrie goes to manufacturing plants that he talks to the staff and counts them correctly rather than mislead the people, in this case of Ballarat. This plant, of its own initiative and volition, has actually increased its contracts and is in a better position than the honourable member has painted.

On the matter of Government contracts for this plant, I know it is very interested to try to achieve contracts, particularly for the castings of engines used by the Country Fire Authority. I am having discussions with the Minister for Police and Emergency Services to ascertain whether we can better utilize the resources of this State to fulfil Government contracts.

PETITION
Cara House

Mrs TONER (Greensborough) presented a petition from certain citizens praying that adequate funding be provided to ensure the continued operation of Cara House and that alternatives to institutional care are provided. She stated that the petition was respectfully worded, in order, and bore 35 signatures.

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

PAPERS

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

Statutory Rules under the following Acts:
Fisheries Act 1968—No. 78.
Industrial Training Act 1975—No. 73.
Marine Act 1958—No. 74.
Ministry for the Arts Act 1972—No. 76.
Post-Secondary Education Act 1978—No. 75.
Public Service Act 1974—PSD No. 51.
Racing Act 1958—No. 68.
Victorian Film Corporation Act 1976—No. 77.
NATIONAL PARKS (AMENDMENT) BILL

This Bill was received from the Council and, on the motion of Mr WOOD (Minister of Public Works), was read a first time.

HOUR OF MEETING

Mr MACLELLAN (Minister of Transport)—I move:

That the House, at its rising, adjourn until Tuesday, April 14, at half-past one o'clock.

The motion means, Mr Speaker, that you will take the chair at two o'clock. Might I comment that I believe it may be necessary for the House to sit later next Tuesday.

The motion was agreed to.

YOUNG FARMERS ESTABLISHMENT SCHEME

Mr HANN (Rodney)—I move:

That this House notes the Young Farmers Finance Council report and calls on the Government to immediately implement an effective young farmers establishment scheme.

The SPEAKER (the Hon. S. J. Plowman)—Is the motion seconded?

Mr McGrath (Lowan)—Yes, Mr Speaker.

Mr HANN (Rodney)—Looking at the history of the creation of a young farmers establishment scheme, takes me back to the time before I entered this Parliament. The policy speech of the National Party in 1973, and my own policy speech, included a provision that the National Party would assist young farmers with finance in order to enable young people to take up an occupation on the land.

Some eight years have elapsed since then and during that period the farming community in this State has been through periods of both recession and prosperity.

I turn now to the current situation. Prior to the drought in east Gippsland, the Victorian farming community was probably facing one of the most stable and prosperous positions for many years. Many older farmers whose experience went back many years told me that for the first time in their lifetime and memory, all the primary industries in this State were reasonably prosperous.

When that situation occurs, we do not have the movement of farmers from one industry to another, a movement which was apparent during the bad periods of past years.

However, the present prosperity of the industry needs to be qualified. I refer to the difficult recession that the farming communities in Australia, particularly in Victoria, faced back in 1974, 1975 and 1976, when the community witnessed probably one of the worst financial periods experienced by the farming community in this country.

During that period the Government agreed, following pressure from the farming community, particularly in northern Victoria, to provide a subsidy for the slaughter of cattle. The Government provided a $5 a head subsidy at a time when in many markets stock were left literally unsold—buyers were not prepared to purchase the stock. As my colleague from Lowan has interjected, immediately after the provision of that subsidy by the Government, the price went up in the market place to a minimum of $10 a head. The action of the Government had an effect on a drastic and tragic situation and one which took the farming community back to the days of the recession after the first world war, and even to the days of the depression.

Probably the period between 1975 and 1976 was worse than in the days of the depression because it is not possible to subsist in the farming community because its costs are fixed. Today those costs are high and when one takes into account the figure of inflation, one finds that it is practically impossible to survive in the farming community by producing one's own food.

Honourable members had a situation in which practically every member of this Parliament representing a country electorate was inundated with numerous inquiries for carry-on finance. Fortunately Victoria has come out of that period but it has had a significant impact on the farming community, so much so that I refer to an article which appeared in the National Farmer dated 12 June 1980. That newspaper had
carried out a survey and as a result of the response, it claimed that some 40,000 farmers would quit farming during the next decade. In other words, during the 1980s Australia would have 40,000 fewer farmers and that possibility should be a matter of grave concern to this Parliament.

In the long term, if the trend continues, Australia will be short of agricultural products, which is flying in the face of recent assurances of the Government that there will be a 25 per cent increase in agricultural production. That increase will not occur unless large numbers of young farmers are encouraged to go back onto farms. The same situation was predicted by the United Dairy-farmers of Victoria. The suggested number of dairy farmers leaving the land is as high as eight farmers a day and this highlights a serious problem.

In answer to a question earlier, the Minister of Agriculture said that many farmers were locked into a situation they could not get out of and were unable to sell their farms because they would not receive an adequate return to provide themselves with an alternative home in their place of choice for retirement. They would, of course, still need an income. Inflation has had a significant effect on property values. It is no longer possible to purchase even a cheap house in a small country town because many of the homes are now priced at a minimum of $50,000.

A previous generation of farmers, many of whom were soldier settlers after the second world war, are now reaching retirement age from agriculture. Many of their sons are interested in occupations on the land and many, because of the recession, have left the land. It is a pleasing change that many young persons now want to go back into farming after a mass exodus of young persons from the farms. Many soldier settler farmers discouraged their sons and daughters from taking up occupations on the land and there was a dramatic move by those persons to metropolitan areas, which has had a significant effect on unemployment. These young persons had no difficulty in getting jobs because they were active, keen and enthusiastic. They took up many of the employment positions that normally would have been occupied by applicants from urban areas. The change is pleasing. One hears numerous examples now of young persons leaving professional occupations, for example bank clerks and school teachers, and going into agriculture.

Of course, in releasing the farmers who wish to sell their properties and who are able to sell and receive a reasonable return, another problem has been created because those farms are now very expensive and great difficulty is experienced by young couples who wish to purchase. There is a gap between what they can raise for the deposit and what they need to provide for purchase of the property. Many young couples who have been actively farming for up to ten years and some for more than twenty years, and who are without family links in the farming community, are unable to build up sufficient capital for a deposit to purchase a farm.

Deposits of between 30 per cent and 50 per cent are usually required for the majority of farms, even smaller farms. For example, to purchase a viable dairy farm one needs $120,000 for the farm and another $150,000, walk-in walk-out, for the herd and machinery. A minimum of $250,000 is required for cropping and grazing properties. It has become virtually impossible for young persons to establish themselves on farms.

Certainly, traditional farmers assisting their sons to go onto the land have been able to do so and to expand operations, but many persons are not in that traditional category. Good, young, active, experienced and skilled young persons who will use modern techniques of agriculture, which will fulfil the commitment of the Government to increase agricultural production, need financial support from the Government.

One of the realities in agriculture is instability. So long as there is an agricultural community in the country, it will always go through periods of instability despite assurances given from time to time that it can be countered.
The most probable single factor affecting agriculture is climatic conditions. Over the past eighteen months, climatic conditions have been disastrous in New South Wales, Queensland, parts of South Australia, Western Australia and Tasmania, and of course has affected the east Gippsland area of Victoria. The disastrous impact on those agricultural communities has meant that many farmers have sold all their breeding stock and are facing an almost impossible task of trying to restock their farms as seasonal conditions are improving.

Stress has been placed on financial and lending institutions and the Commonwealth Development Bank of Australia is under great pressure. Many of their clients have had difficulty in meeting their borrowing commitments and have needed extra financial support to enable them to carry on. In New South Wales, the Government is contributing about $8 million a week towards the drought situation. It has been disastrous and there is no way that it can be overcome. Periods of instability must be faced. That is the argument for providing financial support, particularly concessional support to the farming community and, more particularly, to the young farming community.

I turn to the history of the land settlement schemes. After the first world war a scheme was set up for establishing young returned servicemen on the land. It was successful in some areas but disastrous in others. In the Mallee, for example, 1-square mile blocks of 640 acres were available but they were totallyuviable. Consequently a change of attitude to the scheme was necessary.

Since the second world war, land settlement schemes have largely been operated by the Rural Finance Commission and have been successful. From my experience, the Goulburn Valley scheme has been largely responsible for the successful growth of Shepparton and a number of other Goulburn Valley towns. The scheme provided support to the young men who came back from the war. Many of those men have now reached the point of retirement, and the next generation of farmers is taking over the properties and continuing the expansion and development of agriculture in the area.

More recently land settlement schemes have been operating in the Western District, at Heytesbury and Rochester. It is a pleasure to drive through the Rochester settlement scheme and to see the dedication, enthusiasm and use of mechanical techniques by the farmers there. The Government and the Ministers should be proud of those schemes. They generate income and have been extremely successful. Under those schemes the Government purchased the land, opened it up and reallocated it, although from time to time controversy occurred.

At present Victoria needs a scheme whereby the same sort of concessional assistance is provided. The scheme before the House is not as generous as the land settlement schemes of the past which provided concessional finance at 3 per cent or 4 per cent over periods of up to 40 years. It is necessary to provide financial support to enable young couples to purchase existing farms.

The National Party was the first party with a policy which included a young farmer establishment scheme. Each of the other political parties included a young farmer establishment scheme in its policies, and subsequent to the last State election, the Government set up a young farmer establishment scheme, firstly, in the form of a Government guarantee and, secondly, by the establishment of the Young Farmers Finance Council to recommend ways and means of providing young farmer finance.

The Government guarantee scheme could only be described as a virtual disaster. I understand that there was one guarantee; there may have been two. However, over a period of, say, eighteen months it was found that if the vendor was not prepared to leave his money in the scheme, it was not a viable proposition. Many of the people who came to me seeking to make use of the scheme found that in most instances if they intended to purchase the property, the vendor was prepared to leave his money in anyway.
It is probably a matter of regret that it has taken so long for the present scheme to be implemented, since it was first proposed by all the parties in May 1979. It is now two years later. The Young Farmers Finance Council was brought into being by this Parliament and some able and distinguished people comprise its membership. They are: Mr R. T. Balderstone, President of the Royal Agricultural Society of Victoria, and an experienced farmer in a number of other ways with stock and station companies in Victoria and in the Marcus Oldham Farm Management College Council; Mr F. W. Drum, a grain grower in the Wimmera area, an executive member of the Victorian Farmers and Graziers Association, and who has experience in agriculture; Mr K. A. Finnin, Manager of the Commonwealth Development Bank of Australia in Melbourne, who has provided much assistance and support to many farmers, particularly young farmers in Victoria, through the Commonwealth Development Bank, and who has always been pleased to provide assistance and co-operation, particularly to members of Parliament; Mr B. P. Goddard, a young farmer, a former president of the Australian Council of Rural Youth, who was appointed to the Young Farmers Finance Council at the time that the expert was brought in from Saskatchewan in Canada to promote the concept of a land bank scheme. He is a farmer in the Goulburn Valley, is the ideal sort of person to be supported, and he is qualified to have an input into the scheme; Mr F. S. McArthur, Chairman of the Max Oldham Farm Management College Council, an experienced grazier with an understanding of the problems of the rural community; and Mr I. K. Morton, Chairman of the Rural Finance Commission, who has played a significant role in establishing young people on the land through the various settlement schemes and, in recent times through the assistance provided by the Rural Finance Commission. Victoria can be proud of the Rural Finance Corporation and the manner in which that organization provides support to the rural community.

Mr Hann

The council was then given the task of providing recommendations for a young farmers establishment scheme. Various bodies had an input, including the National Party in this Parliament. The scheme was supported by the Parliament, based on a lease-purchase arrangement, to provide finance for long periods, with the suggestion that about 100 properties a year could be purchased, established, and made available for suitable applicants. That was one of the inputs. There were quite a number of inputs from individuals and various farmer organizations, including representations from the Young Farmers organization.

The report was presented to the Government prior to Christmas 1980 and was recently presented to the House by the Minister of Agriculture. It is important at this stage to detail the key recommendations of the Young Farmers Finance Council report. The report recommended that $10 million be made available to the council to implement the programme and suggested that this sum should be divided equally between the Commonwealth and State Governments and that subsequent funding be provided at the rate of at least $5 million a year until the fund becomes self-generating.

The various forms of financial assistance were placed in three major categories. The first category concerns stock and equipment finance and the council recommended that finance for stock and equipment should be based on a five to eight-year term, depending on the life of the equipment at an interest rate equivalent to the three-year rolling average of the long-term bond rate.

It is appropriate to comment on each of the financial aspects. This recommendation represents a significant breakthrough because the Rural Finance Commission has generally been reluctant to become involved in the purchase of stock largely because of the lack of adequate security or collateral on the stock purchases. It has been extremely difficult, especially for people wishing to start up in share-farming and dairy
farming or to establish themselves in beef, grazing or sheep properties, to obtain finance.

The only alternative means of finance for these people lay with the stock and station agents. Although these organizations are reasonably generous, if the pressure is on in the financial money market, those companies often apply pressure to their clients to sell the stock regardless of whether the clients can meet the market. In addition, the interest rates are fairly high now at 15.5 per cent, which, of course, is a difficult interest rate to meet.

Likewise, with equipment finance some assistance has been provided in a small way from the various hire-purchase areas, under the Commonwealth Development Bank of Australia in particular. The Rural Finance Commission has not involved itself in equipment finance to a large extent. This recommendation represents a significant breakthrough and is welcomed by the National Party.

The second important category of financial assistance recommended by the Young Farmers Finance Council is that of part-time farming or what is termed "stepping stone" farm finance. The recommendation states that finance be for a term of up to twelve years at an interest rate 2 per cent below the three-year rolling average of the long-term bond rate. That would presumably be somewhere in the vicinity of 9 per cent to 10 per cent now. The types of applicants suggested for this type of finance, according to the report, would be:

...those currently employed in an agricultural or allied industry sector who are trained in such rural occupation and have expressed desire to eventually own their own commercial property. In general this would comprise sharefarmers, contractors, shearers, farm workers/managers.

The report suggests that such finance would enable a person to buy a property which may not be viable on its own because it is a sub-economic property. The measure would enable people to build up capital on the properties and ultimately sell them to enable them to build up sufficient deposit to buy a more commercially viable operation. I have seen many examples of this activity in recent times because many farmers are designated by the Rural Finance Commission as being non-viable units. Often, a young person trying to establish himself has to obtain a smaller farm and build up equity. These people often face the situation where the Rural Finance Commission will not provide a loan because the farm is not viable. This places the person in an impossible predicament because he is not able to establish himself. The recommendation for the part-time farming and "stepping stone" finance is worthy of merit.

The third and most important recommendation of the Young Farmers Finance Council report is for the first commercial farm ownership or "deposit gap finance". This is the largest area of need. The Young Farmers Finance Council report stated:

Council recommends that finance for deposit gap assistance be on the basis of interest only, at half the three-year rolling average of the long-term bond rate, for the first five years. Thereafter, the loan to be repaid at commercial rates.

Many young people wishing to establish themselves on farms are looking at properties which may cost between $110,000 and $150,000. In most instances these young people may have stock because they may have been share-farming and have built up a herd. Likewise, many young people have machinery but have not been able to build up much cash.

The majority of these people would certainly have no more than $30,000; the average amount would be $20,000; and some people have as little as $10,000. The difficulty involves borrowing the balance of the money. The Rural Finance Commission has been reluctant to lend money in that situation because it prefers to lend to a person who has at least one-third of the deposit and preferably 50 per cent of the deposit. However, on occasions, the Rural Finance Commission has extended itself to cater for these people.

The Commonwealth Development Bank of Australia, in my opinion, has been extremely generous and has loaned money
to people in that situation. It represents a gamble because a person borrowing that money has to hope for good seasons over a ten-year period in order to ensure that the farm will remain viable and that he can pay back the loan.

An interesting example of this situation was when a young man telephoned me to ascertain whether he could obtain financial assistance for his brother, who was share-farming on a property costing $140,000. The young man said that his brother only had a deposit of $20,000. I told the young man that his brother would be putting himself into a difficult financial predicament by committing himself to that amount of borrowing. The young man replied that I would be critical of his situation because that was what he had done six months ago. The young man said that he had borrowed the equivalent amount to purchase a property. It is difficult to answer a question like that.

These young people are enthusiastic and possess large amounts of energy and many of them will certainly be successful. However, they will have to go through difficult periods. The first commercial farm deposit gap finance, which is suggested in the report, is very important because it breaks new ground.

The report gives details of the proposals and states:

"Deposit Gap" finance should be provided with flexible repayment terms and on shorter term concessional interest rates. It is not the intention to replace the role of normal institutional lenders or vendors. As such, the Council expects that the applicant will seek the maximum amount of funding from this source at the most amenable terms possible. In most instances this is expected to be up to 50 per cent of the land and building value, and terms of 15 years minimum.

The applicant is expected to be able to provide, from his/her own resources (in cash or in assets), no less than 25-30 per cent of the total ingoing price—including stock, plant and working capital—such that the "Deposit Gap" finance would be a maximum of 50 per cent of the land and buildings value.

This recommendation will be of significant benefit. However, it is important to remember the fluctuations with the boom and bust situation that have taken place in the short period of eight years that I have been in this Parliament.

There is no guarantee at the moment that the situation will not recur. I suspect—and the National Party has already indicated concern—that the five-year limit on the concessional finance will be inadequate. I believe the period should be extended.

The National Party believes it ought to be extended to ten years at least to enable these people to establish a strong situation. Perhaps the concessional interest basis should run for five years and then be continued for a further five years when borrowers begin to repay part of the capital. From my experience, I believe five years is too short a term for the concessional finance and I hope that, in its final deliberation on the matter, the Government will consider making that aspect of the arrangements more flexible.

The council has suggested that the lease purchase land bank system has merit but that its introduction ought to be delayed until a more appropriate time. Perhaps the Government could give early consideration to that suggestion.

The National Party does not suggest that its own proposal should have been the only scheme adopted, but it would have allowed some flexibility in that area to assist young people where a lease arrangement is entered into for a short time to assist them to purchase their own properties. That kind of arrangement has been successful in land settlement schemes and I hope early consideration will be given to that aspect.

Some other recommendations of the council are worthy of support by this House. These are termed the general assistance measures. The young farmer finance advice service is necessary. No doubt the Minister and other members representing country electorates find themselves providing that sort of service. Many young people come to their local member for financial advice and for support in their applications for loans, and on occasions one guides and assists them in the preparation of their applications or refers them to other sources for information. Generally, I
refer them to a local bank because the type of advice that is necessary is not readily available from any other source.

The property management service appears to be a good idea. It involves the establishment and maintenance of a register of interested land owners and management partners. That is significant because we went through a period when there were few applications for these positions.

The New Zealand farm cadet scheme is mentioned by the council as an avenue for augmentation of the current farm apprenticeship training programme, and mention is also made of share-farming agreements. Numerous representations have been made to the Government concerning this matter but as yet no formal agreement has been arranged, although a break through has occurred on the workers compensation aspect.

The question is raised of preference being given to farmers for the purchase of land from the Rural Finance Commission and other State Government authorities and of preference being given, where practicable, to young farmers seeking to purchase Crown land under the control of the Department of Administrative Services and other Commonwealth and State Government departments. It is not my intention to deal in detail with that matter because I understand that the honourable member for Polwarth is interested in it as there is land in his area which would be covered by this recommendation.

The council has recommended the retention of the mortgage guarantee scheme but I suspect that it will be retention in name only, because I doubt whether any further applications will be received.

The administration of the young farmers establishment scheme will be under the control of the Rural Finance Commission and the National Party supports that suggestion.

The latter part of the motion refers to immediate implementation of the scheme. In reply to a question in this House, the Minister indicated that he has already given consideration to the matter and that the Government has agreed in principle to the proposal. I do not intend to go into that; I expect that the Minister will deal with it in some detail. One hopes the scheme will be operational very quickly and that it will provide generous support to young couples. When one speaks about young farmers, one is generally talking about couples. Most of the people who come to me in relation to the matter are husband and wife teams and in many instances the wives are at least as enthusiastic as the husbands. It is very much a joint enterprise and it is essential that it be so because it is impossible to run a farm successfully without a joint team of husband and wife taking an interest in the management of the farm, especially in dairying, but also in other areas. Through this scheme, financial assistance will be provided to young couples.

There is a question mark on the age criteria between 25 and 40 years. Already a number of older people have expressed interest in the scheme and I understand that there will be some flexibility. One hopes that the Rural Finance Commission will be generous in its determination of eligibility for loans under this scheme.

Another matter which is not touched on in the proposals of the Young Farmers Finance Council but upon which I would like to touch is the question of developmental finance. Many people have already purchased farm properties but need financial assistance for upgrading and developing those properties. Although the Commonwealth Development Bank of Australia provides generous support, as does the Rural Finance Commission, there would seem to be a need for more financial support in that area.

In moving the motion on behalf of the National Party, I hope the Government will move quickly to implement the young farmers establishment scheme because it is of vital importance to the future development of agriculture in this State, and it is the only way the Government will achieve anything like its projected 25 per cent increase in production. In addition, agriculture is of vital importance to the economic stability of Victoria.
Mr AUSTIN (Minister of Agriculture)—The motion moved by the honourable member for Rodney states:

That this House notes the Young Farmers' Finance Council Report and calls on the Government to immediately implement an effective young farmers' establishment scheme.

The House will recall that, some weeks ago, I tabled the Young Farmers Finance Council Report in this Parliament and that, since then, in answer to a question, I outlined the time-table for implementation of the recommendations.

The Government has approved in principle the recommendations contained in the report and I have stated that the time-table will be that an amendment of the Rural Finance Act will be introduced almost immediately; that will result in the administration being able to call for applications in June. The Treasurer has informed me that he will make some funds available in July, so that the first loans will be available in July. That is a very quick implementation of the report and its recommendations.

I was interested in the remarks of the honourable member for Rodney. Much of his speech was taken up with praise for both the present and previous Governments, and the steps taken over recent years in relation to agriculture and land settlement generally.

Mr Wilkes—The land settlement schemes were introduced by a Labor Government.

Mr AUSTIN—The implementation of the schemes has occurred during the terms of Liberal Governments since 1955. At least it shows that the honourable member for Rodney understands the problems of the farming industry. That is welcome after question time this morning when it was obvious that members of the Opposition benches are a little light in that area. Of course, there are no farmers among their ranks.

Historically, the Young Farmers Finance Council was established by the previous Minister of Agriculture and it was asked to bring down a report within twelve months. I commend the council on the way it set about its task and achieved that result. The attitude of the council towards the problem for which it was responsible demonstrates the excellence of its personnel. The honourable member for Rodney has already named the council members, but I should like to comment in relation to the council personnel because the job they did deserves special mention on the record.

The most impressive part of the task performed by the council was its steering away from the trap of advancing recommendations which would have included handouts, tax remissions, the waiving of rates and the general area of subsidies to the farming community. The council has shown responsibility by not falling into that trap.

When one considers the make-up of the Young Farmers Finance Council, one understands why it took that responsible attitude. The chairman, Mr Bob Balderstone, is well known to the farming community, having been a farmer himself, and is involved in farming responsibilities. He is President of the Royal Agricultural Society. Mr Frank Drum is a well-known wheat grower who has been involved in various farming organizations in the northern part of Victoria and is a man experienced in farming and farm politics. Mr Andy Finnin is a banker. The honourable member for Rodney described him very well. He not only has ability as a man with an understanding of rural matters and banking, but he is also very approachable. He encourages people in responsible positions to contact him for advice and assistance for people in the farming community and business, particularly small business, who need loans.

Mr Goddard, who is from the Goulburn Valley area, is a dairy farmer who has been associated with the young farmer movement for a long period. He has a sound practical knowledge of farming. Mr Stewart McArthur is a farmer who has also been involved in agricultural education over a number of years and has applied his practical knowledge and common sense in many areas of farming. Last, but not least, Mr Ian Morton, who has been Chairman of the Rural Finance Commission for a considerable time, is a council member. He
has a wealth of experience in that area and is held in the highest possible regard. I commend those gentlemen for the job they have done.

I shall not repeat the three main recommendations in the report. The honourable member for Rodney has already been through in detail the recommendations in the report and anybody who wishes to do so can study the report. It makes three main recommendations and the fourth relates to the lease-purchase system. It is recommended that that scheme be not implemented immediately, but that it be left until circumstances in the rural situation are more appropriate than at present.

The difficulty in such a system is that a great deal of money is involved and, with a given amount of money, one would be able to assist only a limited number of prospective farmers. A word of caution has been sounded in this regard because experienced farmers on the Government side of the House would understand that it is not usually wise to purchase property when land prices and stock prices are running at a high level.

Any experienced farmer would suggest that today is not necessarily the best time to be encouraging young people to buy properties and stock at high prices. The report lists the capital amounts that are necessary within certain ranges to provide particular types of farming enterprises. The top bracket is a sheep and cropping enterprise, which requires a capital cost of $300 000 to $400 000, which is a significant amount of money by anybody's standards.

Three key elements are involved in the implementation of this scheme. The first concerns Federal funding. A total sum of $10 million was recommended on a 50-50 State and Federal basis. I cannot speak for the Federal Government. I have written to the Prime Minister, and I understand that the Premier has also done so, requesting this kind of support. Honourable members of the National Party could possibly contact their Federal partners in the coalition Government to determine whether they can assist in persuading the Federal Government that it is necessary to make funds available.

The second element of importance is the extent to which State Treasury will be prepared to finance the scheme. Under the difficulties and restraints of the Budget and the financial problem that Victoria is now facing, the Government will be trying its hardest to get a fair deal in the Federal distribution of funds and to persuade Treasury to be more generous, but that will be a matter for future decision.

The third element is the way in which the scheme will be administered. The report recommends that administration be in the hands of the Rural Finance Commission. I wholeheartedly support that view. Experience over many years in farm and soldier settlement makes it the ideal body to carry out that administration. As I said, Mr Ian Morton leads that commission in a most efficient and practical way. We have an agreement, in principle, to adopt the scheme, but as this is a matter of Government policy I cannot say that the Government is adopting every recommendation in detail.

Mr Ross-Edwards—You are speeding everything up.

Mr AUSTIN—that is so. It cannot be done at once. I have been Minister of Agriculture for only a couple of months.

The advantage in having the scheme administered by the Rural Finance Commission is that it has experienced people who have been involved in that area, and also officers who have a tremendous amount of experience in selecting the right sorts of candidates and young farmers who are most likely to make a success of farming. That is a skill that is achieved only after much experience in that arena. That is built into the system, along with the important flexibility that would be provided by Rural Finance Commission administration. I am certain that the Government will accept that recommendation.
Honourable members are always talking about the role of agriculture in the 1980s. We frequently mention a 25 per cent increase in productivity and output over a decade or so. When an honourable member who is a farmer talks of 25 per cent in this House, it is only members on the Government side of the House who understand. One ought to say that increased output is starting from the point when the statement was made, not before. When one talks of 25 per cent, the response in country areas is fascinating. Some people do not fully understand what it is about and they concern themselves with the sort of capital investment that they may have to make to increase productivity or output.

The Government is talking not so much about production but about getting more results from what is already there; in other words, to increase productivity without increasing the capital investment. The Government does not intend to force individual farmers or groups of farmers to lift production suddenly by any set amount. There is plenty of opportunity for farmers and groups of farmers in certain districts of the farming community to use the bank of knowledge that has been amassed by the Department of Agriculture through the poor years of the 1970s.

During the mid-1970s, the department monitored and stored knowledge, but its officers did not go out to the somewhat run-down farming community and say, “These are the new technology methods by which you ought to lift your output”. That knowledge is still there, and the time is right for it to be made available to farmers today. That is what ought to be done through the extension services of the department.

It ought to be recognized that farmers, like people in business activities, make mistakes, and if those mistakes are restricted productivity can be lifted. A great deal of work also can be done on weed and vermin control. In the area where I farm, if an answer could be found to eliminate crickets, and the cricket plagues that occur in western Victoria, that alone would greatly lift productivity.

Mr Austin

In the areas of finding a better variety of cereal and pasture species and disease resistant wheat and other cereals, and in eliminating the losses that occur at harvest time, great gains could be made without increased capital investment.

Young farmers settling on the land will take advantage of the bank of knowledge, the technology and the modern methods available. There is a need for young farmers, and a scheme such as this will assure that some young farmers will settle on the land who otherwise would not have the necessary resources.

There is a reaction to this scheme in the editorial in *Stock and Land* of 26 March 1981. It states:

An exciting new plan to financially assist young people onto the land in Victoria was announced in last week’s *Stock and Land*.

This plan, first of its kind in Australia—It is important to note that Victoria is the leader in agriculture, and is the first to come up with a scheme of this type. Victoria has a closer settlement scheme. The article goes on:

will be one of the first big tests for the new economic growth policy of the Victorian Government.

Mr B. J. Evans—It was probably written by one of your P.R. men.

Mr Austin—It was not. It does not even mention the Minister of Agriculture. I mentioned earlier in question time this morning the situation in the dairying industry, which undoubtedly is the easiest primary industry of all in which to obtain figures on the trends and the changes taking place.

Mr Ross-Edwards (Leader of the National Party)—Mr Acting Speaker, I draw your attention to the state of the House.

A quorum was formed.

Mr Austin—There have been tremendous changes in recent times in the dairying industry, and those changes are more accelerated today than ever before. Changes in the industry have been extreme indeed. As the honourable member said, there was a fall of 25 per cent in dairy production and output in the past ten years, and it was reaching
a critical stage. There is now a levelling out, and certainly there will be an upturn in output in the industry in this State.

In the consumption of butter there was a fall off of 34 000 tonnes, and in cheese consumption an increase of 50 000 tonnes. In 1980–81 only 20 per cent of the total dairy production is available for export. I shall quote a few figures on the dairying industry, because, if this is put on record now, it will enable a comparison to be made when the policies of the Government, the activities of the Victorian Dairying Industry Authority, and the work of the United Dairyfarmers of Victoria are examined. These people are working towards an increase in the number of dairy farmers, an increase in the number of cows and also an increase in productivity.

In 1960, the number of dairy farms was 26 500. By 1970, ten years later, it had dropped to 19 000. By 1975, there was another substantial decrease to 14 800, and in 1980 it was down to 11 460. Quite substantial decreases occurred throughout that period. Even in that eight-month period of 1980–81, there was still a 3.8 per cent drop which compared with a 5.2 per cent drop in 1979–80.

In 1960 there were 960 000 cows, at an average of 36 cows a farm. In 1970, the number had increased to 1.2 million, an increase of 2.7 per cent, running at 64 cows a dairy farm. By 1975, the number had increased to 1.27 million, and in 1976, 1.295 million, an increase of 2 per cent, by then running at 89 cows a farm. From that point on, the total number of cows started to drop off, and in 1980 the total was 1.8 million, with 94 cows a farm. The number of cows per farm from 1977 to 1980 did rise slightly but not to any great extent. There was a change in the number of cows per farm from 36 cows per farm in 1960 to 94 cows per farm in 1980.

There was a real reason for the continued reduction in the number of dairy farmers and in the number of dairy cows. That reduction was caused not only by the general state of the dairy industry but also its history. A large percentage of dairy farmers were locked into a situation because there was no other way out. Those farmers could not use their land efficiently or economically to provide an alternative means of production. The dairy farms were worth so little in money terms that the farmers could not sell out and build houses, retire or enter some other activity. Therefore, those farmers were committed to dairying until such time as an upturn in the dairying industry arrived and they could sell out. That is why so many small dairy farmers, especially those who ran 36 cows per farm, were absorbed by farmers who owned adjoining properties.

Another aspect that affects dairying is the way of life it represents. Today more and more people are working fewer hours and there is more leisure time. Prospective dairy farmers or the sons of dairy farmers are not encouraged to work 7 days a week, 365 days of the year. Those farmers are unable to achieve more leisure time and an easier way of earning a living, unlike their colleagues in other industries. That is why dairy farmers are considering contract milkers and cows are being put out to pasture for longer periods of time.

The downturn in the dairying industry is being arrested. Young people will be encouraged to enter dairying because of the tremendous work that is currently being done to improve the technology that has been available. I cite the work being done by Dr Cockcroft at the Animal and Irrigated Pastures Research Institute at Kyabram and the herd improvement research station at Maffra. Those are exciting projects that will be of enormous benefit to dairy farmers in the future. Artificial insemination, herd improvement and feed planning are three definite ways in which productivity can be improved without the need for any great capital input or capital investment.

The name of the game today is productivity. The new, young and virile farmers will be supported, encouraged
and assisted by an effective young farmers' establishment scheme. Those persons will be in a position to take advantage of the bright future that agriculture faces in Victoria.

The honourable member for Rodney stated that the past policies of the Victorian Liberal Government had immensely assisted the farming community. One policy that has assisted the farming community more than any other policy is relief from probate duty, which was implemented in the early 1970s. The former Premier, Sir Henry Bolte introduced relief from probate duty by way of a 50 per cent rebate on stock, plant and land. In 1969 land tax was abolished for primary industry. The former Minister of Agriculture implemented the livestock marketing service, which has been of immense benefit to the rural industry. The past and present policies of the Government will ensure a bright future for agriculture and one which will encourage people to return to the land. That encouragement will be greatly assisted by the recommendations of the Young Farmers Finance Council. Therefore, I move:

That the words "calls on the Government to immediately implement" be omitted with the view of inserting in place thereof the words "commends the Government on its plans to implement".

The ACTING SPEAKER (Mr Wilton) —Is the amendment seconded?

Mr BURGIN (Polwarth)—Yes.

The ACTING SPEAKER—Honourable members speaking from this point on will be speaking to the motion and to the amendment.

Mr FOGARTY (Sunshine)—The report of the Young Farmers Finance Council is a substantial one that is full of merit and is the result of much research and work. I agree with the remarks made by the honourable member for Rodney. No other Government authority I have dealt with has provided me with more co-operation than the Young Farmers Finance Council. The chairman provided me with many details that were of immense assistance.

The Minister of Agriculture stated that honourable members on this side of the House do not represent the farming community. That situation will be rectified after the next State election. Through my experience in primary industry and rural Victoria, I appreciate the work undertaken by the farming community and the reliance Victorian's place on primary industry to provide decentralization and employment to help the economy.

In employment there is reliance placed not only in country areas but also in the metropolitan area upon the well-being of primary industry. Yesterday I addressed a meeting of past and present butter factory managers and secretaries. I made one point clear: Poachers make the best gamekeepers.

As a trade union official I was able to appreciate the reliance of country Victoria and of the work force in Victoria on our primary industries.

The recommendations contained in the report of the Young Farmers Finance Council are good. Although members of the Opposition have been accused today of being knockers, I believe the Opposition has, in any debate, offered sound constructive criticism and if there is to be criticism of anybody I would not level it at the council.

Talk about an increase from $5 million to $10 million is not criticism because it is a step in the right direction. The Opposition supports any proposition by the Government which is a step in the right direction and which will assist anyone, not only farmers. On the subject of cheap finance and making finance available for the farming community and acknowledging their role in employment and decentralization, there are other areas in Victoria that would also accept cheap finance with open arms, especially in the area of home building. If it were possible to generate enough finance to build a couple of thousand homes that would help the economy and the employment situation.

The Kellogg institute, when confronted with the proposals contained in the initial legislation passed by Parliament said, frankly, that in its opinion the Government was playing
around with the situation—that opinion was freely reported—and that the amount made available should be $100 million.

I have been in contact with all sections of industry with respect to this proposal and I think farm finance was highlighted in more recent times—when I say in recent times I mean when Mr D. Miner, Vice Chairman of the Saskatchewan Land Bank Commission, placed evidence before various authorities, including the Federal Government, on the scheme as it applies to Canada. Canadians are akin to us in many ways but the climate and the conditions applying to primary industry in Canada are different.

When the Saskatchewan land bank scheme was first initiated it was a time of deep depression in primary industry in Canada. Since then the scheme has been able to maintain itself due to the escalation in inland prices and has been a valuable factor in farming in Canada. I must relate that to the future. At this stage the Opposition accepts the recommendations in the report but it has not seen the proposed legislation and therefore it reserves judgment until the proposed legislation is brought forward. It will oppose the amendment.

I now move away from the area of the Young Farmers Finance Council to an area where there is more reliance on providing finance. The Government’s counterparts in Canberra are in favour of a good firm finance scheme—national in character—that would extend to all areas of agriculture. In recent times Dr Miner came here and raised a lot of comment. That is the opinion of the then Federal Minister for Agriculture which was reported in the Australian on Wednesday 25 April 1979, under the headline “Sinclair backs new land bank to help farmers”:

Australia could soon have a radical new country bank dealing in real estate following talks in Sydney yesterday.

... 

Basically, the land bank would operate to negotiate sales of land and the leasing of land in a bid to keep young farmers on properties in the bush.

... 

Last weekend the details were spelled out for Mr Sinclair who said that despite some obvious difficulties, the scheme had potential.

The land bank would work with existing rural and financial institutions.

It is probable that it will be set up inside existing institutions such as the Federal Primary Industry Bank.

I sincerely hope that Victoria’s Minister of Agriculture works faster than his Federal counterpart. That is about the same time—25 April 1979—that his boss the Premier made some startling predictions about providing meat works at Geelong. I hope the Minister of Agriculture acts faster than the Premier. From 25 April 1979 the Federal Government was interested in the land bank and it was its intention to introduce legislation to deal with a land bank. I received a letter from Don Day, Minister for Agriculture, New South Wales, dated 30 May 1979 enclosing a copy of a letter to the Treasurer of New South Wales in which he states:

The pressure being brought to bear on all Governments, both State and Federal, to assist young people on to the land by means of a system such as the Saskatchewan Land Bank have intensified recently following the visit to Australia of Mr D. Miner, Vice Chairman of the Saskatchewan Land Bank Commission. As you are probably aware, the Rural Youth Movement in Australia investigated schemes around the world that would be the most feasible to introduce into this country. The Saskatchewan Land Bank Scheme was one of the most helpful to young farmers, as the whole province of Saskatchewan is very dependent on agriculture, and hence very devoted to the continuation of a particular agricultural status quo.

That shows that the Commonwealth Government and one of the leading States in Australia are interested in a lease land bank scheme.

Tasmania has the Closer Settlement Act 1957 which is a type of land bank scheme. Naturally, being a small State with limited finance only a few farmers—I am not talking about the small proposals before us—seventeen in all, have utilized the resources of the Closer Settlement Act in Tasmania. Although the Minister has gone into great detail about the attitudes of farmers and farm groups towards the proposal, I inform him that the United Dairyfarmers of Victoria had different ideas. Once again at the risk of repetition, members
of the Opposition are not knocking the recommendations of the council; they are trying to get the Minister off his backside and to do something bigger.

Honourable members interjecting.

Mr FOGARTY—The Minister has only had the job for a dog watch. I wish to quote a comment by Mr Pyle, President of the United Dairyfarmers of Victoria which appeared in the NEWS United Dairyfarmers of Victoria:

Mr Pyle emphasized, the UDV does not want additional land opened up for dairying or farmers established in uneconomical areas, but what is required is the opportunity for men with experience to add to the future of the Australian Dairy Industry.

Loans to such potential farmers should be based on 75 per cent of the ingoing cost with interest rates and capital repayments fixed at a level which will enable the farmer to remain viable.

About twelve months ago the United Dairyfarmers of Victoria wrote to the then Minister of Agriculture. It was interested in finance as it applies to young farmers. Its proposal was for an amount of land under the control of the Rural Finance Commission which was left in the land of limbo for some time.

The sitting was suspended at 1 p.m. until 2.4 p.m.

Mr FOGARTY—Before the suspension of the sitting, I was referring to a letter from the United Dairyfarmers of Victoria and the relationship of that organization with the Heytesbury scheme. I appreciate the points of view placed before the Government by the United Dairyfarmers of Victoria. In the final stages of completion at Heytesbury, a number of farms had been left unattended for a number of years and the United Dairyfarmers of Victoria requested that the farms be occupied. I remind honourable members that large tracts of land had been acquired at Heytesbury. It was top-class land and it could have been used for the benefit of agriculture in the future.

During my discussions with officers of the Rural Finance Commission over the past couple of days, I have been informed that it is the intention of the commission to sell that prime, first-class land. I suggest that the funds which have been expended on that scheme could have been better utilized to promote some other farm finance scheme. However, those funds have now been disposed of on that scheme and that possibility no longer exists.

The Heytesbury scheme was one of many schemes which applied to farm finance in Victoria. Going back many years, Mr Deputy Speaker, when you were only a twinkle in your old man's eye, there was the soldier settlement scheme after the first world war. That scheme was introduced in many areas, particularly in the Wimmera, and also applied to "blockies" in Mildura.

Reference was made by the honourable member for Rodney to the soldier settlement scheme of the mid-1940s. That scheme was under the control of the State Government through the then Rural Finance and Settlement Commission but was financed under the jurisdiction of the Federal Government. Under that scheme some 6000 farmers were settled in Victoria. That was the first-class scheme under which 2 per cent was paid off the interest, 1 per cent off the principal and repayment of the loan extended over a period of 55 years.

Naturally with the prosperity of various industries over a period of time, basically the scheme has been finalized, except for repayments of the principal. As I have stated, it was a first-class scheme because it enabled returned soldiers to establish themselves on the land even though they possessed little finance. The land used in the scheme was good virgin land which was able to be cleared and used for farming.

That is the type of scheme which the Labor Party, the Socialist party, envisages because it means the State can buy land en masse. It can be leased or sold to the people who are able to work the land and therefore benefit themselves whilst also benefiting Victoria. Such a scheme would also contribute immensely towards overcoming the unemployment situation which confronts Victoria at present.

The last large tract of land purchased by the Rural Finance Commission was for the Heytesbury scheme. There were four separate areas in, for want of
a better word, the closer settlement scheme which included Heytesbury and Rochester. That also was good virgin land which could be cleared and brought into production.

Furthermore, the days of cheap finance have gone—they have disappeared. Whilst honourable members may speak about the good old days immediately after the second world war when the heroes returned and were promised the world, a better way of life and finance was provided to enable them to go on the land, but honourable members should realize that the days of cheap finance for schemes such as that have disappeared.

In the main, whether Victoria establishes a land bank scheme, a finance scheme or however one describes it, the piper must be paid. The money must be obtained from somewhere and the interest rate as determined must be paid. I know of no other way out of the predicament facing the rural areas in Victoria.

No matter from where one borrows the money, no matter what institution handles the money, be it the Primary Industry Bank of Australia Ltd, the Commonwealth Development Bank of Australia, the Rural Finance Commission, the various trading banks or lending authorities, someone must first obtain that money at a rate of interest and the laws of nature provide that that interest shall be passed on. There is no doubt that the person in the middle has to pay. In trade union circles we call that person the worker but in farming circles that person is called the farmer.

To amplify the situation confronting the farming community in Victoria, once again I refer to the report of the United Dairyfarmers of Victoria. The Minister of Agriculture made reference to sections of another report. I am disappointed because the honourable gentleman is a good fellow but, unfortunately, when he commences to intermingle reports with diatribe about a 25 per cent increase in productivity, he belittles himself and his comments do not warrant consideration.

The United Dairyfarmers of Victoria report clearly states that in 1976-77 the net reduction in farmers leaving the industry was 777. It reached a peak in 1977-78 when the net reduction of those farmers leaving the industry over and above those entering was 980. In those days, the dairy farmer received about 75 cents a pound for butterfat and he was on the breadline. When comparing calculations of productivity in other areas, I hope the Minister of Agriculture will also relate them to possible markets he may be able to get for the goods he is proposing to obtain. In 1979-80, the net reduction of farmers leaving the industry over and above those entering was 585.

The burning question is what makes a farmer leave the industry. One of the main points debated today is that the number of farmers in the industry has decreased because prospective farmers cannot obtain the finance to go on a farm.

Mr Whiting—At a reasonable interest rate.

Mr FOGARTY—My son cannot buy a house at a reasonable interest rate, either. The Minister of Agriculture states that he will cure all ills by boosting production, having better bulls and so on, but when a farmer leaves a farm, there is no one to take his place. Is it because in 1976-77, as a result of the actions of the Liberal Government, the dairy farmer was receiving a lousy 75 cents a pound for butterfat as the Government could not control the type of manufacture? It allowed milk factories to be built from one end of Victoria to the other where the main product was butter and the subsidiary product was skimmed milk powder, which was produced everywhere and there was no market for it.

When talking of young farmer finance and the need for young farmers to be on the farm, there has to be some relativity to the cost structure. It is no good putting farmers on the farm unless there are markets for the goods produced. To this day, the Minister of Agriculture has not informed the House how he will dispose of the proposed 25 per cent, which is 5 per cent less than the productivity
rate was five years ago, whether he has the markets for goods and whether he will get a good price—whether it will be 75 cents a pound for butterfat or $3 a kilo for butterfat as at present.

According to the statistics, an average farm consists of 116 hectares, has an investment of 123 cows and costs $254,644, the deposit for which is $84,881. The borrowing required is $169,763. The loan structure for a trading bank is $90,000 and for the Commonwealth Development Bank of Australia it is $790,763; the interest rate for a trading bank is 12.5 per cent over twelve years, which is $14,676 and for the Commonwealth Development Bank of Australia it is 12.5 per cent over twenty years, which is $10,946. Farm costs, including herd, sheds, feed costs, employed labour or sharefarmer, repairs, maintenance and so on, total $26,457. The total cost to enter dairying is $62,479. The income from 123 cows is $48,567 and the shortfall in income is $13,912. The increase in income required to service loans is 28.6 per cent.

A dairy farmer requiring a farm—an average farm according to the statistics—has to have a deposit of $84,000. However, on the figures to which I have referred, there is no hope in the world that he can break even under any circumstances and that is the thrust of the question. The prices paid to the farmer for the goods he produces are not enough and do not give any incentive to the young man to go on the land.

Statistics also demonstrate that the slice of the lending cake fell by 30.1 per cent in 1949–51 to 17.5 per cent in 1973. It remained almost static and then shot up with the recent increase; the 1978 figure is 19.2 per cent. No matter which way one studies it, finance is hard to come by. No matter what area of life, money is hard to obtain. The concentration of the Government in its short stay in office in the future is to implement, as an interim measure only, the recommendations of the Young Farmers Finance Council. The Government is playing with the real problem. The problem is that people are leaving farms by the droves. They want a new way of life in the city.

The prices they get for their products are not enough. They are going through a temporary boom now but, while reference is made to the poor cocky driving a Rolls Royce, there are depressed times.

Mr Coleman—And times when they have never had it so good!

Mr Fogarty—Only five years ago, the farmer had the backside out of his pants. He was receiving only 75 cents a pound for butterfat and many farmers were shooting their cows in the fields. That was under a Liberal Government!

Honourable members interjecting.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! Honourable members are enjoying the contribution of the honourable member for Sunshine and I would appreciate them listening to him in silence.

Mr Fogarty—The Young Farmers Finance Council issued a good and honest report that contains substantial recommendations with which the Labor Party agrees, including stock and equipment finance, a part-time farm as a stepping stone, and so on and the Labor Party agrees with the council's three basic recommendations. It is time the Government did something constructive and substantial to alleviate problems faced by young farmers by implementing a scheme such as those introduced by the Cain Labor Party Government in 1946, which did so much for the prosperity of Victoria. If the Minister of Agriculture can introduce a constructive scheme, he will have the support of the Labor Party.

Mr BURGIN (Polwarth)—In any discussion of a young farmers finance scheme, one should take into account some of the background to the rural industry, both in Australia and in Victoria. It must be borne in mind that the additional production that the young farmers will create will have to be absorbed in markets at good prices and that technology will need to be available to assist those farmers. In other words, we must have a broader look and not just place people on farms.
A good pointer is provided in *Farm Focus: The 80's*, published by the National Farmers' Federation. Some of its policy objectives are:

To increase farm profitability and so improve general living standards by providing high quality food and fibre to the Australian community at competitive prices and by efficiently earning export income.

That is an excellent objective. The next objective is:

To improve the competitiveness of farm products, especially in export markets, and to ensure Australia's reputation as a reliable supplier.

Farmers are not the only persons involved in that latter objective because it has a broader meaning. Union action, working hours in Australia and other factors have some effect. I shall touch on that matter later.

The other objective that is worth noting is:

To achieve a major expansion of Australian agriculture.

Several speakers have questioned Victoria's hopes of being able to increase production by 25 per cent over a ten-year period. This vast body of people throughout Australia, the National Farmers Federation, suggests that it can be done. To achieve it, we must have growth markets at good prices and people who are able to market products adequately.

When considering the provision of assistance to young people entering farming, one must take also into account farming prospects Australia-wide. Again I quote from *Farm Focus: The 80's*, which reads:

Farming, the dominant force in the development and achievements of this country, is still Australia's largest single industry.

That should not be forgotten.

More than one million jobs are directly or indirectly dependent on farming.

What a vast industry farming is!

. . . With their dependants, nearly three million Australians depend wholly or partly on the farm sector for their livelihood. In terms of national income, the figure would be $30 billion in 1980.

What a vast contribution the farming community makes, both to employment and to financing this country.

The Australian farm sector stands at the threshold of a new phase of dynamic and expansionary groups. New crop and livestock possibilities exist; new technologies are ready for adoption; and new market opportunities are waiting to be developed.

That is exactly what the Minister has been saying. It is also being said Australia-wide by a group of people who have assessed the whole farming situation for the 1980s.

The Victorian Government, through its Department of Agriculture and its policies, has been preparing the way for this increase in productivity for perhaps the past ten or fifteen years. It has been doing this through the establishment of agricultural colleges throughout the State, the vast number of short courses that are now available to farmers, the establishment of diagnostic centres and the reconstruction of the Department of Agriculture. This spreading of scientific and management knowledge throughout the farming community has played and will play a major part in allowing the increase in production to take place throughout Victoria. It will also enable farmers, particularly young farmers, who are able to take advantage of the courses, to have the knowledge and expertise to become more successful farm managers.

Over the past ten or fifteen years farming has changed from a way of life to a business enterprise on farming land that is still enjoyable to many people. The farmer of today has expertise and knowledge to be able to make management and marketing decisions adequately.

Over this time it can be said that a quiet revolution has taken place in farming in Victoria. Through the assistance that has been given by rural finance to the farming community, by re-arrangement of finance and by farm build-up, the farmer has been assisted to compete adequately during times of high inflation. Mainly through expertise and technology the farming community has been able to keep its head above water.
during periods of high inflation. Later I shall touch on the different thinking of the farming community and of the trade union movement.

I do not believe any honourable member can say or has said in this Parliament today that the agricultural sector in Victoria is inefficient. At this time Victoria has an extremely efficient agricultural sector. Unlike many other sectors of the economy, it needs little or no protection to compete successfully on domestic or overseas markets. More than 60 per cent of Victoria’s $2500 million export income is derived from rural exports. In Victoria 90 000 people are employed, including more than 45 000 farmers. A further 55 000 people are involved in food processing and manufacturing based on agricultural products. One realizes what a vast sector the farming community supports and how vital that sector is to the well-being of Victoria.

Under the umbrella of the present Government and of Government’s of the past, agriculture has been a major Victorian industry with an output of more than $2000 million a year. It has a potential for growth to help this State economically. Additional agricultural production of more than $500 million a year is possible. The multiplying effect of that production would provide an additional income of over $1000 million for the Victorian economy.

These measures are possible because of the input into the Victorian agricultural community through the Department of Agriculture in the form of pasture improvement, soil fertility and a whole list of other activities, and have been presented to the farming community in a basic way so that farmers can now manage their properties efficiently. This enables farmers to take better care of their soil and to take advantage of new techniques that help to increase production.

I believe I have fairly reasonably covered the role that agriculture takes and the role the farmer plays in Victoria. However, no matter how we handle increased production within the farming community, farmers are still at the mercy of outside forces. Increased productivity requires a supply of markets on a continual basis.

When a union prevents live sheep exports and is willing to stop rock superphosphate delivery or the potash delivery, as is happening now, these activities are a block in the system outside the sphere of influence of the farming community. If the Opposition is genuine in what it says and wants to help young farmers to establish themselves on the land and to help farmers generally, honourable members should hear its voice on these matters. These are some of the largest problems the farming community must face.

I mentioned earlier that through greater technology and increased productivity the Victorian farmer has been able to keep pace with inflation. The farmer has never adopted the view that because he was increasing productivity through technological advances he should work shorter hours. That thought has never come into the head of a farmer. Farmers are willing to work the same hours—often seven days a week—to achieve that additional productivity.

The unions, wishing to have a 35-hour week, are willing to trade off productivity against shorter working hours. A farmer often works for 35 hours in two days. If people in those industries could achieve greater productivity by doing away with a lunch break or doing away with a fellow unionist standing beside a worker while he is fiddling with something, in order to work shorter hours, they should have done so long ago and helped to reduce inflation and increase production in Australia.

That is not the way it is. They are willing to trade off those little things that have been won to obtain shorter hours. What a ridiculous situation when one compares that attitude to the attitude of the farming community which has been willing to increase productivity tremendously over the past few years. Farmers never think of trading hours for productivity; they are quite willing to work long hours. If this notion could be instilled into people
throughout the entire community, Australia would become a country again and begin exporting, which would lead to a better life than we have now.

Different sources question the productivity rise which has been suggested by the Government of 25 per cent over a ten-year period. I believe this is possible. I base that view on a number of assumptions. Members of the Opposition should listen to what I am about to say because the honourable member for Sunshine was one of the people who questioned the achievement of 25 per cent productivity over ten years. I suggest that the honourable member for Sunshine listen carefully.

Over the last three decades Victoria has increased productivity by an average of 4 per cent a year. The Opposition is questioning whether the farming community, with added technology and know-how, can increase productivity by an average of 2·5 per cent in the next ten years. Honourable members should think about that point.

The Government has suggested this; there is no way the Government is saying that one will increase productivity by that amount. The Government is suggesting it can be achieved. I believe it can be achieved so long as the industry is not caught up by other outside factors that will stop such an achievement taking place.

Mr B. J. EVANS (Gippsland East)—On a point of order, the motion and the amendment before the House are concerned with placing young farmers on the land. I suggest that the honourable member is using the notes he had prepared for the next motion on the Notice Paper.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! There is no point of order.

Mr BURGIN (Polwarth)—Thank you, Mr Deputy Speaker. I am about to relate my remarks directly to assisting young farmers to establish themselves on the land. Before I was interrupted I was saying that the 25 per cent increase in production over ten years can be achieved by encouragement from a Government that has initiative, and by the expertise and technology that farmers have available today. Their activities are assisted by the dissemination of information from the Department of Agriculture.

They are also assisted—perhaps even more so—by the assistance given to young people to take up farming in Victoria. These young people will have the benefit of improved expertise and the ability to increase production. Of course, the Government will have to make sure that markets are available with good prices. The average farmer today has the knowledge and ability to assess that situation for himself.

Some people have asked where this extra production will come from. Members of the Opposition do not have any representatives in country areas, and it may be of interest to them to know that techniques are available today, especially in the Western District, which enable farmers to turn to many forms of grain growing which fit in with grazing interests.

Another area is assisting young people to go onto the land, especially in the dairying industry. A few years ago, of all the Ministers of Agriculture, only the Victorian Minister and his committee chairman—who happened to be me at the time—were in favour of keeping the dairying industry going in Victoria. The Opposition and the National Party were against people in the dairy industry continuing with their work. We were beaten on this issue and had to come into line. However, six months later Australia was short of dairy products; it was the most short-sighted decision ever made by the Federal Government, the dairying industry and the Opposition.

Honourable members have before them today an excellent report from the Young Farmers Finance Council. The motion moved is almost out of order, and I can understand the National Party not wanting too much to be said on the subject. The Government has intimated that it is already doing practically everything proposed by the motion, and that was announced some time ago. I expect the first loans will be available during June and July.

Mr Hann—that is not immediately.
Mr BURGIN—Is it not? The honourable member for Rodney is trying to suggest that a responsible Government should go precipitately into the scheme.

Mr Hann—I did not say anything about a responsible Government.

Mr BURGIN—The Government is used to such suggestions from the National Party! The honourable member is suggesting that a responsible Government should, without undertaking any research, race into a scheme that may or may not help people.

Mr Hann—I am not suggesting that.

Mr BURGIN—That is exactly what the honourable member for Rodney said. The report was presented to the Government within the time allowed; it was presented on 18 December, just before Christmas.

Mr Hann—Why did it take two months to get to Cabinet?

The ACTING SPEAKER (Mr Richardson)—Order! I ask the honourable member for Rodney to cease interjecting.

Mr BURGIN—Since that time, with the Christmas break in between, the Government has accepted the recommendations in principle and has announced that a start will be made on that scheme. The Government during this session will propose legislation to Parliament that will allow the scheme to come into effect. There is no need for me to go through the names of the members of the council. That has been adequately covered by previous speakers, including the honourable member for Rodney, the Minister and the honourable member for Sunshine who have all complimented those people on their ability and on the work done in presenting this report.

I consider this report a valuable document for the future. It is not a big report; it is precise and concise but it covers everything that should be considered in setting up a scheme of this nature. The proposals and the way they have been put forward have and should have the support in principal of Parliament, and it has been intimated that Parliament will receive the report in that way. I offer my compliments to the group of people who have done the excellent job of preparing this report.

I am pleased that the honourable member for Sunshine mentioned the Heytesbury land. It might have been better if he had visited the area and inspected the land, but what he says is substantially correct. I am glad that the objective I would like to achieve is the same as that of the honourable member for Sunshine. I would consider it an honour if he would help me at a later stage. The land available in the Heytesbury settlement is all under pasture. That was all done some years ago. It is not sitting idle; cattle graze on it. Some five properties have been sold from it. However, there are still approximately 9700 hectares left in that area under grass. Probably five-eighths to three-quarters of that land is highly suitable for dairying and should be used for that purpose. The rest may be becoming a little light.

I agree with the recommendation of the council that now is not the appropriate time, because of high land prices, to introduce a land bank type of scheme to assist young farmers. The available land in the Heytesbury area should be brought into the scheme as part of that land bank. The Government holds land that could be used to assist the establishment of a land bank at this time and young people could be put on that land on a lease basis with very little alteration to the cash flows to Treasury.

Mr Burin
In that way, more could be done with these schemes than if the land were sold off to just anybody—to people who may not be young or who may have money to buy land elsewhere. I shall continue working to have that land returned to dairying use. It should never have gone out of dairying and I hope that, in the near future, it will be announced that it is to be brought in as a type of land bank for the third part of this excellent scheme.

I compliment the council on the scheme it has advanced and the recommendation it has made. It is an economic and sensible set of recommendations. Although young people must have help initially to buy a farm, the farming community must eventually be able to obtain the right prices in the commercial world to allow it to stand on its own feet.

Mr WHITING (Mildura)—This debate has been rather unusual. The National Party spokesman, the honourable member for Rodney, moved a motion. I wondered whether the honourable member for Polwarth read the motion properly, because it asks the House to take note of the Young Farmers Finance Council 1980 report. The Minister of Agriculture has moved an amendment, and the House is now in the process of discussing all and sundry matters around the whole State. Given the importance of agriculture in Victoria, that discussion is not a bad thing.

Nobody would disagree that the report of the Young Farmers Finance Council is well prepared, well presented and excellent; the members of the council, with their expertise, have proved that they understand the situation. Honourable members are not worried about that aspect. The National Party is concerned that the Government has not acted quickly enough, not only on the report, but also on a promise that was made during the last State election campaign that a young farmer establishment scheme would be implemented.

It is now two years since the last State election and, to the best of my knowledge, two young farmers have been supported under the scheme in their farming pursuits.

Mr Austin—Action on the report has been quite quick.

Mr WHITING—I agree that action on the report has been quick, but it is interesting that it was not until the motion of the honourable member for Rodney appeared on the Notice Paper that the Minister gave notice of Orders of the Day Nos. 12 and 13.

The National Party is happy that the motion has had that effect on the Minister, because otherwise he would be taking it quietly and enjoying himself. We have had no quarrel with the actions of the Minister of Agriculture to date. It was his predecessor who concerned us. That Minister has had troubles with many portfolios. Any blame for the delay in the implementation of the young farmer establishment scheme must lie with the predecessor of the current Minister, the Minister for Economic Development, who has earned himself a nickname in the past week or so.

The National Party cannot accept the amendment moved by the Minister of Agriculture. All it does is pat the Government on the back for having plans that it has not yet implemented. That is an unusual way of seeking self-aggrandizement. The honourable member for Rodney should be commended for his motion. It should be noted that the important word in the motion is "effective", which is used to describe the young farmer establishment scheme. Such a scheme has not yet been implemented. The National Party hopes that with more pressure exerted on the Minister and other Government supporters, the scheme may be a success.

The only query I have about the report of the Young Farmers Finance Council is the funding situation. That is vital to the success of the project. The amount mentioned as an assisting package is $10 million. The report states that this would accommodate 250 applicants at an average of $41,000 each. Therefore, I presume that the $10 million will
be used in the first year and that the first year of operation will start from 1 July, as the Minister of Agriculture and the honourable member for Polwarth have said.

It is two years since the promise was made at the last State election and now the first serious allocations to the scheme will be made. If the $10 million is made available in the first financial year, the scheme will be a success. I hope honourable members on the Government side of the House may have some influence with the Federal Treasurer. If they cannot squeeze something out of him, they will blame him for the failure of such a scheme. Those members are indicted by the motion of the honourable member for Rodney. Therefore, honourable members ought to support the motion and take no notice of the amendment moved by the Minister of Agriculture.

Mr WILTON (Broadmeadows)—In the history of Parliament, this subject has had more attention and has been the subject of more debates than any other issue. The question of land settlement has concerned many farmers over the years. Some have had successes and quite a number have had failures. In his contribution the honourable member for Rodney indicated that some of the early land settlement schemes were failures and some succeeded. He referred to the Wimmera and Mallee schemes as failures. By interjection I indicated that I did not consider that he understood the history of land settlement in that part of the State.

The honourable member implied that the main cause of the failure of land settlement on that occasion was the size of the blocks allocated, which was 640 acres, or a square mile. The honourable member for Rodney seems to imagine, as do most of his colleagues, that they alone appreciate the rural economics and needs of the State, so I shall state my understanding of the history of the country in which I grew up.

One could say that as a result of its tunnel vision, in the time that I have been in Parliament, the National Party has been reduced to what is now a political rump in the body politic of Victoria. One of the most significant problems for settlers in wheat growing districts was not the size of the area but the market forces that prevailed, the seasonal conditions and, in some instances, their lack of knowledge of land use. Most significant changes have occurred in primary industry as a result of progress in scientific knowledge from research work and changes that have occurred in marketing techniques and market forces.

One of the most significant events in Australian agricultural history and agricultural marketing was the establishment of the Australian Wheat Board, which brought the wheat farmer out of the poverty bracket so that the economic returns for his efforts created the affluence which the present-day wheat farmer enjoys and which his grandfather never experienced. That was the most significant change in that industry.

The second most significant change that occurred in the wool industry was the introduction of the reserve floor price scheme. It is significant that both of those schemes were introduced by Labor Governments in the national Parliament.

Mr Williams—A wheat grower from the Wimmera helped you.

Mr WILTON—The honourable member for Doncaster is getting his dates mixed. He is a little premature. If he checks up on his history he will find that the particular wheat farmer he is referring to was the one who was instrumental in bringing a change in the national Government at the time when Australia most needed it, at the beginning of the second world war.

Unfortunately the Government’s track record on land settlement and agriculture in general is not good; it is deplorable. Honourable members have heard a lot today about the land bank scheme, and reference was made to a report from the Young Farmers Finance Council. One could describe the early soldier settlement scheme as a form of land bank where the State, through the agency of the then Soldier Settlement
Commission, acquired large tracts of land, developed them to an initial standard that was considered to be at that time an economic unit, and then allotted them to the successful applicants on very attractive financial arrangements.

Talking about financial arrangements, when it comes to interest rates, one has to consider the current Australian Savings Bond rate. With the escalation of interest rates, I would caution the Government that, if it were to implement a finance scheme whereby young farmers were to be given financial assistance at that rate of interest, they would be put at risk in maintaining their farms as economic units. The soldier settlement scheme gave assistance to farmers at an attractive rate of interest, at 3 per cent or 4 per cent, over the term of the contract, which was 30-odd years. It made a significant difference whether the farm would remain an economic unit, become a liability, or, even worse, whether the farmer faced bankruptcy.

In my time in this place I have seen the Government implement measures that have restricted production. I refer to the wheat quota scheme legislated in this Parliament by the present Government, which restricted the production of grain in this State. It ultimately robbed the wheat farmers of many millions of dollars, because, once the upturn occurred in the international market-place, there was not the wheat in storage to offer that market as a result of the curtailments that prevailed under the wheat quota scheme.

When the Victorian dairying industry was in the doldrums and a significant downturn occurred in that industry, the Government offered cash subsidies to farmers to shoot their stock. This destroyed the breeding herds. That has been the Government's record in the primary industries. In formulating policies it has never been mindful of the downturns that will occur. It has never formulated long-term policies to assist the farmer and to cushion him when a downturn occurs in the industry. The Government has lurched along with band-aid policies and measures to overcome immediate crises, which the industry, through the farmers' organizations and through the people who led those organizations, on many occasions warned the Government about.

I recall the great battles in trying to convince the Government of the urgency and the need for one grain handling authority in the State. That took a prolonged and protracted battle, not only inside the Parliament but outside the Parliament at the various farmer organization conferences.

One of the great problems facing Victoria in the availability of land for primary production is that, while the demand for land is increasing, the land available is decreasing. In some instances it is brought about because of the competition that exists within State bodies and authorities. For instance, the Forests Commission requires considerable areas of land for timber production and the water conservation authorities also require considerable areas of land for water conservation programmes, so that they become competitors with the agricultural industry for the use of land.

The other factor is that, for too long, considerable tracts of land in this State have been underused, and the Western District is a classic example. Large property owners in that part of the State are under-using their properties and have been doing so for many years.

Mr Ebery—That is a matter of opinion.

Mr WILTON—It is not a matter of opinion, it is a matter of fact. If the honourable member is prepared to spend one week-end with me, I will show him six properties in the Western District where the production, without increasing the land size, could be increased by 25 per cent in one season. The owners freely admit that there is no incentive for them under the present taxation system to increase their production, and at times when the market forces take a down turn, there is a further disincentive for them to go into production. That is well known in the industry. The honourable member might wish to take the trouble of visiting the
Western District and seeing the situation for himself. If he then cannot understand, he has not got the capacity to come to grips with the position.

The other factor is the rising price of land, and this is also affected in various ways. In some instances, because of the athletic features of the people, it becomes attractive for certain persons who have not had a traditional association with the agricultural industry. Those people have the financial capacity to purchase attractive properties at inflated prices. Anyone who has been associated with a farming district would know that land prices are increased substantially when a property is put on the market and it is purchased by someone who does not have a traditional association with the agricultural industry but does possess the necessary economic resources to purchase the property, regardless of its productivity and regardless of the economic return from it. That is what occurred before the taxation system was restructured. Benchmark prices were established for properties and farmers expected to realize that benchmark price.

After listening to the comments of the Minister of Agriculture and the honourable member for Polwarth, one can only assume that the Government is at odds with one of its members. The Minister's amendment indicates that the Government has given low priority to the assistance of young farmers. The amendment is indicative of the Government's reluctance to immediately implement an effective young farmers' establishment scheme. The amendment, if agreed to, would mean that it could be years before such a scheme is introduced.

The honourable member for Polwarth said that he was impressed with the report of the Young Farmers Finance Council and that he held the motion in high regard.

Mr Fogarty—He was very socialistic in his outbursts.

Mr Wilton—There is hope for the honourable member for Polwarth. Honourable members on this side of the House never give up hope and that is one of the most endearing features of the Opposition.

The issue of land settlement has been debated from the time Victoria obtained its first independent Government. The debate will continue for years to come. The volumes of Hansard are full of speeches made by honourable members through the years who have spoken on land settlement. One must recognize the prevailing problems of market forces. Too often the market forces are determined by a group of people who exploit primary producers in such a way that the exploiters receive the greater financial benefits from the efforts of the primary producers.

On many occasions honourable members on this side of the House have stated that exploitation will continue until such time as the Government is prepared to come to grips with the question of marketing primary products in a manner that will ensure primary producers receive the maximum return for their products. I have cited the wheat industry as a classic example of what can and has occurred over the years. The same comments apply to the wool industry.

The Minister of Agriculture would know what conditions the wool industry was in prior to the introduction of the reserve floor price plan that was introduced by the Whitlam Government. Prior to the introduction of that initiative, the wool industry had virtually collapsed because of manipulation in the market place. For example, in Western Australia, thousands of acres were brought under wheat production for the first time because of manipulation of wool prices in the market place.

Australia is committed to exporting a high percentage of its total primary production and, therefore, the primary producers are subject to the variables that occur in the international market place. For example, political decisions of foreign governments can affect the overseas price of Australia's primary products. It is essential that the Government should establish marketing agencies that are controlled by the producers. It is totally unsatisfactory
to leave the primary producers to the mercy of the so-called private enterprise system.

Numerous reports have been compiled on primary production and its marketing. The Government has failed to act upon the recommendations of those reports. The marketing of livestock is an example of the Government’s failure to act upon the reports. Agricultural economists conducted a detailed examination and compiled a report of the marketing system at Newmarket, Sydney and Brisbane. The report that ensued highlighted the confusion that occurs in the market place to the detriment of the grazier.

How does one encourage people to enter farming? It is a much more complicated question than merely making sums of money available for persons to purchase farming properties or pieces of land. The land must be developed into an economic unit of farming. The Liberal Government has a notorious record of failure after failure at Federal and State levels. The Liberal Government has been in power much longer than the Australian Labor Party. The Victorian Government has done nothing but indulge in a series of semantics. I suspect that the speeches by the Minister of Agriculture and by the honourable member for Polwarth are repeat performances and an exercise in semantics.

The Government has not come forward with any practical proposition. The crisis in agriculture has developed because of political decisions made by foreign powers and climatic conditions, which cannot be controlled. Unless proper planning programmes are implemented at the Federal and State level, the primary producers of Australia will continue to suffer bad and good seasons.

It is to be hoped that one day the primary producers will realize that they have not benefited from the policies of the political parties they have traditionally supported over the years. Over the years different State Governments have had a tendency to go their own way and implement programmes that have been politically motivated in the hope of securing extra votes as a result of the announcement of half-baked plans which, when implemented, become a financial liability.

I am happy to approve the scheme if all aspects of putting people on farms are going to be worked out. If the Government thinks that by releasing a few million dollars it can put a young farmer on a property and expect him to meet the 12 per cent or 13 per cent interest rate payments on the money lent, it is not only deceiving itself but also the young farmer. The worst feature of the thinking of the Liberal Government is that it does not want to come to grips with the problem. Perhaps it does not have the capacity to come to grips with it, or is not prepared to.

The Labor Party is in favour of establishing farmers in an economic situation where they can remain viable. That involves more than releasing a few million dollars and holding out a carrot to a few young people who hope they will be able to get into a farming situation where they can make some sort of living. As I said, it is much more involved than that and the sooner the Liberal Government can demonstrate that it does have the capacity to come to grips with this problem in a more realistic way than it has done up to date, the better.

I conclude on the note that the record of the current Government is deplorable. In the past it has actually legislated to restrict the production of food. It has implemented subsidy schemes to entice the primary producer to destroy his herds. That is a record no Government can be proud of, especially when one takes into account the reports that came out of the Rome conference of the United Nations on world production of food and the relationship of that to the population of the world. It is the responsibility of every developed country to substantially improve its capacity in food and fibre production to meet the world demands so that we can reach a stage of adopting in practice what we have already adopted in principle as signatories to the United Nations charter in regard to food and fibre production to meet the needs of the world’s population.
In the past, Australia has failed miserably. We are a disgrace by world standards in that field. While other nations are committing an ever-increasing percentage of their gross national product, we in this country under a Federal Liberal Government and a State Liberal Government are reducing that contribution and stance to the discredit of the Government.

Mr McINNES (Gippsland South)—I was interested to hear the contribution of the honourable member for Broadmeadows and some of the cogent points he made. Amongst them was the fact that young farmer land settlement could not be considered in isolation and one had to look to markets where products could be sold. I agree that farmers should not be put on farms where they cannot service their debts.

The Labor Party should have been more sympathetic to the farmer in years gone by, but during the 1970s, when the Labor Government was in power in Canberra, little consideration was extended to the farmer. Senator Wriedt, who was the then Minister for Agriculture, had some good points in terms of requiring farming industries to justify their claims. I go along with that requirement but once established very little was done to provide support for farmers.

It is very interesting to see the renaissance in farming and agriculture today. It has been overshadowed previously by the resources boom. The failure of the Rundle shale oil pilot scheme has highlighted the fact that we are still a nation dependent on an agricultural economy.

The motion moved by the honourable member for Rodney deals with the young farmers' establishment scheme. He claims that the Government ought to be criticized for its failure to produce an effective young farmers' establishment scheme. The Minister of Agriculture moved an amendment that the House commends the Government on its plans to implement a scheme. That is a better approach. We should first look at some of the land schemes of the past. I refer to the one most fresh in our memory—the settlement of returned soldiers immediately after the war. The Minister was a soldier settler.

In those days the scheme had a number of justifications. Firstly, the returned soldier had, of course, during the three to five years he spent in the service, lost that time and it was necessary to get him established quickly. Secondly, it was necessary, because agricultural production had dropped during the war period, to restore our export income and the farming economy. Finally, the rest of the community felt that those who had placed life and limb at risk deserved their support in being re-established in an industry they were keen to take up.

Those schemes were largely package schemes. We had them at Nambrok-Denison and Yanakie, in the Gippsland South electorate and at Rochester and Heytesbury. Single unit farms were established throughout the State.

In those schemes land was acquired, developed by the Government, sown down, fenced, houses and buildings were in most cases built and dairies established. It was largely a package scheme. Often, people who went on those blocks did help during the development stages and, by so doing, gained a very good working knowledge of the property they would take over.

I now return to the Young Farmers Finance Council report which has brought us to consider the implications of its recommendations for young and not so young farmers. The report makes the point that those people more than 40 years of age ought to be considered when justified. Upon reflection, I am not sure if that is in the Young Farmers Finance Council report or the Farm Focus report.

Mr Balderstone and his committee have produced a factual and realistic report. They are to be congratulated. They have done so in the relatively short period of about one year. It is an excellent report. Evidence was taken from many people including members of the National Party. The report, in substance, rejects the proposition of providing fully developed farms or package farms without requiring a measure of
effort by those to be assisted to prove their worth, ability and motivation. That is the theme that runs through this report and the Farm Focus report.

The mark of a successful farmer is his initiative, dedication and his intelligence in applying his abilities to the work at hand. He or she wants to stand on their own feet and to become financially independent at the earliest possible time. When looking at possible schemes for those seeking to be farmers, there is an analogy in the way we handle decentralized industries. We transplant an industry from Melbourne to another environment and hope it will stand when the financial props are taken away. It is better to take a home-grown industry already established and give it a boost to grow in its own environment because it is much more likely to be successful. It is unfair to put a millstone around the neck of unsuitable people by financing a farm and turning them into farmers if they have to carry the huge burden of servicing the loan.

The scale of the farm operation has to be such that within a reasonable time it can be self supporting. It is recognized generally in agriculture that it is not desirable to have extremely long-term lending. Years ago when a farmer wanted finance he applied for that finance over a period of 20 to 25 years. Perhaps a term of between twelve and fifteen years, with the repayment structure geared to that period, would be a better proposition. This has been taken into account in the various schemes of finance that can be made available under the different stages, each attracting different rates of interest, different interest holidays and so forth with each tailored and geared to that particular recommendation put forward.

The National Farmers Federation in its Farm Focus report, which came out at about the same time as the report of the Young Farmers Finance Council, studied the question of farming establishments in Australia. The federation has also indicated similar views to many of the proposed solutions, such as repayment holidays and guaranteed loans which would place the participants in an even more vulnerable position in terms of repayments and ultimate financial independence especially in the face of prolonged market or seasonal downturns.

The problem of farm establishment relates more to the quality of those persons entering or already existing in farming and not to the quantity. The National Farmers Federation supports the provision of finance to facilitate, in cases of need, the establishment of new farms, provided that strict criteria relating to experience, performance, attitude and potential are satisfied. Those criteria have to be satisfied and the report states:

The problem of young farmer establishment does not commence at the point where the entrant is considering first commercial farm purchase, nor are the problems solely lack of capital.

Honourable members interjecting.

The ACTING SPEAKER (Mr Richardson)—Order! I have repeatedly asked the honourable member for Sunshine to remain silent and not interject. I repeat that request.

Mr McINNES—The Farm Focus report likewise supports a "stepping stone" approach, which includes the provision of finance, against a bill of sale, for suitably qualified share farmers to enable them to build up stock, plant and equipment as an equity towards acquisition of their own farms in due course.

It follows then that suggestions in the report of the Young Farmers Finance Council regarding financial assistance must necessarily also include farming advice—as it does—a property management service, a cadet scheme similar to the one in New Zealand, and standardization of share farming agreements to aid those progressing towards ultimate farm ownership.

Obviously farmers' sons may, but not always will, have an advantage. Even so, the provision of these services is essential and should be availed of by all intending farm operators.

Having, as it were, earned the right to receive financial support and loan guarantees, the scheme put forward by
the Young Farmers Finance Council envisages that there will be adequate finance available, to build an equity in the farm stock and plant, over a five to eight year loan period at an interest rate equivalent to the three-year rolling average of the long-term bond rate.

It has been mentioned by earlier speakers that lending institutions have been reluctant to lend money on that type of collateral—that has always been a problem which will, I hope, be rectified. The person seeking finance is usually asked whether he has a house or building, or land to put up as security. Most lending institutions indicate that they seldom lend on stock or plant without other security. This is an area where the Government can step in and, I suggest, seriously consider the recommendations of the Young Farmers Finance Council.

The next phase is "stepping stone" farm finance. This also has been covered by previous speakers. Under this scheme the council recommends that finance for "stepping stone" farms be for a term of up to twelve years at an interest rate 2 per cent below the three-year rolling average of the long-term bond rate.

The prospective farmer may acquire a small farm on which to live. He may supplement any short fall in income by either doing contract work outside the farm enterprise, as well as gaining experience in farming itself.

In the process the small farm contractor will need to ensure that he does not neglect either enterprise. Alternatively he has to decide whether he will be a full-time farmer, acquiring sufficient resources to enable him to purchase a bigger property or else he has to go into full-time contract work. There is much contract work available in the farming community, and he may continue that type of work until the time he has acquired sufficient capital reserves to purchase a bigger and more viable farm.

It is an awkward decision to make, to divide time on contracting with time on one's own property. Usually, enough contracting work is available to enable young people to earn additional income to provide them with additional funds to be able to improve a small property. They may perform contract shearing, contract post-hole digging or contract harvesting, and there are many other tasks which can be carried out.

It is of advantage to the community in which they live to have a number of these farmers available to perform varied contractual work. They are gaining experience in handling equipment and machinery and learning to cope with the problems and circumstances which arise. In doing so, they are gaining a precise idea of how they should manage their own farming operation, one which is capable of supporting the farmer and his family and at the same time enabling him to service the heavy financial commitments he has undertaken at that time.

The combination of poor overseas markets, together with the dumping policies of the European Economic Community, adverse seasons and low prices on domestic markets during the period 1973 to 1977 played havoc with the farmer. That was a far more desperate period than most people realized, and most members representing country electorates will recall the incessant inquiries received from farmers seeking help and finance. I am sure those honourable members were continually on the telephone or writing letters to the Rural Finance Commission. In many cases the financial position of the farmer was hopeless, but I know honourable members were often successful in helping many farmers with structural repayment adjustments or loans provided at reasonable rates.

I recall many instances when I spoke to officers at the Rural Finance Commission and asked them to do all they could for a particular farmer, pointing out that if he had to sell his property at that time, he would be placed in a desperate situation. I often asked the officers to look upon the case as one of welfare, to keep the farmer going until he could sell his property on a better market. I am glad to say that the Rural Finance Commission, in the majority of cases, played its part very well.

Mr McInnes
It is interesting to note that with the upturn in farm prosperity these days, honourable members seldom receive a call from constituents in this regard, showing that the farming industry can take care of itself when given a chance.

Honourable members will recall the Parliament, and the Government, approving the establishment of the Victorian Dairy Industry Authority which took over the marketing of liquid milk, which represents about 16 per cent of dairy production in Victoria. Honourable members are also aware of the successful campaign of Big M. Credit should be given to the Government for ensuring that the community paid the right price for the commodity at that time; the community was relatively affluent. The action by the Government and the Victorian Dairy Industry Authority got the dairy farmer off the hook.

There is an old saying that a labourer is worthy of his hire and that is as relevant to farmers as it is to other occupations. Too often, farmers returns are such that they can scarcely service loan borrowings and those who do are able to do so only at the expense of the family. The family is restricted to drawing living costs only from the farmer's operations to ensure that the borrowings of the business are serviced. Young farmers will not be helped if they become mendicants and they are denied the right price for their produce, or allowed to suffer the derision of those who claim that the farmer is always whinging for subsidies. The Government has indicated its support for the Young Farmers Finance Council report and is actively considering how it can best be implemented.

I have noted the reference in the report of the submission by the National Party, which, if feasible, would be extremely generous to the fortunate 100 young farmers a year planned to be recipients of the $20 million farm plan. The Government would be required to subsidize the annual interest rate to the extent of $14.3 million and the council would have amassed a capital borrowing of $360 million which would have to be repaid at some time. Attractive as it is, it is worth reflecting whether those unfortunate enough not to be accommodated by this proposal would view it equitably. One could ask whether the Commonwealth Government will participate and, if so, to what extent would it financially support the proposed National Party plan.

The Victorian Government is to be commended on its plans to implement an effective young farmers establishment scheme. The Government has accelerated agricultural training through apprenticeship schemes conducted at technical schools in prime farming areas such as Leongatha, Maffra and Sale. The McMillan Rural Studies scheme was set up, with annexes at Leongatha, Sale, Bairnsdale and Warragul. Agricultural colleges throughout Victoria produce high quality graduates.

Several years ago I was asked by an educator what farmers should be taught in farm management and my reply was that the first thing to teach them is how to make a profit so that they can expect a way of life no less rewarding for themselves than others in society for their labour and financial investment in their property. Teaching persons to weld a gate certainly has its place but young farmers may be better served devoting their time to identifying where they can get the best returns for their time and effort in other facets of animal husbandry and farm operation and by using their local farm businesses and contractors efficiently.

There is a great deal to learn in agriculture to become a successful farmer. The thrust of the report is that young people with no previous experience in farming should earn the right to obtain experience and prove their worth and dedication as a prerequisite to being supported by the taxpayers. In so doing, the council has in mind the best interests of young farmers and potential farmers.

With the Government's prompt response to the report, given the new and realistic approach adopted by the council, the similar views expressed by the National Farmers Federation and other interested bodies, I am hopeful we will
see a positive step forward in opportunities for suitable young persons to enter primary industry in Victoria.

Dr COGHILL (Werribee)—I congratulate the Young Farmers Finance Council on the detailed consideration given to the important problems facing Victoria and I join other speakers in expressing regret at the Government's tardiness in acting on this most important issue. There is an obvious need that everyone has recognized for new farmers to be assisted to take up farming; in other words, for new people to be able to enter farming industries. As a corollary there is a need for assistance to older farmers for entering retirement. As part of that, there is a real need also to ensure that the best possible young farmers are entering farming industries and, as a result, that the best possible use is being made of Victoria's most valuable resource—its productive agricultural land.

The National Farmers Federation quite rightly recognized the need for the most suitable young persons to become new farmers and, as other honourable members have indicated, has suggested that there should be a scheme involving strict criteria related to experience, performance, attitude and potential. One could argue about what is meant by attitude, but certainly all honourable members would accept the need for the persons with the best experience, performance and potential to enter farming industries if the best possible use is being made of Victoria's most valuable resource—its productive agricultural land.

The National Farmers Federation quite rightly recognized the need for the most suitable young persons to become new farmers and, as other honourable members have indicated, has suggested that there should be a scheme involving strict criteria related to experience, performance, attitude and potential. One could argue about what is meant by attitude, but certainly all honourable members would accept the need for the persons with the best experience, performance and potential to enter farming industries if the best possible use of farming land is to be made and if the State is to benefit to the maximum advantage.

There has been no such recognition of that need in the policies of the Government and I refer honourable members to the answer to question on notice No. 765 given on 11 November 1980 about the criteria adopted by the Rural Finance Commission. It is clear from the reply that the commission had no firm policy and sent off directions on the qualities, skills and other characteristics which young farmers should have if they are to receive funding through the commission. If the Government is serious about implementing these recommendations, it has to do more than just pass that high sounding legislative measure. It has to turn its attention to other aspects of the problem to ensure that the best possible young farmers gain assistance under the scheme.

If these new young farmers are to succeed, they will have to be living, working, and earning in a secure environment in which they can succeed. If they cannot succeed, it will be money down the drain and many hearts will be broken. As part of its general approach, the Government should put forward a constructive policy to guarantee these young farmers a secure future. However, the Government has announced objectives for a lower rate of growth in agricultural production than Victoria has had in recent decades. The Government advocates an annual rate of 2·2 per cent which, at compound interest rates, gives an increase of 25 per cent in agricultural production in ten years. Since 1959–60 Victoria has achieved an average annual rate of 2·9 per cent, a third more, and yet the Minister of Agriculture states that the Government is doing wonders by having an objective a reduced rate of growth for Victorian agriculture. What sort of secure environment is that for persons entering agricultural industries?

In comparing Victoria's performance with other States whose Governments have shown more leadership and given more assistance to farmers, one will note how dismal Victoria's performance has been. I refer to figures quoted in the submission by the New South Wales Treasury to the Grants Commission in 1980. Using figures based on the Australian National Accounts ABS 5204.0, the submission stated that Victoria had the worst performance in the growth of agricultural production between 1959–60 and 1976–77. In that period, the six States' average rate of growth was 5·52 per cent. For Western Australia, which had the highest rate, the growth was 10·58 per cent; for South Australia the figure was 8·15 per cent; for Queensland the figure was 6·50 per cent; for Tasmania the rate of growth was 5·09 per cent; for New South Wales it was 4·76 per cent, and for Victoria it was 2·9 per
cent, about half that of the next lowest State. It is not good enough for this Government to advocate for Victoria a reduced rate of agricultural production growth which is below what Victoria has achieved in the past couple of decades and which is far below that of all the other States. Victoria should be introducing a young farmer establishment scheme as part of a campaign to improve Victoria’s performance in agricultural growth and production.

Mr TREWYN (Benalla)—The motion that has been moved by the National Party provides honourable members with an opportunity of debating this important matter. I congratulate the honourable member for Rodney on the motion, which reads:

That this House notes the Young Farmers’ Finance Council Report and calls on the Government to immediately implement an effective young farmers’ establishment scheme.

An amendment has been moved by the Minister that the words “calls on the Government to immediately implement” be omitted and that the words “commends the Government on its plans to implement” be included. After some consideration and much agitation and prodding from the National Party, the Government decided to consider the establishment of a financial scheme which would provide young people with the opportunity of establishing themselves as farmers. It was not an easy task. The National Party did much research, as did the Government. The former Minister of Agriculture must be commended for this work, which was one of the good things that he did for agriculture. This matter must be resolved in a definite manner.

The original concept was a lease type arrangement to enable a young farmer who sought his own farm to make an arrangement with another person, perhaps a family member or friend, who would leave his money in the property. However, many people did not wish to leave their money in the property, and the scheme was not feasible.

The next alternative was to provide funds. Some 103 years ago my grandfather was able to obtain virgin land at one pound an acre, with repayments of seventeen pounds a year over a fifteen or twenty-year term. Upon completion of that term, he was the owner of the land. Even at that time there were hazards in the occupation. The land had to be cleared and so forth. There are hazards today. The wheat crops are still infested with rust. Sheep are still infested with foot rot, irrespective of the work that the Department of Agriculture and veterinarians have done. Other costs of production have to be taken into account.

The discussion on this matter has been a cut and thrust from one political party to another. As a third generation farmer, I have learned that the practice has been for farmers to have the ideas and to present them to the political parties. When a party has come into power it has either taken up the cudgels on behalf of the farmers or forgotten the problems. The Australian Wheat Board was established on 13 September 1939. Further legislation ensured that growers received a certain price level.

The wool industry got into difficulties and the Labor Party which had just come into power introduced legislation which was already in the pipeline. Each time that he has the opportunity, the honourable member for Broadmeadows tells the House with delight what his party has done. However, I remind him that although it has done many things of benefit to the farmers, on occasions it has forgotten them. It removed the subsidy on superphosphate, and so forth.

Every scheme, whether the original scheme in which my grandfather was involved, the one in which my uncle was involved, or even that in which my late brother was involved as a soldier settler, has its difficulties. It must not be forgotten that farming is a fight with the elements and that nobody can be sure what will be the reward. Irrespective of the type of plan proposed to be instituted, there must be available people who are prepared to take the knocks with the pleasant aspects of farming that the children
learn about in school—the farmer sowing his seed and looking around at it growing.

Mr Edmunds—What does he do if it does not rain?

Mr TREWIN—The crop does not grow, and he looks up at the sky for rain. At that time the farmer has no way of meeting his interest commitments or of paying the store bill. I have seen this happen, and the Minister of Agriculture at the table would be old enough to have seen it happen as well. When no income is available, one has to depend on someone else to help one through. There is no mention of this type of support for young people in any of the schemes.

I do not know how one defines a young person. Are we talking about a twenty-year-old who has been living on the farm? Are we talking about a 22-year-old who has lived in the city and has a yearning to be a farmer? That person’s father may say, “All right, you may become a farmer and we shall go to the young farmer establishment scheme”.

Mr Austin—It will be a flexible scheme.

Mr TREWIN—The Minister says that it will be a flexible scheme; it will need to be. The scheme needs to attract the right people with the right type of knowledge, dedication and initiative. The honourable member for Gippsland South spoke about the initiative and dedication required. I have often heard the honourable member say that farmers were his worst customers when he had an aerial superphosphate spreading business. No doubt most of his customers were farmers. On numerous occasions I have heard the honourable member denigrate farmers. The honourable member cannot deny that and I shall remind him of it on occasions in the future.

Honourable members must remember that farming has given this nation what it has. Australia has ridden on the sheep’s back and depended on the farmer for its foodstuffs. Although we could be giving support to other industries, such as the mining and secondary industries, these industries have come largely from overseas. Some of these industries have been financed with Australian money, but the multi-nationals have taken quite a lot of money out of this country and not returned as much as they should have. Australians can see the contribution that has been made by the farming community.

I shall now deal with some of the matters that reflect deeply upon the farming industry. For every tonne of produce that is exported, a $1 surcharge is applied by the shipping companies because of the slow turnaround of ships. A few years ago a successful farmer in the dairying industry had 70 or 80 cows and a wife who worked outside the farm. This is an indication of the problems and difficulties in the industry. The motion calls on the Government to immediately implement an effective young farmer establishment scheme. The Government has said that it is now implementing such a scheme. However we have been waiting for that not only during the past six months, but also for the past five or six years or more since the scheme was suggested.

When will the scheme be implemented and how will it operate? There has been no sign of an injection of Commonwealth funds or of the type of funds to be made available. I am pleased that the Rural Finance Commission will be the Government authority which will assist the implementation of the scheme. I commend the council, which is made up of a group of gentlemen, who I believe have had a wide experience in farming, administration and banking. I believe the Young Farmers Finance Council has presented an excellent report. The council is ready to go ahead at the behest of the Government. That is the reason for the motion before the Parliament. The National Party is prepared to push for the settling of young farmers on the land. The National Party wants to see young farmers given an opportunity to establish themselves on the land and it wants to ensure that the right type of people
are promoted and supported on the farm. The National Party also wants to ensure that many of the pitfalls of former land settlement schemes are eliminated and that these young people are not allowed to fall into some of the difficulties of former years.

The National Party realizes that it cannot determine what the elements will bring forth. We know that mechanization of farming in the cow yard, the shearing shed or on the agricultural land has provided greater openings and opportunities for more security on a seasonal basis.

I remind honourable members that I have seen seasons—no doubt some other honourable members have also seen this—where the rain does not fall and not enough feed is available for stock. In these difficult seasons the milk production is reduced, the wool clip is diminished, fewer lambs are produced and the wheat, oats and other grain yields are less than average. I believe the motion was ably moved by the honourable member for Rodney and that the National Party has acted correctly in presenting it to the House.

Mr EBERY (Midlands)—Honourable members have heard a number of good contributions to the debate. However, we have also heard some comments that should be clarified. In his remarks the honourable member for Werribee knocked the entire Victorian primary industry. The honourable member tried to substantiate his arguments with statistics. However, it is impossible to use only statistics as a basis of an argument about primary production. The honourable member for Werribee showed a complete lack of understanding of the whole issue.

The honourable member for Broadmeadows made some comments, which I believe should also be answered. During an exchange of cross-fire in the House, the honourable member mentioned an area of 1 square mile—640 acres—which he considered was a large property. That illustrates the honourable member’s complete lack of understanding because such an area would represent a small unviable property. It was a ridiculous statement. He then tried to pursue the argument that many properties in that area are not utilized to their full potential.

Over the past few years, concern has existed within the primary industry that farms had to become bigger because of the cost of equipment. It is easy for one to become over-capitalized in primary industry. When one has 640 acres—to use the old terminology—less than half of that property can be cropped, to have sufficient capital tied up in equipment for ploughing, scarifying, heading and so on, would render that property un-economic.

The honourable member went on to say that over the years he believed that the Labor Party had contributed towards the viability of primary production, not only in Victoria but also in Australia. I remind the honourable member of the problems that have accrued from Labor Party support. Approximately $400 million worth of wool was tied up for a considerable time because of industrial action, which naturally affected the viability of properties as farmers had to wait many months to be paid for their product. It had already taken the farmers twelve months to produce the wool. The problem with the live sheep exports from Portland also had a strong bearing on the viability of properties.

It is the responsibility of the Government to create a climate which will allow farmers to follow their own pursuits without undue Government interference. The former Minister of Agriculture in many instances gave a tremendous lead in this way.

I remind honourable members of the changes brought about in the probate and estate duty areas. Those changes have helped enormously in giving confidence to the primary producers and others in this State who have been given increased confidence that they can go about their business knowing that their efforts will be rewarded. I also remind the House of the work done with Government assistance by the Ministry for Conservation, which has allocated funds to improve the productivity in many catchment areas in Victoria, and the Victorian Dairy Industry Authority
which has assisted that industry tremendously. The single grain handling authority is another instance. Those are the types of actions by which the Government should set a climate which will give increased confidence to primary producers in this State.

The debate is about giving young farmers the opportunity of getting into primary industry. It is interesting to note that the average age of farmers is decreasing; it is now about 45 years. Over a number of years, it was increasing, and that spelled problems in the foreseeable future.

There is no question that the report of the Young Farmers Finance Council is excellent. One factor on which the majority of farmers—young farmers, in particular—will agree is that the land purchase system can create problems. Young farmers to whom funds are allocated at a normal interest rate have an enormous problem to service, together with other associated costs. This also puts pressure on the availability of land and consequently land prices escalate. Anyone in Victoria who knows anything about primary industry would agree that land prices have increased 50 per cent to 100 per cent over the past twelve months. Young farmers should not be placed in a situation where there is always a possibility of drought or lower productivity occurring when they believe that they have no escape.

The recommendations of the Young Farmers Finance Council are good and, as the Minister said, they will be carried out.

Mr Fogarty—When?

Mr EBERY—It comes back to finance. The National Party suggests that the Government should be trying to get Federal finance. I remind honourable members that the Federal Minister for Primary Industry is also a member of the National Party. Perhaps he will give the Victorian Government a little bit of assistance to ensure that funds are available. These things must and, I believe, will happen. I am not prepared to support the motion, but I believe the Minister’s amendment is worthy of support.

The House divided on the question that the words proposed by Mr Austin to be omitted stand part of the motion (the Hon. S. J. Plowman in the chair).

Ayes .. .. .. .. 37
Noes .. .. .. .. 41

Majority for the omission of the words .. .. .. .. 4

AYES

Mr Cain Mr Miller
Mr Cathie Mr Roper
Dr Coghill Mr Rowe
Mr Crabb Mr Sidirooulos
Mr Culpin Mr Simmonds
Mr Edmunds Mr Simpson
Mr Ernst Mr Spyker
Mr Evans

(Gippsland East)
Mr Fogarty Mr Trewin
Mr Fordham Mr Trezise
Mr Gavin Dr Vaughan
Mr Glenister Mr Walsh
Mr Hann Mr Whiting
Mr Hockley Mr Wilkes
Mr Jasper Mr Wilton
Mr Jolly
Mr Kirkwood
Mr McGrath
Mr Mathews

Tellers:

Mr King

NOES

Mr Austin Mr McInnes
Mr Balfour Mr McKellar
Mr Birrell Mr Mackinnon
Mr Borthwick Mr Maclellan
Mr Brown Mrs Patrick
Mr Burgin Mr Ramsey
Mrs Chambers Mr Reynolds
Mr Coleman Mr Richardson
Mr Collins Mr Skeggs
Mr Crellin Mr Smith
Mr Dixon

(South Barwon)
Mr Dunstan Mr Smith
Mr Ebery Mr Tanner

(Warrenbooi)
Mr Evans Mr Templeton
Mr Hamer Mr Thompson
Mr Haynes Mr Weideman
Mr Jona Mr Williams
Mr Kennett Mr Wood
Mr Lacy
Mr Lieberman

Tellers:

Mr McCance Mr Cox
Mr McClure Mr McArthur

The House divided on the question that the words proposed by Mr Austin to be inserted be so inserted (the Hon. S. J. Plowman in the chair).

Ayes .. .. .. .. 41
Noes .. .. .. .. 37

Majority for the insertion of the words .. .. .. .. 4
A Young Farmers Establishment Scheme

AYES

Mr Austin  Mr McInnes
Mr Balfour  Mr McKellar
Mr Birrell  Mr Mackinnon
Mr Borthwick  Mr Macelland
Mr Brown  Mrs Patrick
Mr Burgin  Mr Ramsay
Mrs Chambers  Mr Reynolds
Mr Coleman  Mr Richardson
Mr Collins  Mr Crellin
Mr Crellin  Mr Smith
Mr Dixon  (South Barwon)
Mr Dunstan  Mr Smith
Mr Ebery  (Warraambool)
Mr Evans  (Ballarat North)
Mr Evans  (Gippsland East)
Mr Hamer  Mr Templeton
Mr Hayes  Mr Thompson
Mr Weideman  Mr Weideman
Mr Jona  Mr Williams
Mr Kennedy  Mr Wood
Mr Lacy
Mr Lieberman  Tellers:
Mr McCance  Mr Cox
Mr McClure  Mr McArthur

NOES

Mr Cain  Mr Miller
Mr Cathie  Mr Roper
Dr Coghill  Mr Rowe
Mr Crabb  Mr Simmonds
Mr Culpin  Mr Simpson
Mr Edmunds  Mr Spyker
Mr Ernst  Mr Stirling
Mr Evans  (Gippsland East)
Mr Fogarty  Mr Trewin
Mr Fordham  Mr Trezise
Mr Gavin  Mr Vaughan
Mr Ginifer  Mr Weideman
Mr Hockley  Mr Wilkes
Mr Jasper  Mr Wilton
Mr Jolly
Mr Kirkwood  Tellers:
Mr McGrath  Mr King
Mr Mathews  Mr Miller
Mr Remington

The House divided on the motion, as amended (the Hon. S. J. Plowman in the chair).

Ayes  
Noes  
Majority for the motion, as amended  

AYES

Mr Austin  Mr McInnes
Mr Balfour  Mr McKellar
Mr Birrell  Mr Mackinnon
Mr Borthwick  Mr Macelland
Mr Brown  Mrs Patrick
Mr Burgin  Mr Ramsay
Mrs Chambers  Mr Reynolds
Mr Coleman  Mr Richardson
Mr Collins  Mr Crellin
Mr Crellin  Mr Smith
Mr Dixon  (South Barwon)
Mr Dunstan  Mr Smith
Mr Ebery  (Warraambool)
Mr Evans  (Ballarat North)
Mr Evans  (Gippsland East)
Mr Hamer  Mr Templeton
Mr Hayes  Mr Thompson
Mr Weideman  Mr Weideman
Mr Jona  Mr Williams
Mr Kennedy  Mr Wood
Mr Lacy
Mr Lieberman  Tellers:
Mr McCance  Mr Cox
Mr McClure  Mr McArthur

NOES

Mr Cain  Mr Miller
Mr Cathie  Mr Roper
Dr Coghill  Mr Rowe
Mr Crabb  Mr Simmonds
Mr Culpin  Mr Simpson
Mr Edmunds  Mr Spyker
Mr Ernst  Mr Stirling
Mr Fogarty  Mr Trewin
Mr Fordham  Mr Trezise
Mr Gavin  Mr Vaughan
Mr Ginifer  Mr Weideman
Mr Hockley  Mr Wilkes
Mr Jolly  Mr Wilton
Mr Kirkwood  Tellers:
Mr McGrath  Mr King
Mr Mathews  Mr Miller
Mr Remington

POISONS (FORFEITURE OF ILLEGAL DRUG PROFITS) BILL

Mr ROPER (Brunswick) moved for leave to bring in a Bill to amend the Poisons Act 1962 to permit the forfeiture of profits accrued by the illegal trafficking of drugs.

The motion was agreed to.

The Bill was brought in and read a first time.

HOUR OF MEETING

Mr MACLELLAN (Minister of Transport)—By leave, I move:

That the Order of the House setting the time of sitting for Tuesday next at half-past one be read and rescinded.
It is humble pie time, Mr Speaker. I inadvertently neglected to understand that it was necessary to talk to the other parties about the change of starting time. I understand that discussions have taken place, and I therefore move the present motion by leave.

I feel an obligation to indicate to the Leader of the Opposition that it would not be my intention to prolong the sitting of the House next Tuesday beyond midnight, and certainly not to do it at the expense of the accommodation being made. I would not want to do it if we finish the work at 10.30 p.m., and I would not, in any circumstances, think of it going beyond midnight, due to the accommodation of the Opposition in relation to this motion.

Mr FORDHAM (Footscray)—I would like some clarification from the Minister. What does he mean by “midnight”? Does he mean after the adjournment debate or before the adjournment debate? If it is after the adjournment debate, it will mean a 1 a.m. finish. In view of the discussion, and the feeling of members of all parties, I would like this clarified. The Minister has interjected that there will be a complete finish by midnight—10.30 p.m. plus the adjournment debate. I thank him for that clarification.

The motion was agreed to.

RAILWAY LINE CLOSURES

Mr CRABB (Knox)—I move:

That this House condemns the Government for its refusal to release the information on which its decision to close twelve rail lines is based and directs the Minister of Transport to place on the table of the Library all documents, surveys, reports or other data relating to public transport services prepared by or for Government authorities or departments contemporary with or consequent upon the Victorian Transport Study including all those documents requested by the Opposition on 17 December 1980, namely—(a) ticket sales at each rail station; (b) numbers of passengers boarding and alighting at each rail station; (c) ticket sales for each tram and MMTB bus depot; (d) “cordon counts” of passengers on MMTB buses and trams; (e) feasibility study on trolley bus introduction; (f) VicRail desired five-year capital works programme; (g) VicRail forward contractual obligations for capital works; (h) MMTB desired five-year capital works programme; (i) MMTB forward contractual obligations for capital works; (j) VicRail and MMTB submissions to the Victorian Transport Study; (k) VicRail and MMTB responses to questions by the Victorian Transport Study including cost/benefit analyses of certain transport corridors; (l) report by “Transmark” on costs of passenger transport; (m) report by “Pak-Poy” on organization of transport; (n) surveys of passengers; and (o) surveys of residents.

The SPEAKER (the Hon. S. J. Plowman)—Is the motion seconded?

Mr WALSH (Albert Park)—Yes.

Mr CRABB (Knox)—I move the motion more in anger than in sorrow. The motion seeks information requested five months ago of the Minister of Transport and the minions in his Ministry. Those people who use public transport have been denied access to the information on which the Government has made some outrageous decisions. The Minister must be held personally responsible for this failure to come clean with the information. The statutory authorities agreed to release the information if the Minister would agree. Unfortunately the Minister has refused to do so over a period of five months, despite the fact that the annual reports of VicRail are among the worst annual reports for the concealment of information.

Questions on notice requesting information are usually not answered or, if the questions are answered, the answers are so perfunctory as to be almost useless. Yet the data exists. The annual report of VicRail refers to the nine submissions that it made to the Lonie inquiry. That report states:

In addition, a large amount of information was furnished in response to specific questions and requests from the study group.

Not one word of that information has been released to the public or to the Parliament. The report was produced and financed by taxpayers’ money and, therefore, that report belongs to the taxpayers. However, access to that report has been denied.

How can these reports and documents be of any use unless they are made public? How can those reports and documents be of any use if the Minister has them stashed away in a dusty cubby hole in the Ministry of Transport?
The Government is guilty of treating the public with contemptuous arrogance. The Government treats Victorians like fools. If the Government does not wake up to itself, it will be the Opposition in twelve months' time.

Not one of the 28 volumes of the Lonie report mentions the social benefits of the public transport system. There is virtually no mention about the economics of the public transport system; the running costs of the Shepparton to Cobram railway line; the running costs of the St Kilda railway line or any other of the lines that are to be closed or the recommended public works programmes that are necessary to update the public transport system.

Although it has already been tabled, I provide for the House the final report of the Victorian Transport Study. The last document that the Government produced, which purported to provide information on the public transport system, was the 1978 transport plan produced by the Ministry of Transport in December 1978. It is a collection of statistical data with a sheaf of "buzz" words and political promises.

I found it impossible to obtain information from the Minister, so I consulted the bibliography in volume 1 of the transport plan to determine what information could be obtained. I discovered that there is a mass of reports, surveys and examinations of one sort or another. In 1978, the Minister issued a letter with the draft transport plan. That letter states:

The Government seeks the community's views as part of the transport planning process. It is important that a Transport Plan should be both practical and flexible and meet the needs of the community. The plan will be revised in response to community comment.

The Government not only refuses to welcome community participation but also refuses community access to the documentation on which decisions are made. There was no community consultation involved in the decision to close the twelve railway lines that are being so hard fought for across Victoria. I shall provide the House with some of the data compiled on public transport.

There are three volumes of the 1978 transport plan. The bibliography refers, for example, to the Melbourne home interview travel survey conducted by the Ministry of Transport. That document contains the basic data of a whole host of surveys conducted by the Ministry of Transport, but that is the basic data only. Neither the estimates of travel patterns nor the comparison with the previous study taken as long ago as 1972 has been produced. There is no information of any value to assess the Government's decision to close railway lines.

The bibliography mentions another document entitled, "Study of transport modes used to reach railway stations". That document is dated April 1977 and is of no help. There is a remarkable document on a survey of rail passengers in the Melbourne central business district. That document was produced in 1976 and it runs to 100 pages of detailed examination of where the commuters who alight at Flinders Street railway station go. When one considers that the Government is trying to encourage people to alight at the Museum station, one can only wonder why the Government prepared that document.

One then turns to the private enterprise bus study produced by the Ministry of Transport. There are studies on the Melbourne and Geelong bus plans and the urban and country bus plans. The surveys I have so far mentioned only scratch the surface of the data that is available.

I should mention the process one goes through to obtain this data. One telephones the Ministry of Transport and is told, "We do not have any of those things, you should try the tramways board, we think they have a library". When one telephones the Melbourne and Metropolitan Tramways Board, one is informed, "We do not have any of those things, but you might try the Country Roads Board". It took me three weeks to drag out these musty documents that the Minister has been sitting on. Having obtained those documents, I have discovered that there
is nothing of any value in those documents to assess how the Government concluded that twelve railway lines should be closed.

Further documents available include the Geelong transport plan, which consists of eight volumes. However, when it comes to the closure of twelve railway lines, the Minister issues a ten-page document. The Geelong transport plan is dated 1975. There is a transport plan for Bendigo, dated 1971. That plan is a little dusty, but it consists of four volumes.

Mr CRABB—These are documents from the Parliamentary Library and the documents have to be returned after honourable members have had the benefit of referring to them during the debate.

Mr JASPER—How many have you read?

Mr CRABB—I have had a fair glimpse through all of those documents. The honourable member for Murray Valley is welcome to peruse the documents, but he will not find anything to provide one glimmer of insight on why the Government has decided to close the railway line in the area he represents. The entire community is working hard to ensure that those railway lines remain open.

Mr RICHARDSON (Forest Hill)—On a point of order, Mr Speaker, the honourable member for Knox has said that within the pile of documents heaped upon the table, honourable members will not find one piece of information that is relevant to the motion before the House. It therefore seems to me that not only is his tabling of those documents unnecessary but any reference to them and their lack of content is also totally irrelevant and you, Sir, should rule that there should be no further reference to those documents.

Mr CRABB (Knox)—I remind honourable members that this body of data about Geelong and urban buses and all the rest is the size of the document the Government produced to explain why it was decimating Victoria's transport system. I should not leave out Ballarat. The transportation study for Ballarat, dated 1971 comprises four volumes, which are available.

As I said, considerable exhaustive research was required to get this much information. I commend the Parliamentary Library for its ingenuity and resources because all members of the Library staff were involved in getting this information.

I draw the attention of the House to another document which I forgot. It is a document in the bibliography of the 1978 transport plan entitled, "Bus network planning guidelines 1978". I have a copy of a letter from the Minister of Transport circulated to municipalities enclosing a two-page docu-
ment. That is the sum of the Government's capacity on bus network planning. That might explain to honourable members why the bus network in the metropolitan area is not well planned.

On 17 December last year the Minister's office organized a meeting which I had requested with the management of the Victorian Railways and the Melbourne and Metropolitan Tramways Board, together with the relevant trade unions, to discuss the release of information. The view was that whatever information was available was likely to be made available. At that meeting I listed a number of documents of which I was aware and of which I thought the public ought to be aware. We were informed at that meeting by VicRail and the Chairman of the Tramways Board that in most cases they were happy for the information to be released so long as the Minister approved.

I shall list some of the documents to which I referred. Transmark reports which were apparently in the hands of the Transport Regulation Board; reports and costings of the various sections of the Victorian Railways. I have yet to work out why they were in the hands of the Transport Regulation Board. They have since been completed to some extent, but not released. Part of the report by Pak-Poy P.G. and Associates Pty Ltd consulting engineers was available and part was not. That report is in the hands of the Ministry of Transport. Therefore, it was up to the Minister to have it released. The surveys of the Ministry of Transport into passengers and householders, equally kept secret and not available to VicRail or the Tramways Board.

We also asked for the capital works programme for the next five years for the Victorian Railways and the Tramways Board but were told it does not exist. Inquiring further, we were told there were two documents. One was a desired five-year capital works programme. They are weighty documents which would be valuable to the community and the Parliament. We also had documents containing forward contractual commitments which are listed in the motion. We also asked for submissions to the Victorian Transport Study. I believe those are extremely important because VicRail and the Tramways Board each made a series of submissions voluntarily to Mr Lonie's inquiry and Mr Lonie went back to them later and asked a series of questions.

I refer to the VicRail report which said a large amount of information was furnished in response to specific questions and requests from the study group. Among those questions was an analysis of each of the corridors in the metropolitan area. Mr Lonie had the VicRail and Tramways Board cost-benefit analysis of the St. Kilda Road corridor, the Sydney Road corridor and the country lines. Those analyses were done and I gather from the VicRail annual report that they will be fulsome documents. They were not presented in Mr Lonie's report. If one looks at the summary of the submissions one finds that pages 24–27—four pages—of that document are devoted to VicRail submissions. That is simply not enough. That is all that was released of all the work and information done.

None of those people, across the metropolitan area and country Victoria, who attended public meetings, rallies
and signed petitions have been provided with the facts on which the Government made its decisions. That is an outrageous situation. Both VicRail and the Tramways Board said they did not mind if the information was released because they felt the documents were now no longer theirs but were part of the Victorian Transport Study and it was the prerogative of the Minister to release them.

Another matter was the feasibility study by the Tramways Board on the introduction of trolley buses. The only constraint was that there was only one available. The board said it would provide a copy but five months later it has not turned up. Another thing we asked for was the cost-benefit analysis of each rail line and tram line. I was informed that was not available but there was an analysis in relation to questions asked by Mr Lonie.

Following that meeting on 17 December—the Minister was overseas at the time—on 22 December I wrote to the Minister pursuant to that meeting and provided him with a document listing the number of documents that we expected to have released in order to assist them in meeting what I believed was a commitment on behalf of the Government to release that information. Five months later—on each occasion the Minister has been asked about this data he has said he is still thinking about it, he wants to read it himself or whatever. We are five months down the line on this rail closure issue and still the data has not been released. What is happening? We have public servants, bureaucrats, railway employees, consultants, planners and heaven knows who, running around producing documents like this which are stuffed in some musty hole at the Ministry of Transport because the Government is afraid to let the people of Victoria know how bad things are. The Government is afraid to reveal the reasons behind the closures. The fact is, if one looks at some of the lines to be closed—for example, the St. Kilda line—from the fragments of information one manages to pick up it appears that the revenue on the St Kilda line amounts to 75 per cent of the cost of running the line. That makes it one of the most profitable lines in the suburban system. I digress to say that the Stony Point line was built for the Royal Victorian Navy during the Crimean war. Despite the irrelevancy of when it was built, 163,000 passengers use that remunerative line each year. The reason it is being closed has nothing to do with the amount of revenue it attracts. It is because it gets in the way of freight trains going to join John Lysaghts at Westernport. That is why the Government does not want to release the data it had available when it made its decisions.

This Government is producing rooms full of information and then storing it and protecting it from the prying eyes of the Opposition, the media and the public alike. No wonder the public transport system is falling apart. It should never have been necessary to move this motion. The Minister gave an undertaking, as I recall it, to release to the people of Victoria the data that their taxes have paid to be collected. He is now reneging on that commitment and is concealing the information and facts from the people of Victoria. I commend the motion to the House.

On the motion of Mr MACLELLAN (Minister of Transport), the debate was adjourned.

Mr MACLELLAN (Minister of Transport)—I move:

That the debate be adjourned until tomorrow.

Mr CRABB (Knox)—I ask the Minister of Transport what “tomorrow” means? It does not mean Friday as the House is not sitting, so what does “tomorrow” mean?

The Minister of Transport has stood still for five months on the matters raised in the motion, and is he to stand still for another five months by adjourning the debate on the motion and not bringing it on, or even making a response to my remarks? I ask the honourable gentleman what does “tomorrow” mean?

Mr ROPER (Brunswick)—I should have thought the Minister of Transport would have given some explanation of why he has moved the adjournment of the debate and to indicate when honourable members could expect an answer.
to be provided to this very important motion. However, the honourable gentleman did not rise in his place; he just sat there.

The date of adjournment proposed by the Minister will mean that the motion will drop on the Notice Paper from its present position under Notices of Motion—General Business and become item No. 32 under Orders of the Day—General Business. As it will be item No. 32, the resumption of the debate on the motion will probably never occur.

If the Minister of Transport understands the way in which these things operate, when debate on General Business motions are adjourned, he will realize that they appear under Orders of the Day—General Business. In other words, the Parliament never sees them again.

There are items on the Notice Paper listed under Orders of the Day—General Business which were originally moved more than two years ago, but the Government has never allowed those items to be called on for debate. That is the obvious intention of the Government on this occasion.

The Opposition is waiting for an assurance from the Minister of Transport that the motion will be debated. However, its place on the Notice Paper will be behind the other items which already appear plus the Poisons (Forfeiture of Illegal Drug Profits) Bill which I have moved today. Therefore, this motion will appear as item No. 33.

The Opposition believes it is reasonable for the Minister of Transport to give an undertaking that this matter will be brought on again, and that the honourable gentleman will provide an explanation of why these documents, which are available in various parts of the Ministry of Transport, are not being made available to the shadow Minister of Transport, the unions involved or to the people of Victoria.

That is a reasonable request and then this matter could be properly disposed of. However, if the Government does not want to make the documents available, the Minister of Transport should get up and say so. Let the honourable gentleman tell the people of St Kilda why they cannot have the information that is available on the usage of their train service or what VicRail had to say in its submission to the Lonie or "Loonie" report.

Honourable members have a right to know the answer, but it seems fairly obvious that the Government does not want to give that answer and is scrapping the motion by using the adjournment procedures of the House.

Mr MACLELLAN (Minister of Transport) (By leave)—On the question of time, "tomorrow" is a Parliamentary term meaning the next sitting day. As the honourable member for Brunswick has stated the motion will be placed on the Notice Paper in some order determined by the Standing Orders of the House. In turn, the resumption of the debate will be determined by discussion between the parties, and I will be quite happy to have a discussion with the respective parties to determine what is to happen with this motion.

However, instead of wasting time at this stage, I suggest the House agree to the motion and I will then propose to postpone Notices of Motion—General Business—items Nos. 6 to 10 inclusive, and then for the House to consider Orders of the Day—Government Business, item Nos. 1 to 4 inclusive. I understand that there are some items under Orders of the Day—General Business—which the Opposition wishes to call on.

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It is not the usual form of the honourable gentleman not to respond and frankly I expected the honourable gentleman to make a response. However, the Opposition seeks from the Minister an assurance that he will respond.

Members of the Opposition realize that the motion has to be listed under Orders of the Day—General Business—to come on for debate tomorrow. As the Minister of Transport would realize, that is the usual procedure that is followed when the Notice Paper is framed. However, that is no guarantee that the motion will come on for debate tomorrow.

The opportunity to bring the motion on for debate on a Thursday is some weeks away, and all that the Opposition is seeking is an assurance from the Minister of Transport, and I hope the honourable gentleman will be able to give it immediately, that he will facilitate further debate on the motion before the end of the sessional period.

Mr WALSH (Albert Park)—The Opposition is shocked that debate on this matter is to be adjourned without any indication being given by the Minister of Transport when it will be further debated. I do not think the Government realizes the problem that exists in the community. The people of Victoria are concerned about the reports submitted and the decisions that have been made by the Government to close certain railway lines without the proper information coming forward.

Debate on this motion should either continue to enable the Minister of Transport to give a reply or else the honourable gentleman should give an indication of when the motion will be further debated.

The House does not meet next Thursday, so the debate could not be debated on that day. As I understand it, the following Thursday is Grievance Day.

Mr Fordham—The House is not meeting that week because it is Easter week.

Mr WALSH—I understand that the Thursday following that will be Grievance Day and if the motion is not debated on that day, there will remain only one more Thursday before the Parliament goes into recess.

Therefore, some indication ought to be given that the motion will be debated either on Tuesday or Wednesday of next week. That is the type of indication that the Minister of Transport should give to the House.

Opposition members want to know where are the reports, because people are asking honourable members how the Government has made its decisions. Honourable members know that the Lonie report has failed—Opposition members know that—but we want to know the reason for the decisions and the results of the surveys which have been carried out. Also, members of the Opposition would like to have the reports for which the honourable member for Knox has asked on behalf of the Opposition. Until members of the Opposition receive those reports, we will have no proper information to give to the people of Victoria. Some indication should be given by the Minister and it should be that the motion will be further debated next week.

Mr MACLELLAN (Minister of Transport) (By leave)—The Deputy Leader of the Opposition has asked me to repeat and make clear what I stated before. What I stated was that the resumption of the debate on this motion on one of the two Thursdays remaining available would be a matter for discussion between the parties. The Deputy Leader of the Opposition has asked me to go a little further and to state that I will not oppose the motion coming on for debate on one of those Thursdays. So far as I am concerned that is possible, but the Deputy Leader of the Opposition should take account of the needs of other parties. However, all these things will be discussed when the parties meet on Tuesday to determine the order of business.

The motion was agreed to, and the debate was adjourned until next day.
ORDER OF BUSINESS

Mr MACLELLAN (Minister of Transport)—I would like to use a procedure that has been previously used. By leave, I move:

That consideration of Notices of Motion, General Business, Nos. 6 to 10 inclusive, be postponed until later this day.

By moving the motion by leave, I understand any honourable member who has an interest in any of those items—Nos. 6 to 10—has an opportunity to refuse leave and to insist that the matter be considered.

The motion was agreed to.

STAMPS (MISCELLANEOUS AMENDMENT) BILL

Mr THOMPSON (Treasurer)—I move:

That this Bill be now read a second time.

Its purpose is to rectify three anomalies in the Stamps Act. The first concerns the payment of duty on documents arranging for the deferred payment or payment by instalments of money owing in stamp tax, land tax and probate duty. Hardship boards operate in those areas, especially in probate duty and land tax, and some jurisdiction is given to the Comptroller of Stamps, the Commissioner of Pay-roll Tax and the Commissioner of Land Tax for deferred payments.

Technically, a document providing security following an arrangement for deferred payment of those moneys should carry stamp duty. It would exacerbate the problem if, following an arrangement for deferred payment of duty, it is necessary to pay stamp duty as well and the purpose of the amendment is to obviate the need for the person affected by hardship in the payment of taxes to pay stamp duty on the document arranging for deferred payment.

Mr Glenfer—What is the estimated cost of the exemptions in one financial year?

Mr THOMPSON—Each category varies considerably and each case is taken on its merit. In stamp duty alone, it is a relatively small amount but it would mean a lot to the person concerned. The cost in deferred payments is only immediate or temporary because arrangement is made for deferred payments over a period or payment by instalments, so it is recouped eventually.

The second anomaly arises from the Act passed by Parliament in 1979, the Magistrates’ Courts (Civil Jurisdiction) Act, which introduces many new procedures. It is important that procedures under the Stamps Act are in accordance with the new provisions of the Magistrates’ Courts (Civil Jurisdiction) Act and that change is effected in the Bill.

The third change relates to payment of stamp duty in areas previously affected by probate duty. The whole purpose of section 89 of the Act was to avoid the payment of double duty and where probate duty had been paid or was specifically exempted it was not necessary to pay stamp duty. However, with the progressive abolition of probate duty there are areas of probate where a duty does not have to be paid—for example, a property passing from father to son or grandfather to grandson and back again to parents and grandson.

Because of those changes, under the present wording of section 89, it will be necessary for a person to pay stamp duty when acting as a trustee in transferring property under a will. This would be unjust but it is reasonable that a charge of $5 should be made for the cost of administration. That step has been taken after examining what occurs in other States. The cost of administration is covered but, where under the double duty provision stamp duty did not have to be paid, once probate duty was paid, moves have not been made to compel payment of stamp duty. This is reasonably justified by the facts of the situation. A more detailed memorandum has been distributed to honourable members explaining the complex changes and I commend the Bill to the House.

On the motion of Mr JOLLY (Dandenong), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, April 23.
Mr BORTHWICK (Minister of Health)—I move:
That this Bill be now read a second time.
Honourable members may recall that when the Health Commission (Amendment) Bill was introduced into the House last year, reference was made to the fact that the Commonwealth Aged or Disabled Persons Homes Act and similar Federal legislation excluded from eligibility for funding under such Acts an organization "conducted or controlled by, or by persons appointed by the Government of Australia or of a State".

This exclusion is of particular concern to Victoria as a result of the coming into operation of Part VII of the Health Commission Act 1977 on 7 December last. Among other things, Part VII provides for the committees of management of the various hospitals listed in Table A of the Fifth Schedule to the Hospitals and Charities Act to be appointed by the Governor in Council.

It can be seen that one effect of the coming into operation of this part of the Health Commission Act is that such committees, ipso facto, are disqualified from receiving subsidies for nursing homes, hostels and sheltered workshops because of the exclusion in the Federal legislation I have mentioned.

Prior to the coming into operation of Part VII, discussions were held with the Commonwealth on the question of the future funding of such facilities and the Commonwealth subsequently agreed that, provided the facility which attracted the Federal subsidy was transferred from the parent hospital and placed under the management of a new organization which had the requisite degree of independence from both the hospital and the State Government, the facility would maintain its eligibility for Commonwealth grants.

It was mentioned to the House last year that it would be necessary for the Health Commission to undertake an examination and assessment of the situation as it applied to each individual hospital in conjunction with the Department of Social Security to establish what arrangements would need to be made in each case to ensure that the facility continued to qualify for Federal subsidies.

It was also mentioned that, pending this review, those hospitals which had at the time been approved for subsidy had been deleted temporarily from the Fifth Schedule by Order in Council.

The objective of deleting these hospitals from the schedule was to exempt the respective committees of management from being subject to Government appointment and, therefore, maintain their eligibility to receive Federal grants. That, again, in itself was not successful in every case and even at least one of those that were excluded would need to be covered by various aspects of the Bill.

A review in respect of each hospital has now been completed and it is clear that those hospitals which have or propose to establish facilities attracting grants under the Commonwealth legislation hold assets in a variety of different ways and, indeed, that the position in regard to no two hospitals is exactly alike.

Similarly, it is also apparent that it would not be lawful under the Hospitals and Charities Act for a hospital to transfer any of its assets to another organization except for valuable consideration notwithstanding that the new organization may satisfy the objects for which the assets are being held by the hospital.

The purpose of the Bill is to resolve the problem by enabling a scheduled hospital to enter into agreements for the vesting of assets in a benevolent society or an institution established for the relief of aged, disabled or handicapped persons.

Such agreements may provide, among other things, for the apportionment and transfer of property, income, assets, rights or liabilities vested in the hospital, the sale of property or rights for an agreed consideration, and for the joint use of any property, facilities or services. The agreements will be subject to the approval of the Governor in Council.
Council who will have power to decide on any relevant matters not determined in the agreement.

In some cases, the scheduled hospital occupies Crown land and, accordingly, provision is made in the Bill for the long-term leasing by the hospital of the land or part of the land to the benevolent society or institution concerned.

The trustees of any real or personal property held on trust either for the general purposes of a scheduled hospital or for the purposes of the relief of aged, disabled or handicapped persons will also be enabled by the Bill to enter into agreements to vest the whole or part of that property in a society or institution established to undertake the relief of aged, disabled or handicapped persons, subject to the approval of the Governor in Council.

The enabling provisions to be inserted in the Hospitals and Charities Act by this Bill will not of themselves divest any scheduled hospital of any of its assets. However, they will provide a mechanism where necessary for the transfer of property to a separate organization established for the purpose of a nursing home or other facility which qualifies for funding in terms of the Commonwealth legislation. I commend the Bill to the House.

On the motion of Mr ROPER (Brunswick), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, April 23.

GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL

Mr WOOD (Minister of Public Works)—I move:

That this Bill be now read a second time.

It proposes several amendments to the Government Buildings Advisory Council Act which was passed by the Victorian Parliament in the autumn session of 1972. That Act was an historic piece of legislation, in that it was, I believe, the first such Act in Australia proclaimed in regard to the preservation of historic buildings.

Prior to the proclamation of the Government Buildings Advisory Council Act in 1972, no formal controls existed to preserve buildings. An ad hoc preservation process existed largely because of the actions of preservation groups in the community.

Being the first piece of legislation of its kind, the Act was limited in its scope. Several unclear categories in relation to procedures and responsibilities have emerged. These insufficiently defined categories are now to be rectified by the incorporation of control of historic buildings of public authorities into this Bill and by the Bill to amend the Historic Buildings Act already introduced into Parliament by my colleague, the Minister for Planning.

Victoria's stock of historic buildings is divided into two categories: those in private ownership and those in public ownership. Privately-owned properties are subject to control by the Historic Buildings Act. Government-owned properties are likewise controlled by the Government Buildings Advisory Council Act.

The present Government Buildings Advisory Council Act does not cover buildings owned by public authorities and one of the aims of this Bill is to extend the jurisdiction of the Government Buildings Advisory Council to cover this category where there has been some inadequacy. These buildings fit more readily into the Government building category when one thinks of such buildings as the State Library, the Exhibition Buildings and the many railway buildings.

In addition to encompassing public authorities, this Bill corrects inadequacies in the present Act. It empowers the Minister to cause a register of Government buildings to be compiled and requires approval of significant alterations before they may be undertaken.

The work involved in preparing a register and looking at proposed alterations to designated buildings is very extensive and both the Government Buildings Advisory Council and the Historic Buildings Council will provide
a more effective means of both identifying buildings of significance and dealing with alterations to those buildings. The criterion that needs to be applied in Government buildings differs from that which is applied in the private sector.

The private sector, in order to assist in the preservation of buildings, looks to financial incentives such as reductions in rates and taxes, which is not a factor within the Government area.

There are many examples of significant buildings which have been purchased by the Government in order to ensure their preservation. It is considered desirable that the Government buildings be subject to a similar degree of control to that applicable to the private buildings and this Bill will provide the mechanism for those controls.

The Public Works Department is very conscious of the sensitivities in the preservation and restoration of buildings. It is a leader in this field in Victoria and has received many compliments for works carried out. Immediate examples which spring to mind, apart from this place include the Werribee Park complex, the State Library, the Windsor and Shamrock hotels, the law courts and many others.

The first building referred to the Government Buildings Advisory Council for attention was Tasma Terrace. The council’s recommendation to the Minister of Public Works was implemented and this magnificent terrace has been fully restored. The headquarters of the National Trust are situated within Tasma Terrace which is a most suitable location.

Subsequent work involving the council has included some of the examples I mentioned earlier. The involvement and input from the council has been very effective and of great benefit when considering the need for alteration in those buildings.

The present Bill will rationalize the procedures in not only identifying buildings of historic interest, but also in advice to the Minister of Public Works in regard to alterations of buildings so designated and bring within the ambit of this scrutiny those buildings which have, in the past, fallen between the jurisdiction of the Minister of Public Works and the Minister for Planning, namely, those of statutory authorities.

The Bill allows for the Government Buildings Advisory Council, of its own volition or at the request of the Minister, or at the request of any Government department or statutory authority, to investigate buildings to see whether they are of architectural and/or historic interest such as to warrant their preservation and recommend to the Minister their inclusion in the register. The Bill covers buildings or parts of buildings and provides for scrutiny by the council of alterations carried out in buildings on the register.

The provisions of the Government Buildings Advisory Council Act are similar to those in the Historic Buildings Act and these two legislative provisions will jointly ensure that Victoria’s heritage in regard to historic buildings is adequately preserved for posterity. The passage of this Bill will considerably strengthen the Government Buildings Advisory Council Act. I commend the Bill to the House.

On the motion of Mr CAIN (Bundoora), the debate was adjourned. It was ordered that the debate be adjourned until Thursday, April 23.

GOVERNMENT EMPLOYEE HOUSING AUTHORITY BILL

Mr KENNETT (Minister of Housing)—I move: That this Bill be now read a second time.

INTRODUCTION

The Bill proposes a significant development in the provision of Government employee accommodation in Victoria.

An important aspect of providing appropriate conditions of employment of Government employees and of ensuring that Government services are available in all the areas of the State is the provision of residential accommodation for Government employees in those areas where the housing market is unable to provide suitable accommodation based on criteria of reasonable price, location or standard.
The provision of accommodation in remote areas early in the history of the State was considered to be necessary by employers, whether the employer was the Crown or a private individual. It was seen as an essential part of the employment contract. While our social infrastructure and our community have developed tremendously since those early pioneering days, there still remains a need for the special provision of employee accommodation in rural Victoria. The Government meets this need in respect of its employees by the provision of in excess of 7000 houses or flats throughout Victoria.

Prior to 1970 all Government employee housing was provided through the particular Government department or public statutory authority requiring the accommodation. With some Government departments, such as the Law Department and the Chief Secretary's Department, accommodation was arranged through the Public Works Department as one of its many functions.

In 1970 there was a fundamental change to this process with the setting up of an authority for teacher accommodation under the Teacher Housing Act 1970. This legislation introduced a new approach to Government employee housing which involved the constitution of a statutory authority with the sole task of accommodation provision for members of the teaching service from specific State Government funds set aside for this purpose. The authority was also required to report annually to Parliament on its operations and to provide financial information. In the result, Parliament and the community were able to ascertain precisely what the cost of the provision of accommodation to members of the teaching service was in any particular year and how funds made available for teacher accommodation were being spent.

A further development took place in 1976 with the authority being empowered to fix rents on its properties. In addition, membership of the authority was expanded to include a person with substantial experience in the housing industry and also a representative of the teacher organizations. The inclusion of the teacher representative is cogent evidence of the Government's willingness to involve employees in the decision-making process in regard to their accommodation. It is employees' participation in management in the fullest sense.

When the 1970 Teacher Housing Bill was being debated in Parliament, the then Minister of Education, the Honourable L. H. S. Thompson, cited the favourable reports made by a Victorian Government-appointed committee on the operation since 1964 of the Western Australian Government Employee Housing Authority. The committee had thoroughly investigated the Western Australian scheme and recommended that the scheme should be applied to teachers initially in Victoria and that, at a later stage it could be extended to housing for other public servants.

The ultimate goal of the Government is to have all Government employee housing controlled and managed from one central point. This will not only make the administration of Government employee housing more flexible, it will enable greater efficiency, effectiveness and economy.

While experience both in Victoria and in other States shows the ultimate goal will be difficult to achieve and, being realistic, will only be achievable in the long term, this Bill is seen as a significant development in a consistent series of developments by the Government towards this desirable goal. In particular, the Bill is seen as a development of the Teacher Housing Authority concept and also as a development of the Government's desire for employee participation in management decisions.

As there are detailed clause notes circulated with the Bill, I will concentrate only on its principal features.

Clause 3 establishes a Government Employee Housing Authority with four principal functions. These functions were developed as a result of a Government report on the Teacher Housing Programme. The report did not specifically recommend that a Government Employee Housing Authority
be set up, as to do so would have been outside its terms of reference. However, it became clear from a consideration of the recommendations of the report by the Government that a central body such as a Government Employee Housing Authority is both logical and appropriate.

DIRECT PROVISION

The first function set out in clause 3 is that the proposed authority provide accommodation for Government employees who are unable to obtain private housing which is in a reasonable location, of a reasonable standard and at a reasonable rent.

The provisions in the Bill to enable these functions to be performed are similar to the provisions contained in the Teacher Housing Act 1970 which is repealed by the legislation. There will be an authority with various machinery provisions to enable the appointment of deputies, a prescription of allowances, a regulation of meeting procedures, a delegation power and a power enabling the appointment of officers.

Clause 11 provides that all assets and liabilities of the Teacher Housing Authority are to vest in the Government Employee Housing Authority, which is the successor the Teacher Housing Authority.

Clause 12 enables the Governor in Council to declare a department of the Public Service, or a public statutory authority to be a participating department and to transfer land and buildings to the authority. For this purpose, the Education Department is deemed to be a participating department.

It is anticipated that as the new authority establishes itself and demonstrates efficiency, effectiveness and economy in its direct provision role, the various departments and public statutory authorities directly managing housing stock for their employees may become participating departments if they so request. Ultimately the new authority will manage all Government employee residential accommodation stock.

Initially the authority is to manage all stock formerly managed by the Teacher Housing Authority. The Teacher Housing Authority manages more Government employee housing stock than any other Government agency and at present owns approximately 2000 units. In addition, the authority will manage all Ministry of Housing Government employee housing stock.

To facilitate an annual accommodation provision programme and to assist in forward planning permanent heads of participating departments may each establish an advisory committee to make recommendations to the authority concerning the provision of housing for employees in that participating department. To ensure that the authority is involved in this process, clause 12 (5) requires that each advisory committee shall include at least one person nominated by the authority. As far as practicable, this will be the senior executive officer of the authority or his deputy.

The legislative powers enabling the Government Employee Housing Authority to provide housing are set out in clause 13. These provisions are very similar to those given to the Teacher Housing Authority. For example, the specific power enabling the authority to engage the Housing Commission as its agent is contained in sub-clause (b) of clause 13. In addition to the powers exercised by the Teacher Housing Authority, there is power in the clause to purchase Crown land with the consent of the Minister of Lands.

Clause 13 (5) specifically prohibits the authority from letting accommodation to a Government employee unless it is satisfied that the person is, or will be, unable to obtain privately housing accommodation that is of a reasonable standard in a reasonable location and available at a reasonable rent. The purpose of this clause it to ensure that accommodation is provided only in circumstances where it is warranted.

Part VI of the Bill deals with finance and in clause 19 sets out the borrowing powers of the authority. Clause 20 deals
with the obligation of the authority to establish a Government Employee Housing Authority Account into which shall be paid all money received by or on behalf of the authority including income from any investments of the authority.

Clause 21 requires the authority to keep proper accounts and records of its transactions and affairs. At the end of each financial year it is to prepare a statement of accounts which shall be audited by the Auditor-General.

GOVERNMENT EMPLOYEE HOUSING REGISTER

The second function of the authority set out in clause 3 is to establish and maintain a register of Government employee housing. This register will be a significant step towards a rationalization of housing stock for all Government employees. It will also facilitate the optimum use of such accommodation over time. For example, housing no longer required by one department or statutory authority can be quickly made available to other departments, or if no other department requires the accommodation for its employees, then the accommodation can be made available to the Housing Commission as additional stock for its public housing clients.

Clauses 14 and 15 contain provisions requiring that a Government Housing Accommodation Register be set up and enabling Government departments and public statutory authorities to search the register.

ADVISORY AND MONITORING ROLE

The third and fourth functions set out in clause 3 are to give advice to departments and to public statutory authorities concerning the provision of housing accommodation to Government employees and to keep under review the practices of departments and authorities concerning the provision of housing accommodation and, when requested to do so by the Minister, to report to him on aspects of those practices. These functions are dealt with in clauses 16 and 17.

Clause 16 entitles a permanent head of a department or public statutory authority to seek advice from the authority on accommodation provision.

Clause 17 requires the authority to keep under review, and on request from the Minister, to report on practices of departments or public statutory authorities in relation to the provision of housing accommodation for Government employees. It is anticipated that this will involve the authority in the short term in providing policy and operational advice and assistance to any Government agency providing accommodation services to Government employees and, in particular, advice on the rational provision of maintenance and modernization services.

It is envisaged that, in the longer term, the authority will also be involved in:

(a) the development of eligibility criteria—what employees are entitled to assistance and in what circumstances;

(b) the development of accommodation provision scales, both numerically and geographically;

(c) the development of uniform accommodation standards;

(d) the formulation of three-year rolling indicative accommodation programmes for those Government agencies for whom it is responsible;

(e) with the assistance of the Housing Commission, the provision of advice on market trends and developments in housing;

(f) the provision of advice on charges to be levied for accommodation.

There are three other features of the Bill I would like to mention in relation to the membership and power to form committees of the authority and its annual report.

MEMBERSHIP AND POWER TO FORM COMMITTEES

The authority set up by the Bill is to consist of seven members. The representation is the same as for the Teacher Housing Authority with two additions
—one person who shall be nominated by the Minister of Public Works on the basis that the Public Works Department has a very significant involvement in Government employee housing at this stage, and one person to represent Government employees to whom the authority has let houses other than teachers.

To overcome the need for all members of the authority to participate in the consideration of matters relating to the actual provisions of accommodation for employees in participating departments, clause 8 permits the authority from time to time to form and dissolve committees. For example, it is expected that the authority will form a committee comprising the same members as at present constitute the Teacher Housing Authority, to deal with matters that are exclusively teacher accommodation matters. Broad policy issues will, of course, be dealt with by the full authority.

ANNUAL REPORT

Clause 22 requires the authority to submit to the Minister a report of its operations annually, which report will be laid before both Houses of Parliament. The Bill requires the report, together with an audited statement of accounts, to be prepared as soon as practicable after the end of each financial year and to be submitted to the Minister not later than the following 31 December.

CONCLUSION

As was stated in the recent Ministerial statement on teacher housing, the teacher housing programme review and the deliberations following that review by the Government are part of an over-all review process by the Government of housing in Victoria. The Government's aim in these reviews is to ensure that Victoria's future housing policies and practices are efficient and capable of meeting changing community demands. This Bill is one result of that review process and sets the scene for Government employee housing for the eighties in Victoria. I commend the Bill to the House.

On the motion of Mr CATHIE (Carum), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, April 23.

STATUS OF CHILDREN (ARTIFICIAL INSEMINATION) BILL

Mr ROPER (Brunswick)—I move:

That this Bill be now read a second time.

The Bill amends the Status of Children Act 1974 to provide for children born as a result of artificial insemination by a donor. It aims to ensure by legislation that the father of a child born as a result of artificial insemination by a donor is the husband of the woman rather than the donor of the semen.

Artificial insemination is a growing practice throughout the world and Australia, with more than 600 Australian women being treated by AID. Annually in Australia 3 per cent of marriages will be infertile, due to a male factor, and the majority of these 3000 cases can be treated successfully by AID. In Melbourne there are three artificial insemination donor services at the Royal Women's Hospital, the Department of Obstetrics and Gynaecology at Monash University, the Queen Victoria Medical Centre and at Prince Henry's Hospital.

The Bill is introduced because of a serious defect in the current law and to draw attention to the fact that the increasing use of artificial insemination by donor is totally uncontrolled by law. The legal uncertainty is demonstrated in a document prepared by the Queen Victoria Medical Centre's service for parents who propose to have children as a result of AID:

There are some uncertainties over the legal situation concerning artificial insemination. That is certainly the case. However, the uncertainty is not a new matter, nor is it a matter that Parliament has attended to.

On 19 June 1948, a Mr E. G. Coppel, Esq., LL.D., K.C., barrister-at-law, delivered a paper to a meeting of the Medico-Legal Society at the British Medical Association Hall, Albert Street, East Melbourne. That paper refers to the legal problems that occur as a result
of children born through artificial insemination. Mr Coppel states in his concluding remarks:

In considering the social problems which this practice is bound to raise, our chief concern will naturally be for the children whose lives and fortunes may be affected. Some people will say at once, let us deal with the problem by legislation.

He went on to say:

I doubt whether any political party will show any enthusiasm to introduce legislation on such a subject. Even amendments to the divorce law are notoriously difficult to obtain because of the passions and prejudices which such measures arouse.

Mr Coppel suggested that there would be some delay before any legislation occurred. That was in 1948.

A number of reports and articles indicate the problems involved. In the Feversham report in 1960, which was printed in the Parliamentary Papers of the House of Commons, for the session 20 October 1959 to 27 October 1960, Volume IX, paragraph 80, under the heading "Legitimacy and Devolution of Property", it is reported:

Equally, there is no doubt that a child born as the result of AID is illegitimate. The fact that the husband has consented to the artificial insemination is immaterial. He can no more legitimate the child by giving his consent than he can legitimate the issue of an adulterous union by consenting to the adultery.

The committee then went on to suggest that AID was not a desirable method of ensuring that families who wish to do so may have children, though there was a dissenting opinion by a minority of members of the committee.

The British Medical Journal of 7 April 1973, published a special report prepared by a panel on human artificial insemination. The panel concluded that, as the law stands, a child born as a result of AID is illegitimate and the husband's consent to the artificial insemination is immaterial.

The article proposed that because of the change in public attitudes so far as AID was concerned there should be amendments to the British legislation to ensure that the child was legitimized and it also made other suggestions about the control of the procedures involved in AID.

In an article which appeared in the Australian Law Journal, volume 50, page 567, in 1976, by Marilyn Mayo, her conclusion was:

Under the law as it stands in Australia, the AID child must be regarded as illegitimate in some States. In those where new legislation has been passed, he must be regarded as having a "parent and child" relationship only with his mother and his biological father, the donor. Both of these positions are anomalous for him.

Mayo also suggested that there was a need to amend the Status of Children Act and is reported as saying:

It is submitted that "status quo" methods are unsatisfactory, as they all require the introduction of a legal fiction. The procedure of artificial insemination was clearly not contemplated when these legal concepts came into being. The best solution would seem to be retroactive legislation having the effect of declaring the consenting husband of a woman who gives birth to a child following artificial insemination by a donor, to be the father of that child.

The article then refers to legislation in a number of American States.

There is a variety of other opinions which have been prepared over recent years. An important article on human artificial insemination by J. Kraus and P. E. Quinn appeared in the Australian Medical Journal, 7 May 1977 at pages 710–713. A paper by Dominique F. J. De Stoop entitled, Human Artificial Insemination and the Law in Australia, also confirms the problems I have mentioned. Details are given in the Australian Law Journal, June 1975, at pages 298 to 308 of the Victorian case Roberts v. Roberts which confirmed the existence of the problem but did not decide the issue. Two other papers, the first by Carolyn Sappideen in the Australian Law Journal, volume 53, pages 311 to 319, the second an excellent article by Dominica Wheelan in the Australian Medical Journal 1978 at pages 56 to 58 entitled "The Law and Artificial Insemination with Donor Semen", add to the need for legislative reform. Sappideen concludes, inter alia:

The problems raised in this article are, it is submitted, more appropriately resolved not by reference to existing common law and legislation but by statutory regulation of artificial insemination generally.
Dominica Wheelen suggested that amendments of status of children type legislation should be prepared. In the important legal text on *Family Planning and the Law* by H. A. Finlay and J. E. Sihombing printed by Butterworths, edition 1978, the questions of adultery legitimacy, devolution of property and incest are discussed on pages 108 and 110.

In an excellent book *Artificial Insemination* by Donor edited by Professor C. Wood and published late last year, a whole chapter is devoted to AID and the law. Mr Justice Asche claims that the legal problems arising from AID are so far-reaching and so complicated that only clear and precise legislation can clarify the situation. His Honour holds that the father of the child is not the husband of the woman and says:

If a husband dies leaving his estate by will to his "children" the expression is construed to mean legitimate children, and, in the States where Status of Children Acts have been passed it will now also include illegitimate children of that husband. But an AID child, though illegitimate at law, is not an illegitimate child of that husband.

Similarly if a husband dies intestate the statutes provide for the distribution to "children of the deceased, and AID would be excluded". He also refers to matrimonial dispute problems, registration of the birth, maintenance, and responsibility of the donor.

This Bill is intended to overcome some of those problems. Clause 2 of the Bill provides that a child born to a woman during her marriage or ten months after the marriage has been dissolved or otherwise as a result of artificial insemination by a donor with the consent of her husband shall be the child of its mother and her husband or former husband. The husband, not the donor, shall be presumed to be the father. That is a key provision and the other two sections of clause 2 state that there shall be a proper keeping of records held by the Health Commission. Therefore, if legal problems do arise, there is a record obtainable and if medical problems arise there is also that protection.

Mr Roper

The Parliament should also be concerned about the lack of statutory regulation of AID in Australia. There is no legislation for the control of AID procedures, to prohibit unskilled people undertaking this procedure or to regulate the supply of donors.

This is in contrast to the extensive legislation and regulations relating to artificial insemination of stock. Under the Stock (Artificial Breeding) Act 1962 No. 6877 there are a number of statutory rules that relate to the artificial breeding of cattle. That Act lays down conditions in detail. There are also the Stock (Artificial Breeding of Horses) Regulations 1979, which run to five pages and define the way in which artificial breeding of horses will occur. There are no legislative controls whatsoever relating to the artificial breeding of children. It is time that general legislative attention was given to this matter because concern has been expressed both here and in the United States of America about some of the practices that may occur.

A study, conducted by Martin Currie-Cohen, Ph.D., and Sander S. Sharapiro, M.D. of the University of Wisconsin Hospital, called upon the medical profession to establish more rigorous standards for conducting AID. The report states:

Right now there is a lack of reliable information about why—and under what circumstances—doctors use the technique.

The article suggests a number of problems that could arise. Dr Paul Wexler, the Chief of Obstetrics at the Rose Medical Centre in Denver, Colorado, said that control was needed of sperm donations and suggested that in the United States of America a number of programmes of AID were using donors far more than they should.

Not only the woman but also the child may be placed at both physical and legal risk. Adequate examination of the woman and the donor is a necessity. One could suggest that there is a need for Parliament and other people to consider the ethical problems that arise, particularly when one reads articles in newspapers suggesting that lesbians can have children by AID. Any
doctor can currently set up a private sperm bank, and the first was opened in Sydney last December.

There are medical, ethical and legal problems which arise from what is a comparatively new practice. Do lesbians receive AID for instance? For the families who can obtain children by this method, and who would not otherwise be able to have children, it is a most important and beneficial change. This Bill tidies up one legal aspect of artificial insemination by donor, and I commend it to the House.

On the motion of Mr KENNETT (Minister of Housing), the debate was adjourned.

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

CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL

Mr CAIN (Bundoora)—I move:

That this Bill be now read a second time.

This is a Bill to repeal section 477 of the Crimes Act 1958. Section 477 is the only provision remaining in our law that provides for corporal punishment to be inflicted upon persons convicted of criminal offences.

Section 477 (1) provides that any male person apparently over the age of sixteen years convicted of an indictable offence against the person of another may be privately whipped if that offence was attended with "cruelty or great personal violence". The subsection provides that the court may make an order that the punishment be carried out "once, twice or thrice".

Sub-section (1A) provides for a whipping in respect of an offence against section 63A of the Crimes Act which relates to kidnapping. Sub-section (2) sets out in some detail the way in which the punishment is to be inflicted. The effect of this amendment would be to abolish the last vestige of judicial corporal punishment from our statute books. The last occasion on which this provision was applied was in 1958 in the case of Taylor and O'Meally.

In that case, Mr Justice Hudson ordered a whipping of two persons who had inflicted personal violence upon a warder at Pentridge Prison in the course of an escape. The matter was the subject of an appeal to the Full Court of Victoria, and the Full Court upheld Mr Justice Hudson's decision, with Mr Justice Smith dissenting.

The judgment of Mr Justice Smith is reported at page 291 of the 1958 Victorian Law Reports. At page 293 of that judgment, Mr Justice Smith very succinctly set in perspective the regard in which whipping is held in the community today having regard to changes in society over a long time:

Whether whipping is to be regarded as a severe punishment or not must, of course, depend upon the standards of the time. A few centuries ago, when suspects were interrogated on the rack, and burning at the stake was common, and the ordinary penalty for serious crime was death, whipping was naturally regarded as a minor punishment. But with the growth of feeling against cruelty and the development of modern police systems, and the consequent drastic reduction in the severity of the sanctions of criminal law, whipping has come to be regarded, and properly so, as an extremely severe punishment when imposed upon adults.

In addition, over the last hundred years or thereabouts, the view has steadily gained ground, and it appears now to be generally accepted by those expert in such matters, that the whipping of adults is a form of punishment, the use of which is ordinarily unwise because it is likely to prove harmful not only to the interests of the prisoners so punished, but also to the interests of the gaol staffs and the community as a whole. The changing attitude to cruelty to which the judge refers certainly has been slow in emerging. Much of the study that has been done in this area indicates that there is an inherent cruelty in man. He has been cruel to both his fellow man and to animals. A lot of the evidence suggests that individuals take pleasure in inflicting cruelty and in watching it inflicted upon others. The studies also indicate that civilization has not meant that man has lost his capacity to be cruel. It has meant that he seems to have directed that capacity into fresh channels.

It is uncertain when flogging as a form of punishment emerged. Certainly there are copious references to it in the Bible, and the Hebrews, the Romans and other early civilizations used it.
In England in the sixteenth and seventeenth centuries, whipping was used in an astonishing number of cases. There are reports of men and women being whipped for such trivial offences as peddling, being drunk on Sunday or participating in a riot. There is even a report in the *Encyclopaedia Britannica* in the XI Edition that a Court of Sessions in Devonshire at Easter 1598 ordered that mothers of bastard children should be whipped and the reputed fathers were to suffer a similar punishment.

I can go on recounting similar instances at length. Honourable members know the early history of this country and the brutality upon which the early convict system was based.

Certainly the beginning of the nineteenth century saw the start in the decline of corporal punishment, and in 1820 in Britain the whipping of females was prohibited. It seems that over the next 40 years almost all corporal punishment of adults was eliminated. In this century it has only been retained both here and in the United Kingdom in respect of particular offences involving personal violence and a narrow range of other offences.

It seems implicit in the argument of those who contend that it should be retained on the statute book that it offers some unique form of deterrent in certain particular cases.

The material available does not support the view that flogging is a deterrent above all others, and there is no evidence that its use is likely to affect the incidence of any crime in particular or crime in general.

On the other hand, there is a strong body of opinion which supports the views articulated by Grunhut in his work on penal reform published in 1948. This work is referred to by Mr Justice Smith in his judgment in the Taylor and O'Meally case.

Grunhut said at page 270 of his book the following:

Corporal punishment brutalizes the prisoner and executioner alike. It breeds hatred and bitterness, uproots personal dignity, and frustrates any attempt at social readjustment. At the same time it arouses among fellow prisoners a community of interests against the prison regime and a sympathy with its victims. In 1847 Lord Henry Cockburn, a Scottish Judge of the Court of Session, gave this opinion to a Select Committee of the House of Lords:

‘Whipping, I have no doubt, would often be salutary, but it is attended with two risks which it is difficult to avoid; one is the danger, especially in obscure places, of undetected cruelty, the other, that where the infliction fails to amend, it makes the culprit a greater blackguard than he was.’

Twelve years before, when harsh treatment was a common device for the maintenance of discipline, Obermaier had declared:

One cannot reform a prisoner by beating him, since thereby one will not imbue a man with confidence. By such brutal punishment, men will become only more shrewd, surreptitious and malicious.

This observation is corroborated by an English prison official, who asserted that in his long experience he “never knew of a single case in which the ‘cat’ did not brutalize a man”, nor did he know “one of its victims who was not a worse man in every sense afterwards than he was before”.

These views are shared by a very large number of Victorians.

Section 477 involves the infliction of cruelty by one person in the name of the State upon another. It has been used in this State only once in the past 20 years. Our society remains tainted whilst that provision remains on the statute book. In the absence of any firm evidence that flogging has some special qualities to ensure reform or some unique deterrent quality, this provision should be repealed. No such evidence is available.

I welcome the opportunity to pursue the cause of the repeal of this legislation and in so doing support the efforts of the Honourable John Galbally over a long time. Mr Galbally in another place had shown the way in regard to this and many other matters of reform and given an enlightened lead which should be embraced by this House. I commend the Bill.

On the motion of Mr KENNETT (Minister of Housing), the debate was adjourned.

It was ordered that the debate be adjourned until next day.
HEALTH (REPORTING TO PARLIAMENT) BILL

Mr ROPER (Brunswick)—By leave, I move:

That the following Order of the Day, General Business, be read and discharged:

Health (Reporting to Parliament) Bill (Mr Roper)—Second reading.

I do this because the Government has adopted the purpose of the Bill and, indeed, most of the clauses, and it is now the law of Victoria.

The motion was agreed to, and the Bill was withdrawn.

ADJOURNMENT

Email Ltd—Portarlington pre-school centre—Towing contracts—Noble Park intersection—Tattslotto—Open House Christian involvement centres in Ivanhoe—Customs duty on wheelchairs

Mr MACLELLAN (Minister of Transport)—I move:

That the House do now adjourn.

Mr KING (Springvale)—I direct a matter to the attention of the Minister of Labour and Industry. At this moment at the Emailair Division of Email Ltd in Blackburn Road, Clayton, 140 employees are on strike over a re-organization within the factory. In the boiler-making shop, which is being closed down, six employees were offered other jobs. Three have taken other jobs, and one man whose hearing is impaired has gone into the factory in a lower category.

The man I wish to speak about has worked for the company for thirteen years. He has trained all the boiler-maker apprentices in the organization and has an excellent work record. I have spoken to the managing director and he has nothing against this man, who is well respected. Five years ago he trained the Australian apprentice of the year, and two years ago he trained the boilermaking apprentice of the year, and two years ago he trained the boilermaking apprentice of the State. He is prepared to get these people back to work and to get the organization working again, the members of whom belong to the Amalgamated Metal Workers and Shipwrights Union, the Federated Storemen and Packers Union of Australia and the Electrical Trades Union and to accept from the company an offer to be retrained as a fitter or in some other skilled trade as boilermakers and skilled tradesmen generally fit in with another trade without any problems. This retraining will lower his wages by some $13 a week, which he is prepared to accept to stay within the company.

In thirteen years in a company such as Email, a person makes many friends. This is why he has asked to stay there. He lives only some miles from the place. He is happy at the Emailair Division of Email Ltd. He has negotiated as a shop steward in Email over the past two years where there has never been a stoppage of work. He is a man for "jaw jaw" and not "war war". At this stage he is tangled up in a war. The only time the organization has ever stopped in this place in the past two years was when he was away on holidays and another person was in charge as a shop steward and a strike ensued for one day.

It is hard to find such men in industry. I have worked in industry and it is a recognized fact that the shop stewards with whom one negotiates are more important than those people with whom one fights. Will the Minister of Labour and Industry use his good offices to arrange a conference to end the strike so that the men can return to work?

Mr ERNST (Geelong East)—I draw the attention of the Minister of Health to the delay in funding for extensions to the Portarlington pre-school centre. That centre was built in 1967 at a cost of $10,200, which was met by local funding. That centre has serviced hundreds of children in the surrounding rural districts of Portarlington, Indented Head and St Leonards. That centre can no longer cope with the increased number of children and there is a need to provide additional facilities for the children and their teachers.

The director of the centre has informed me that there are no office storage facilities. The centre first made application to the Health Commission for funding in August 1979 when the estimated cost of the proposal was
$10 000 and the subsidy required was $6667. On 15 April 1980 the Health Commission advised the centre that the plans and specifications had been approved, but it would not provide a guarantee of subsidy. The Minister has been contacted on the matter on a number of occasions, leading to a deputation in October last year when he promised that a decision would be made within one month. Nothing has since been done. I wrote to the Minister in December and received a reply in January. The Minister stated that he would further examine the matter.

Any delay in meeting the needs of that centre will impose a penalty upon a community which has demonstrated its initiative by constructing the centre. The Government purportedly supports groups that demonstrate initiative. I seek a commitment from the Government that funding will be made available.

Mr SIMPSON (Niddrie)—I bring to the attention of the Minister of Transport a matter involving double payments and, on rare occasions, triple payments to Royal Automobile Club of Victoria operators who have won the contract to service the Tullamarine Freeway. Tenders were called for a contract to service cars that are involved in accidents or that breakdown on the Tullamarine Freeway. The Royal Automobile Club of Victoria was the successful tenderer. Other private towing companies had previously held the contract.

When a car breaks down on the freeway, the driver uses the emergency telephones which are linked to the Country Roads Board switchboard. That call is relayed through to the Royal Automobile Club of Victoria. If the Royal Automobile Club of Victoria has an emergency van available, it puts a call through its two-way radio link and the van services the car that has broken down.

Surveys undertaken over a number of years indicate that 60 per cent of the motorists who use the Tullamarine Freeway are service members of the Royal Automobile Club of Victoria. Therefore, in addition to the $28 premium each member pays, for each call the Royal Automobile Club of Victoria receives an additional service fee from the Country Roads Board—hence, there is a double payment. The private tow truck operator does not receive the premiums that the Royal Automobile Club of Victoria does and, therefore, cannot compete.

Assume that a motorist's car has broken down on the freeway. The motorist puts a call through to the Country Roads Board and that call is relayed to the Royal Automobile Club of Victoria. The Royal Automobile Club of Victoria attendant calls and cannot fix the car and a tow truck is needed. That attendant leaves the scene of the breakdown and contacts a Royal Automobile Club of Victoria tow truck operator, who would almost certainly be a sub-contractor. That operator then tows the vehicle away to the nearest point of relief. In that instance, in addition to the premium paid, the Royal Automobile Club of Victoria would receive a fee from the Country Roads Board and the tow truck operator would receive a fee from the Country Roads Board. Will the Minister investigate this anomaly to determine whether it can be overcome?

Mr COLLINS (Noble Park)—I raise with the Minister for Police and Emergency Services a request for police traffic supervision at the intersection of Corrigan Road and Noble Street in Noble Park while negotiations take place between the City of Springvale and the Road Safety and Traffic Authority in an endeavour to have traffic signals installed at this particularly dangerous intersection.

Over the years many improvements have taken place along Corrigan Road. Traffic lights were obtained for the intersection of Corrigan and Heatherton roads. Those lights provide a break in the traffic to allow pedestrians to cross Corrigan Road in the vicinity of Noble Street. A supervised school crossing was obtained for Corrigan Road and flashing lights and signals were installed at the intersection of Lightwood and Corrigan roads.
The flow of traffic has increased significantly in the area. There have been a number of accidents recently, the most serious being when a little girl, who is a member of the Springvale Little Athletics, received multiple injuries. Last Thursday a car went out of control and ploughed through a brick wall on the corner of Corrigan Road and Noble Street. I inspected the intersection to renew my understanding of the traffic situation. I was appalled when, at about 4.30 p.m. last Friday, children and older persons were endeavouring to cross the intersection of Corrigan Road and Noble Street. There were three different groups of people trying to cross the road, but there was no break in the flow of traffic.

Consequently, some children ran out on the school crossing, which was no longer supervised. The flags were down and the supervisor had left and, but for the grace of God, at least two of those children would have been killed. Shortly after that incident another car stopped to allow the children to cross. The driver of that car would be held liable in the event of an accident if he did not stop at an unsupervised crossing. One elderly person could not decide whether he should try to cross the road or return home and start again the following day.

It is time traffic signals were installed, but to date all applications have been rejected on the basis that the pedestrian and traffic flows do not warrant the installation of traffic signals. There should be a speedy examination of the criteria used to determine where traffic signals are installed. However, in the meantime, I ask the Minister to ensure that traffic police are placed at that intersection. Apart from the safety aspect, such a move would enable the police to monitor the traffic and to determine the need for traffic signals.

Mr TREZISE (Geelong North)—I direct my question to the Treasurer. There has been speculation over the future operations of the Tatts-lotto system in Victoria. The contract is due to expire in December 1983. I raise the matter because of publicity about the Treasurer inviting proposals from interested groups on the future operations of Tatts-lotto.

Personally I believe no Government of the day which is due for election this time next year has any moral right to make a decision about the licence operations of Tatts-lotto from the year 1983 and beyond. That is the responsibility of that elected Government in 1983, whichever party may be in power at that time. We are not talking about peanuts.

At the due date in December 1983, on present predictions the turnover of Tattersalls organizations will be about half a billion dollars or $500 million. Therefore decisions to be made on how that system is to be operated, by whom and the various implications involved are a very big matter for the then Government to make. There are various matters such as unclaimed dividends which will take a lot of consideration by people who are going to either sink or swim as a result of the terms of that arrangement.

As Victorians, we all appreciate that the George Adams estate has 186 private recipients who receive approximately $20 million a year and have brought a large amount of revenue to this State since it came into operation. In 1971-72, the first year of operation, the Tatts-lotto turnover was $21 million and it is now approximately $400 million.

As I said, an election is due in this State in 1982. This time next year the present Government may not be the Government of the day. It is wrong for any Government to prejump the marked dates of the agreement. If I recall correctly, two years ago legislation was passed in this House regarding the new terms of agreement for the present operator long before the due date. Therefore, I implore the Government that no negotiations or commitment be given by this Government for the Tatts-lotto licence before the next State election.
I would also like to know, as would many others, if discussions have been taking place about who will run the licence after December 1983 and, if so, with whom and on what grounds.

Mr Skeggs (Ivanhoe)—I bring to the attention of the Minister for Community Welfare Services the needs of Open House, the Christian Involvement centres in Ivanhoe, for funding to assist them in the purchase of a replacement house to enable the continuation of their very important work with the Open Door project. This project is a concept providing long-term counselling, live-in care, supervision and personalized support to assist people who have come from a background of problems in society—such as drugs, alcoholism, violence and broken homes—to achieve total rehabilitation. These are people who really genuinely need particularized care.

The Christian involvement centres in Ivanhoe have operated since 1972. The great bulk of their work has been done by volunteers, many drawn from the churches of the area. Open House has the united support of churches within the area and enjoys tremendous volunteer work and financial support. Its work has previously been supported by the departments of Community Welfare Services and Youth, Sport and Recreation. The project is for the replacement of premises for Open Door which previously operated from council premises but which are no longer available. It has the support of the social administration officer and acting superintendent of the north eastern suburbs regional office of the Department of Community Welfare Services.

The project for a replacement house has also been given the endorsement of the regional consultative council of the Department of Community Welfare Services and the inter-church council in Heidelberg, and various organizations within the community. There is a need to replace the council premises previously occupied which provided this live-in concept by the purchase of a house at a cost of about $120 000. The Heidelberg City Council has already offered $15 000 conditional upon Government support. There have also been further offers from various service clubs and trusts in the area and other church groups and volunteers. But there is a definite need for the Government to come forward with funding to enable the purchase to be made. When one looks at the tremendous community contribution in the 1979–80 financial year to Open House and Open Door programmes that emanate from the community amounting to $73 000, including $32 000 from individual supporters and $30 000 from local government, service clubs, churches and trusts, the worthiness of the project is beyond doubt.

The total cost of the replacement property of $120 000 is one which I believe is certainly within sight and a capital grant from the Government of up to $50 000 would certainly enable this funding project to go ahead to enable continuation of this very important concept of live-in counselling and care for very needy people in the community.

Mr Miller (Prahran)—I raise a matter for the attention of the Treasurer. I urge the Treasurer to take up, as a matter of urgency, with his Federal counterpart Mr Howard, and with the Minister for Business and Consumer Affairs, an iniquitous tax which is imposed by way of customs duty on wheelchairs which are imported into Australia.

Non-motorized wheelchairs or non-self-propelled wheelchairs attract a customs duty at the general rate of 36 per cent. If they are motorized or propelled, whether by way of petrol or electrically driven, that attracts a customs duty of 34 per cent.

This is a most iniquitous form of tax. It falls on people least able to bear the cost of import duty. It is something I raised with the Minister of Health during the debate on the Appropriation Bill on 11 November last year and the honourable gentleman said that he would take it up with his counterpart in Canberra. He has obviously not done so.
I urge the Treasurer to raise this matter with the Federal Treasurer, Mr Howard, or with the Minister for Business and Consumer Affairs as this is, after all, the International Year of Disabled Persons and this State has made a commitment—admittedly it has made one of only $250,000—to support that international year.

By drawing this anomaly to the attention of his Federal counterpart, the Treasurer can make a very strong representation that this iniquitous taxation burden should be removed from those least able to pay and it can also be a positive contribution that we in this Parliament can make in the International Year of Disabled Persons.

Mr MACLELLAN (Minister of Transport)—The honourable member for Springvale raised a matter for the attention of the Minister of Labour and Industry. I will draw it to his attention. The honourable member for Geelong East raised a matter with the Minister of Health. The honourable member for Niddrie produced some complicated concept by which he perceives some double and possible triple payments. It seems to me that the RACV contracted to do a job, is doing it efficiently and well, and any arrangements it has with the motorist outside or separate from that is really no business of the Country Roads Board. However, I will draw it to the attention of the board in case some adjustment is appropriate.

Mr THOMPSON (Treasurer)—The honourable member for Noble Park drew my attention to the increased traffic in the Corrigan Road area and the great difficulties being experienced by pedestrians in crossing at the point that he described. I will certainly ensure that police give attention to this area, in order to provide some form of supervision for the immediate future. I will ask the Road Safety and Traffic Authority to examine the feasibility of the installation of lights having regard to the traffic count and the accident rate.

On the matter raised by the honourable member for Prahran, I am informed that my colleague the Minister of Health did raise this matter at the conference of Health Ministers and apparently it was pointed out that similar wheelchairs were available in Australia. I am prepared to raise the matter again with the Federal Treasurer to clarify the point, but it surprises me that it is necessary to import these wheelchairs. I should have thought the highly sophisticated wheelchairs could have been made in Australia.

The honourable member for Geelong North raised the question of the agreement with Tattersall consultations expiring at the end of 1983. No negotiations have been held with any party concerning an extension of that licence. The matter has been raised as a result of inquiries from the Age newspaper and what I stated at the time of the debate concerning the continuation of the agreement was reported in the press. I have indicated that the Government would be looking for the best possible proposition for the future, and one that was in the interests of safeguarding the public purse. At no time have there been discussions within the Government about negotiations for the renewal of the agreement or the calling of tenders.

Mr JONA (Minister for Community Welfare Services)—I refer to the matter raised by the honourable member for Ivanhoe concerning the Ivanhoe Christian involvement centre’s Open Door project. This project is one with which I am well acquainted, and I am also most impressed by the persistent representations supporting the project which have been made for some time by the honourable member for Ivanhoe. The project has not only the wide support of all the churches in the district, the municipality and the large number of local welfare-oriented interests, but also the enthusiastic support of the Department of Community Welfare Services and the Victorian Government.

The project is very much directed towards the things which it is the policy of the Government to provide. The project provides an opportunity for the counselling and rehabilitation of persons who have broken down for some reason or another.
In specific response to the request of the honourable member for funding for the project, I point out that at this stage my department will be happy to meet the contribution by the Heidelberg City Council of $15,000 on a $1 for $1 basis, particularly as the council contribution has been dependant upon Government assistance. The Government is happy to make that commitment, following the decision of the Heidelberg City Council to contribute $15,000.

Having regard to the fact that the activities of the centre extend well beyond the specific area of responsibility of the Heidelberg City Council, discussions have been taking place with the Treasurer—as the honourable member for Ivanhoe would be aware—pointing out that as the area of responsibility of the centre certainly extends to health, youth, sport and recreation and a number of other areas, some sort of additional Victorian Government support should be provided for the project.

Those discussions are continuing and I am hopeful, as a result of the discussions, that an additional amount of money will be available in response to the representations of the honourable member for Ivanhoe.

The motion was agreed to.

The House adjourned at 6.34 p.m. until Tuesday, April 14.

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

WATER RETICULATION, BEMM RIVER

(Question No. 706)

Mr FOGARTY (Sunshine) asked the Minister of Agriculture, for the Minister of Water Supply:

Whether the absence of a reticulated water supply has affected the growth of the township of Bemm River; if so, what action the Minister has taken following receipt of petitions and requests from the Bemm River Progress and Improvement Association, when residents can expect the commencement of proposed works and what is the expected completion date of proposed works including a water reticulation programme?

Mr AUSTIN (Minister of Agriculture)
—The answer supplied by the Minister of Water Supply is:

It is not known whether the absence of a reticulated water supply has affected the growth of the township of Bemm River, particularly as this is predominately a holiday resort area where some property owners visit the area for limited periods only and hence can make use of an alternative tank water supply.

However, approval has been given to the construction of a fully reticulated water supply for the township of Bemm River and loan funds amounting to $100,000 have been allocated for commencement of construction of the works in 1980-81 financial year. Contracts have now been negotiated for the installation of the major components of the water supply system which should be completed during 1982.

PROPOSED EUROA BYPASS ROAD

(Question No. 742)

Mr CRABB (Knox) asked the Minister of Transport:

When the Government intends to announce the route of the Euroa bypass road and when it is expected that construction will—(a) commence; and (b) be completed?

Mr MACLELLAN (Minister of Transport)—The answer is:

The Government has reduced the choice of routes to the modified southern route and the northern route. When the decision is made as to which of these routes the Euroa bypass will take, I will advise the honourable member.

F2 FREEWAY RESERVATIONS

(Question No. 825)

Mr ROPER (Brunswick) asked the Minister of Transport:

In respect of the reservation south of Bell Street for the F2 Freeway, when it is intended that the reservation be removed in view of the announced Government decision not to proceed with the freeway south of Bell Street?

Mr MACLELLAN (Minister of Transport)—The answer is:

The Government and its authorities have been attempting to find a feasible alternative solution to the severe traffic congestion that currently exists along Sydney Road and the adjacent road network.

I announced in my news release of 8 December 1980, that the Government had, as a result of the recommendations contained in the
recent Victorian Transport Study, decided to withdraw the rail services between Melbourne and Upfield. Now that a decision has been made to discontinue this rail service, an investigation has commenced to evaluate a number of options for the future use of the railway reserve for transport purposes as a step towards relieving the traffic congestion in this corridor.

The Government is continuing to receive advice from its planning authorities that whilst a freeway concept has been abandoned along the Merri Creek, south of Bell Street, perhaps some lesser form of roadway might have to be considered.

I believe that an examination of this proposal is warranted, and would not envisage an early announcement concerning the future of the road reservation south of Bell Street.

EXPENDITURE ON THE EASTERN RAILWAY

(Question No. 885)

Dr VAUGHAN (Glenhuntly) asked the Minister of Transport:

1. What are the details of the item listed in the Transport Works and Services Bill under sub-item 403 referring to expenditure on the eastern railway of $90,000 for the financial year ending 30 June 1981?

2. What are the details of the expenditure of $46,000 on the eastern railway for the financial year ending 30 June 1980 referred to in the Transport Works and Services Bill?

Mr MACLELLAN (Minister of Transport)—The answer is:

1. The amount of $90,000 is the proposed expenditure during the financial year ending 30 June 1981 on the acquisition of land required for the eastern railway.

2. The expenditure of $46,000 covers acquisition of land and maintenance of properties acquired for the eastern railway.

UPFIELD RAIL SERVICE

(Question No. 937)

Mr GAVIN (Coburg) asked the Minister of Transport:

1. When answers will be provided to questions Nos. 603, 604 and 620 concerning patronage and revenue collected on the Upfield line and others during 1979-80?

2. How he justifies his announcement of 8 December concerning the closure of railway lines when data concerning patronage and revenue collected was not publicly available?

Mr MACLELLAN (Minister of Transport)—The answer is:

1. Answers have been provided to these questions.

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2. Following examination of a considerable amount of data and receipt of submissions from many interested groups and individuals, the Victorian Transport Study made recommendations on a number of matters.

The Government has made decisions on a number of the study recommendations and has rejected recommendations where it has not been convinced that as good or better service could be provided.

In making decisions on the recommendations the Government was mindful of its responsibility for social, environmental, energy and other community issues and that transport decisions could not be made solely on commercial grounds.

REGISTRATION OF OCCUPATIONAL THERAPISTS

(Question No. 943)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the registration of occupational therapists:

1. When a submission for such registration was first received by him or the Health Commission?

2. What his response and the commission's response has been to date?

3. Whether it is expected that occupational therapists will be registered in Victoria; if so, when and on what basis?

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

A number of representations have been made concerning a Bill to bring about the registration of occupational therapists in this State. No Bill along these lines has been placed before Parliament because the Government is by no means convinced that it supports the concept of registration of occupational therapists. The contention of members of the profession that it is important to maintain high standards of occupational therapy is not disputed. However, the Government would need to be convinced that measures to ensure that proper standards are maintained, other than that of registration, have been considered.

Before making a final decision, the Health Ministers of the various States and the Commonwealth are considering the advantages and disadvantages of registration.

FRUIT FLY AREAS

(Question No. 1131)

Mr FOGARTY (Sunshine) asked the Minister of Agriculture:

1. What areas in Victoria were designated fruit fly areas by the Department of Agriculture between 30 September 1980 and 17 March 1981?
2. What is the total area so designated since 30 September 1980?

3. What is the estimated value of crops destroyed within the areas concerned since 30 September 1980?

4. On what date did the Government discontinue the road-block system of inspection on allocated highways and main roads within Victoria?

5. What was the annual cost of the road-block system for the year 1979-80?

6. Whether the incidence of fruit fly increases when road blocks are withdrawn?

Mr AUSTIN (Minister of Agriculture)
—The answer is:

1. The areas proclaimed between 30 September 1980, and 17 March 1981 on account of fruit fly are:
   - Carnegie (parts of the Cities of Caulfield and Malvern)
   - Nathalia (township)
   - Yackandandah (township)
   - Chiltern (township)
   - Nunawading (part of City)
   - Tangambalanga (township)
   - Greta South (part of Parish of Myrrhee)
   - Dederang (part of Parish)
   - South Yarra (part of Cities of Melbourne, South Melbourne, Prahran and Richmond)

2. The total area so proclaimed is estimated at 75 square kilometres.

3. Nil.


5. The estimated costs of operating the road-block system for the year 1979-80 totalled $429,720, comprising $155,740 for operating costs and $273,980 for salaries of permanent staff. This total includes the costs of four road blocks in south-western New South Wales operated jointly and for which that State reimbursed $32,446 in 1979-80 giving a net cost to Victoria of the road-block system of $397,273.

6. It is not known as yet whether the incidence of fruit fly increases when road blocks are withdrawn. This assessment will be made in the light of future experience. Fruit fly incidence in any one season is largely dependent on weather conditions so that assessment of possible change in incidence must be made over several seasons.

TINNED HAM IMPORTS
(Question No. 1215)

Mr FOGARTY (Sunshine) asked the Minister of Agriculture:

If he will ascertain and advise:

1. Whether the Industries Assistance Commission recently conducted an enquiry dealing with the effect of the import of 730 tonnes of tinned hams from Rumania and Yugoslavia upon the Victorian and Australian meat industry?

2. On what date or dates hearings of the commission in respect of this matter took place in Melbourne?

3. Whether the State Government gave evidence before such enquiry, indicating whether the Government approved the imports affecting canneries at Bendigo, Kyneton, Ballarat and Moorabbin and if not, why?

Mr AUSTIN (Minister of Agriculture)
—The answer is:

1. The Industries Assistance Commission held an enquiry into the question of short term assistance to canned ham. The Industries Assistance Commission has reported to Government but no decision has been announced.


3. The State Government did not give evidence before the enquiry. The Government had no special information which would not have been presented by the industry in its submissions to the enquiry. However, as customary, the services of the Government were available to industry. The Government has kept itself informed on the progress of the enquiry and has made strong representations to the Commonwealth Government on behalf of the industry.

CONTAMINATION OF YAN YEAN WATER
(Question No. 1226)

Mrs TONER (Greensborough) asked the Minister of Agriculture, for the Minister of Water Supply:

What steps have been taken to prevent a repetition of contamination of Yan Yean water through chlorinator faults as reported in the Sun newspaper on Saturday, 28 February 1981?

Mr AUSTIN (Minister of Agriculture)
—The answer supplied by the Minister of Water Supply is:

The equipment fault has been rectified by installing a new component on the chlorinator and, in addition, a stand-by unit has been provided on site.
The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 4.2 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

JUSTICES OF THE PEACE

The Hon. W. A. LANDERYOU (Doutta Galla Province) — I have a question for the Attorney-General. A councillor of the City of Essendon is an applicant for appointment as a justice of the peace, a position which he held when he was mayor of that city. The man concerned has been waiting for some twelve months for a formal response to that application from the Attorney-General. Is it usual for applicants for such appointments to wait what appears to be an extraordinary length of time for a formal response?

The Hon. HADDON STOREY (Attorney-General) — The answer is, "No". It is not normal to wait twelve months for these applications to be processed, although it is true that they take some time. The process should not take twelve months and if the honourable member supplies the details I shall check out the matter and ascertain, firstly, why it has taken so long and, secondly, when the appointment will be made.

FIRE DAMAGE

The Hon. W. R. BAXTER (North Eastern Province) — Is the Minister of Forests aware that controlled burning of forests in north-eastern Victoria, commendable though that activity is, has resulted in the destruction by burning of some fences on contiguous private lands? Will the owners of these properties be entitled to compensation from the Forests Commission for replacement of the fences? If not, will these property owners be entitled to the same assistance that is available to farmers when bush fires destroy fences adjoining Crown lands?

The Hon. F. J. GRANTER (Minister of Forests) — I have been advised by the Forests Commission that a small length of fencing was burnt in the Thougla Valley in north-eastern Victoria. Apparently the fence was in poor condition and part of it was lying on the ground at the time the burning-off took place. The district forester has been in touch with the owners of the land and the fences and I can assure the honourable member that replacement or compensation will be paid by the Forests Commission. There will be no entitlement under the bush fire arrangements. Also, the area that has been burnt will be a protected area from bush fires during next year and probably the next two or three years.

RAPE TRIALS

The Hon. H. G. BAYLOR (Boronia Province) — With reference to the recent case in Victoria where a husband was convicted of raping his wife, can the Attorney-General advise whether this judgment was brought down as a result of the recent legislation passed by this Parliament or does the matter come within the jurisdiction of some other legislation?

The Hon. HADDON STOREY (Attorney-General) — This particular charge was instituted as a result of an event that occurred before the recent legislation to which the honourable member referred came into force. As honourable members will recall, that legislation provided that the common law presumption that a husband cannot be guilty of raping his wife should not apply when the parties are separated and living apart. That common law presumption is based upon the presumption that by virtue of marriage the wife consents to intercourse and, therefore, since there is consent, there cannot be rape.

As I understand it, the particular case in question involved a judicial separation of the parties and in this case it is no longer, even under common law, possible to make any presumption that there is consent to intercourse. That common law presumption does not apply. Accordingly, the defendant was able to be charged and convicted of that
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offence. However, that would not apply in circumstances where the husband and wife were separated and living apart but no judicial separation applied. Therefore, the provision under the new Act will have a much wider application than was apparent in that case.

PORT PHILLIP AUTHORITY (AMENDMENT) BILL

The Hon. E. H. WALKER (Melbourne Province)—In view of the fact that the Port Phillip Authority (Amendment) Bill was passed in a rush in this House in December last, will the Minister for Conservation indicate the action taken to actually proclaim the Act and whether sufficient funding has been made available to enable the intention of the Act to be carried out? Has the Minister made appointments to the new authority and, if so, who are they?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I do not know why I am accused of rushing legislation. As I recall, that legislation was delayed from one sessional period to another to give all honourable members enough time to make a further examination of it. Last week I was accused of rushing proposed legislation through the House after I had already arranged for a further two weeks' adjournment. That is probably beside the point as, no doubt, honourable members opposite are about to point out.

There is a certain amount of housekeeping to be done with a Bill like this before proclamation. The authority has to have a building in which to operate. The authority has been moved from the Ministry for Conservation into the Ministry of Lands and the appointment of staff and the arrangements for the necessary funding have to be considered. These matters are being processed at the moment and letters have been written to Treasury and other relevant departments indicating the requirements. We are in the process of moving towards proclamation of the Act. The appointments to positions will be made known as soon as the Act is proclaimed.

VIOLENCE IN FILMS AND LITERATURE

The Hon. B. P. DUNN (North Western Province)—Is the Attorney-General aware that the South Australian Attorney-General is seeking a national review of the acceptable standard of violence in films? In view of the apparent increasing incidence of violence in the Western World and the tendency for it to be portrayed explicitly in films and literature, will the Attorney-General take part in this national review involving the States and the Commonwealth and seek to revise Victoria's own standards in relation to the portrayal of violence in films and literature?

The Hon. HADDON STOREY (Attorney-General)—The Attorney-General for South Australia sent me a telex last week indicating that he was seeking a meeting of the Ministers responsible for this area of administration for the purpose of considering the question of violence in films. I certainly am very ready to take part in that meeting with other Ministers once it can be arranged.

I point out that Victoria has entered into an agreement with the Commonwealth, as have most other States, under which the Commonwealth film classifications are given force in Victoria so that if a film is deemed, because of its violence, to be unsuitable for showing to people under the age of eighteen years it is classified and restricted by the Commonwealth Film Censor and that classification applies in Victoria. Equally, if the censor considers the degree of portrayal of violence is such that it is completely unacceptable, it cannot be shown in Victoria.

So far as literature is concerned, the State Classification of Publications Board is concerned with the portrayal of violence, and violence and sex. As honourable members are aware, the board is able to restrict a publication and if literature is so restricted it cannot be sold or exhibited to people under the age of eighteen years and may not be advertised or left on public display.

Again, if a publication is deemed to be so unsuitable because of violence or sex, or a combination of the two, that it
should not even be restricted, the board
does not give it any classification and
it is then open to the Police Force under
the Police Offences Act to prosecute
anyone who sells or displays that
publication.

My understanding is that the Vic­
torian State Classification of Publica­
tions Board is that it does a very
responsible job and is assiduous in
ensuring that violence is taken into
account in assessing whether or not a
publication should be restricted.

ALCOA PROJECT

The Hon. GLYN JENKINS (Geelong
Province)—I direct a question to the
Minister for Local Government rep­
resenting the Minister for Economic
Development. Is the Minister aware of
the policy adopted in regard to the
aluminium industry by the Australian
Labor Party conference on March 28
and 29 wherein it indicated and acknow­
ledged that there would be progress in
the construction of the smelter at
Portland, but that no commitment can
be made at this stage by the Australian
Labor Party to the extent that that plant
should be permitted to develop under
a Labor Government, and also a com­
ment by Mr Henry Birrell, the Aus­
tralian Labor Party candidate for Port­
land, as reported in the Portland
Observer on Friday, 10 April 1981?

The PRESIDENT (the Hon. F. S.
Grimwade)—Order! The honourable
member's question should relate to
Government administration. I ask him
to do just that.

The Hon. GLYN JENKINS—In view
of the inconsistencies between the
actual Australian Labor Party policy and
Mr Birrell's Portland statement, is the
Government prepared to alter its policy
of support for Alcoa of Australia Ltd,
having regard to the Australian Labor
Party policy as enunciated or
alternatively Mr Birrell's attitude?

The Hon. D. G. CROZIER (Minister
for Local Government)—I am aware of
the statement by Mr Birrell which
appeared in the Portland Observer on
Friday last. I agree with Mr Jenkins
that there is obviously an inconsistency
between the bland assurances quoted by
Mr Birrell in that issue. I quote:

There was no thought of a State Labor Gov­
ernment delaying the start of operations at
Alcoa's Portland smelter.

This was stated emphatically yesterday by
the party's candidate for the Portland seat, Mr
Henry Birrell.

I can assure Mr Jenkins and the House
that the Government has no intention
of changing policy in any way, in spite
of the obvious inconsistency. The in­
consistency relates to that statement
and the document to which Mr Jenkins
alludes. I have a copy of this document
which is headed:

Australian Labor Party—Victorian Branch
State Conference—March 28 & 29 1981—Re­
port of the Working Party on the Aluminium
Industry.

It bears the stamp of the Parliament of
Victoria and is headed, "General Re­
port", and begins:

The committee, which comprises of—
Comrades
B. Howe,
E. Walker,
J. Coxsedge,
D. White
R. Jolly
D. Amos

There are a number of other comrades
on this list—22 in all. I guess there is
a lot of camaraderie in that term "com­
rades". What is really significant is that
the resolution that follows was unani­
mously agreed on. Resolution 10, which
all these good comrades agreed to unani­
mously, in the best tradition of com­
rades, because there is not much point
in having any opposition, reads:

Upon assuming Government in Victoria and
until a full inquiry has been completed:

The PRESIDENT (the Hon. F. S.
Grimwade)—Order! I believe the Min­
ister wants to make a Ministerial state­
ment.

The Hon. D. G. CROZIER—May I
round off my remarks by simply saying
that the inconsistency is that the critical
resolution is:

(f) Alcoa shall not be permitted to use the
smelter until power is available from Loy Yang
A.

Honourable members on this side of the
House and in the National Party well
know that Loy Yang "A" is programmed
to come on stream in four phases beginning in 1984 and the smelter is programmed to come on stream in 1983.

The most charitable explanation is that Mr Birrell was not briefed by his comrades at the central Politburo. Next time the shadow Cabinet goes to Portland, comrades and all, they should be more generous to their local candidates.

**BOARD OF WORKS CHALET**

**The Hon. D. R. WHITE** (Doutta Galla Province)—Is the Minister of Water Supply aware that the Board of Works operates a number of chalets in catchment areas at a cost in excess of $100,000 per annum to ratepayers? Is he aware that members of the board and councillors have restricted access to those areas?

In view of the extraordinary burden that the ratepayers of Melbourne now face in paying their annual Board of Works rates, will the Minister reconsider the current policy, in terms of access? Will he examine the prospects of using those chalets for tourist purposes and providing limited access to the public, charging them the full cost and banning the use of chalets by officers of the board and councillors who are being subsidized by ratepayers?

**The Hon. F. J. GRANTER** (Minister of Water Supply)—I am aware that the board has these chalets. They have been in operation for many years. I could not really state the exact number. The costing that Mr White has stated is fairly right. They are used at weekends by members of the board and councillors from nearly all metropolitan councils. They are used by Liberal, Labor and many other people. I do not think the board would agree with Mr White’s suggestion that they should be used as tourist resorts.

**The Hon. D. R. White**—Who controls it—don’t you have a say?

**The Hon. F. J. GRANTER**—The Board of Works is a statutory authority and Mr White knows that very well. It has done so for a long time. I can discuss the matter with the board but the board is a statutory authority and it is administered under the Act.

**TERM OF SERVICE OF MEMBERS OF PARLIAMENT**

**The Hon. K. I. M. WRIGHT** (North Western Province)—My question without notice is directed to either the Leader of the House or the Minister representing the Minister for Property and Services. It refers to the terms for which honourable members are elected to this Parliament.

I understand that the New South Wales Government is to hold a referendum on a four-year term for members of its Lower House at the next State election. My question is: What consideration has the Victorian Government given to the extension of the terms of service of members of both Houses of this Parliament; is consideration being given to holding a referendum on this matter at the next State election?

**The Hon. A. J. HUNT** (Minister of Education)—Consideration of the terms for election to State Parliament has been undertaken by the Government from time to time. On each occasion in recent years the present position was maintained. If the honourable member cares to make further representations on the subject, they will be considered. If he does so, the Government would appreciate any rationalization of terms he may propose with respect to the Legislative Council.

**HOUSE BUILDERS LIABILITY INSURANCE**

**The Hon. H. R. WARD** (South Eastern Province)—I direct a question without notice to the Minister for Local Government relating to the insurance policies that are required in the building of flats and other buildings. Is it a requirement that people undertaking building operations on any site are required to take out a special insurance policy, and is that policy applicable only to persons themselves and not to nominee companies?

**The Hon. D. G. CROZIER** (Minister for Local Government)—I assume that Mr Ward is addressing his question to me in relation to section 918 of the Local Government Act which deals with house builders’ liability. In terms of general assurance, the situation is fairly
conventional, as the honourable member will be aware. The House Builders Liability Act, which amends section 918 principally, requires that any registered builder enters into an automatic scheme of insurance with the client.

**COURT INTERPRETERS**

The Hon. G. A. SGRO (Melbourne North Province)—I direct my question without notice to the Attorney-General. In view of the fact that interpreters who appear for people or the Crown in Victorian courts are privately employed, will the Attorney-General give consideration to providing court interpreters who are public servants to ensure that they are subjective and not under any outside pressures? If not, why not?

The Hon. HADDON STOREY (Attorney-General)—Interpreters who appear for the Crown in criminal cases are not privately employed in the sense that some individual pays them. They are engaged by the Crown to act as interpreters, but they are private individuals who are interpreters and not employees of the Crown. Consideration has been given to having public servants act as interpreters. That raises a number of difficulties. For instance, an enormous range of languages require to be interpreted in our courts. In addition, all interpreters are not always required every day, as one can imagine, and, on occasions, they are required at more than one court in different parts of Victoria at the one time.

Training for court interpreters ought to be developed so that they may be better equipped to act in an interpretation situation in a court. Generally speaking, the people who are engaged are members of the interpreters association and are independent in the sense that they are not on the side of any party but are professional interpreters doing a professional job.

I have had discussions with the Minister for Immigration and Ethnic Affairs about the development of standards for court interpreters and those discussions will continue. If such standards can be developed, that will go a long way towards providing the objective that the honourable member is seeking to achieve.

**NOISE POLLUTION**

The Hon. D. M. EVANS (North Eastern Province)—I refer the Minister for Conservation to the matter of the Environment Protection Authority and the new noise control policy of the Ministry for Conservation and particularly to the comments by the Victorian Chamber of Manufactures in its April 10 publication in which it drew attention to the fact that background noise problems can be a matter for subjective judgment by an officer of the Environment Protection Authority and can be non-appealable.

As the VCM has expressed the opinion that such a policy will result in a substantial disincentive to industry to establish in Victoria, will the Minister review that policy as a matter of urgency in order to allow industrial development to continue within this State under reasonable conditions?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I do not believe the honourable member has his facts right. To say that a decision is not appealable is untrue. Such a matter can be one for subjective judgment, but it is not necessarily so. Noise can be measured by instrumentation. Whether the Environment Protection Authority would accept the judgment of an officer who measured noise levels subjectively would be open to a fair amount of doubt, seeing that noise levels can be measured objectively.

When there is a requirement for abating noise, a noise abatement notice must be issued, and that is a preliminary notice. On receipt of that preliminary notice, any person who is alleged to be creating a noise can confer with the Environment Protection Authority on the steps that ought to be taken to reduce that noise. In a sense, the preliminary notice is not issued until the whole matter has been argued and issued and, in many cases, has been settled. I know that the Victorian Conservation Ministry has some objection to that, but I do not think it is valid.
PERSONAL EXPLANATION

The Hon. A. J. HUNT (Minister of Education)—I desire by leave to supplement the answer I gave to Mr Wright. Upon resuming my seat, I was reminded by the Attorney-General that, in a document recently approved by the Government, among many proposals for the benefit of Victoria in the forthcoming future, an item relating to an extension of the term of members of Parliament appeared. In my concentration upon items of more immediate importance to the State, I regret that I had overlooked that item.

FISHING VESSEL "SHARK"

The Hon. R. A. MACKENZIE (Geelong Province)—I wish to move that adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely the failure of the Government to take action to initiate further inquiries into the sinking of the fishing vessel Shark on 18 March 1978 at Lakes Entrance.

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

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

That this House do now adjourn.

This motion goes further than calling for a discussion of the failure of the Government to act; it points out a conspiracy by the Government to defraud the owner of the vessel of his rightful dues and, more importantly, a conspiracy to deny natural justice to a citizen of this State.

I shall go through the series of events connected with the sinking of this vessel, to indicate that certain Government agencies have left much to be desired in the manner in which they have carried out their duties and that there has been a cover-up by Ministers to ensure that natural justice has not been done. This fishing vessel Shark became a casualty at the entrance to Lakes Entrance on 18 March 1978. Three members of the crew lost their lives in the incident. The summing up by the board of inquiry states:

The cause of the casualty was that in rough seas, and a strong south easterly wind, the master of the "Shark" approached the entrance too close to the line of the breakers and turned to starboard to make his run across the bar without giving himself sufficient time to assess the strength and pattern of the sea and the feel of his vessel in running with the sea. As a result he was not able to turn to starboard sufficiently to run square with the sea. After running down a wave at a slight angle, when the bow went into the trough the ship broached violently to port, at the same time heeling to starboard that wave, and/or the next wave hit her approximately amidships and overturned her. The trawler then drifted upside down across the remainder of the channel and came to rest upside down on the sand, on or a little to the west of the western edge of the channel.

As a result of the casualty, the master of the "Shark", Gavin Charles Farley, and the two crew members, Robert James Alexander and Ronald Paul Bilowski, all lost their lives.

Firstly, I shall discuss the rescue operations which took place following the casualty at the harbour at Lakes Entrance at 2 p.m. on 18 March. The police sergeant at Lakes Entrance took control of the rescue operations. This was not unusual but it was pointed out during the inquiry that he had no authority to do so. He also made decisions which the inquiry found to be wanting. Although in some ways the police sergeant acted in an exemplary fashion, for a man who had no authority at that time, he created a situation which caused many subsequent problems to arise.

It is the contention of fishermen and the owner of the vessel that if action had been taken when it should have been taken, and if the owner had been allowed to take action when he was able to do so, and had not been restrained by the policeman, the vessel may have been able to have been salvaged and, more importantly, there were indications that the men could still have been trapped inside under the hull of the vessel.

The Hon. Glyn Jenkins—Who should make a decision in a time of emergency and crisis?

The Hon. R. A. MACKENZIE—I will come to that. This indicates that something is sadly lacking in the sea rescue operations and the Marine Act. At this
time nobody can be given the required authority. For three years the Government has been aware that a gap exists in the regulations, and that there is no proper sea rescue plan to be implemented and that nobody in Victoria is empowered to take charge. Although the judge at the inquiry said that this matter should be attended to immediately, and the Minister agreed, nothing has been done. Since that accident another two vessels have capsized and another life has been lost.

The Hon. A. J. Hunt—Does Mr Mackenzie agree with the findings of the Court of Marine Inquiry?

The Hon. R. A. MACKENZIE—No, and I will tell the House why. Under the law, the Court of Marine Inquiry after making a finding, answers a series of questions put to it by the Marine Board of Victoria. One of the questions asked was:

Were the methods and extent of searches for survivors from the vessel adequate?

The answer was:

A team of divers should have been at Lakes Entrance at first light on Sunday 19th March 1978. Inspector Snodgrass should have caused a continuous watch to have been kept on the hull of the vessel to observe any abatement in the weather, or movement of the hull. With those exceptions the methods and extent of the searches were adequate.

They could hardly have been adequate when those two important exceptions were made. Somebody should have been there at first light, and a watch on the vessel should have taken place. That does not indicate that they were adequate. The second question was:

Were the searches sufficiently sustained?

The answer was:

Yes, except that Mr Lalor acted in disregard of his duty when he left Bullock Island at about 1300 hours with the stated intention of going to the football. That act was likely to upset those who heard it or heard of it. The fact that the arrival of his Superintendent thwarted his intention cannot alter the character of his action.

It seems incredible to me that, when a boat has been upturned on the sea and three men may still possibly be alive inside, the person in charge would consider going to the football.

The Hon. J. A. Taylor—but he did not.

The Hon. R. A. MACKENZIE—He was prevented from doing so because his supervisor arrived at the time.

It has been asked why the police were the only authorities involved in the diving operation. Other experienced divers could have been made available. The Royal Australian Navy divers were approached independently by people from Lakes Entrance and were prepared to assist. However, the police insisted that it was a police responsibility and that police divers should be used.

Police divers perform a tremendous job and carry out approximately 200 rescues a year. Most of that work is carried out in rivers, bays, and still waters and few rescues take place where a ship has gone down in heavy seas in the ocean. With due respect, police divers were not the most experienced divers that could have been made available at the time.

As I mentioned earlier, a continuous watch should have been kept on the weather in case the bad weather abated for any length of time. Quite a few people at Lakes Entrance testified that the wind dropped considerably between 11 a.m. and 12.30 p.m. on the Sunday following the accident.

During the abatement, it would have been possible for an effort to be made to reach the ship and tap the hull to detect whether there were any survivors. If that had been the case, diving rescue operations could have taken place. According to the report, the police restrained anybody from going out and the only observations of the weather were made some distance from the vessel. The report of the inquiry stated—

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Could the honourable member indicate the document from which he is quoting?

The Hon. R. A. MACKENZIE—I am quoting from the Annexe to Judgment of the Court of Marine Inquiry into the
sinking of the vessel "Shark." The document states:

Question 14.—Were all appropriate and timely steps taken—

(a) to ascertain whether any person was still alive inside the vessel after the casualty had occurred.

(b) to attempt to rescue any person that might have been still alive inside the vessel after the casualty had occurred?

Answer—(a) The steps referred to in the answer to Question 11 (a) should have been taken. I am unable to determine whether the sea conditions ever abated sufficiently or for long enough to enable a person to get upon the hull to tap it and to listen for any response. I am satisfied that no other step could safely have been taken.

That evidence was based purely on the fact that the police observations at the time were taken inland. If another ship had been out it could have kept close to the "Shark" in case the bad weather abated and it could proceed safely to the area. The document further stated:

(b) No attempts were made to rescue any person that might have been still alive inside the vessel after the casualty but no such attempts were reasonably practicable in the circumstances.

There was some degree of condition about that.

All in all, the rescue operations were not carried out satisfactorily. It is all very well to be wise after the event, but decisions have to be made at the time and the incident points out a serious flaw, which should be immediately rectified. The Opposition believes that when accidents like this occur, people with authority and experience who know the conditions and diving techniques should be allowed to make judgments. The purpose of the motion is to point out that these facts have been known for a long time and the Government has done nothing to rectify the situation.

The motion also indicates the frustration experienced by the owner of the vessel. He is an experienced man who has taken part in numerous salvage exercises. He was quite prepared to go out when the rough weather abated and try to tap the hull of the vessel to ascertain whether anyone was inside. The owner of the vessel also considered that, during the abatement of the rough weather when the wreck was still floating, action could have been taken to tow the vessel clear of that area so that a rescue attempt could have been possible elsewhere.

Unfortunately, he was restrained and was unable to take part in any other operation. The police divers were also under instructions from their superiors who considered the task too dangerous. The supervisor was more concerned about the nets in the water and believed this to be a particularly dangerous factor. The water was fairly murky, although the policemen stated in evidence that murky water did not worry them a great deal. The policemen indicated that nets did worry them. Fishermen who work on this type of exercise often have to dive beneath ships and remove nets from around the propellers in their daily routine. The fishermen have to perform this task without special equipment.

If the advice of this fisherman had been taken, it is possible that some diving could have taken place. The owner was naturally extremely concerned at the loss of life on board the vessel. He was also concerned about the loss of his vessel and was making every attempt to do all that was possible. The owner was constantly hampered in many ways by the people in charge, and at one stage on investigation of the vessel the following day the owner believed that if he could free the gantry from the sand the vessel had a good chance of being towed away. The gantry is that part of the vessel that extends beyond the bow and keeps the nets free. To free the gantry the owner would have had to use a small portion of plastic explosive, similar to that used in demolition and construction work. Experienced people can use plastic explosive for small jobs. It has been used from time to time to blow off the doors of safes, and it is possible to use the explosive in confined areas without damaging the surrounding area extensively.

The owner proposed to attempt the placement of plastic explosive around the gantry to blow it away and free the ship from the sand. The coroner stepped in and refused the owner permission to

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use explosives until the bodies were recovered. That decision was made by a person who did not have experience in explosives and was unaware of the steps that could have been taken with the use of plastic explosive. That decision further prevented the salvage operation and also the possible rescue of the trapped survivors. I point out that the owner went to no end of trouble to carry out the salvage of his vessel almost immediately. He was extremely concerned about the exercise and he was doing what he could. I refer honourable members to a portion of a letter from Mr Newman’s insurance company, John Buist and Company, dated 13 April, 1978 which contained a report of the accident and events:

We can only express our admiration for the owner’s stamina, application to the job in hand and determination to do all possible within the scope of his capabilities and resources. We say he could not have strived harder or worked more diligently and, in fact, is still doing so although apparently denied information by the authorities.

We comment on the situation of a man left to labour unadvised (apart from “armchair experts”) and unassisted. Underwriters are entitled to act as they did in this instance but we question the non-action of government departments when a port is closed, numerous fishermen fast alongside and a wreck is in a critical position with three men missing. The situation called for prompt executive decisions on a disaster basis and experts should have been available instead of designating the awful responsibility to one man who worked in the main, with volunteers and salvors he appointed. Over the following few days, Mr Newman, the owner, worked desperately to clear his ship from obstructing the harbor. He obtained two quotes from salvage operators in the vicinity to carry out the work. On 20 March, three days after the accident, he received a seven days’ notice from the Public Works Department to get the vessel out of the way. During that period, Mr Newman was restricted by bad weather and he was struggling to obtain the necessary equipment. He received two quotes for salvage, one from the South Eastern Salvage Co. and one from Fortuna Diving Pty Ltd. He was endeavouring to do all possible, but seven days was insufficient time in which to do so.

He spoke to Mr Searle of the Public Works Department, who informed him on behalf of the department that he should not consider himself to be rigidly bound to the seven days’ notice as long as he was continuing to do everything possible. Acting on that verbal exchange, Mr Newman assumed he had more than seven days. However on 30 March, the vessel was seized by the Public Works Department.

The Hon. N. F. Stacey—Was it blocking the channel?

The Hon. R. A. Mackenzie—No, not completely. The Public Works Department then took over the job of salvage and, without calling for tenders, gave an open-ended contract for the salvage at a total cost of $180 000. The highest quote Mr Newman had received was $20 000. One wonders why the Public Works Department did not call for tenders from the companies Mr Newman had approached and why it went about giving an open-ended contract for that huge amount of money.

The department sold some of the salvaged material from the vessel at a public auction and the outstanding amount of $167 977 was billed to Mr Newman. Mr Newman had done everything in his power to raise the vessel. He had been working hard and was at his wits end to do the right thing.

The Hon. A. J. Hunt (Minister of Education)—On a point of order, I have been listening with care and with some patience to the honourable member and I refer you, Mr Deputy President, to the terms of the motion, which relate to, “The failure of the Government to take action to initiate further inquiries into the sinking of the fishing vessel Shark on 18 March 1978”. The inquiries to which he refers relate to the sinking and sinking alone of the vessel and not to subsequent events.

The honourable member has talked in the main about subsequent events of alleged conspiracy, covers-up and events that have been said to have happened, and I quote him, “Since that accident”. He is talking of what has occurred since that accident.

The motion relates to inquiries into the sinking, not to events that have subsequently transpired. Standing Order No. 53 requires that the honourable member shall state the subject that he
proposes to discuss and it provides also that the debate should be strictly confined to the matter so stated. The honourable member is not so confining his remarks. He is dealing with a whole gamut of events subsequent to the sinking.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—On the point of order, I draw attention to the wording of the motion. It states:

The failure of the Government to take action to initiate further inquiries into the sinking of the fishing vessel . . .

I would have thought even the Leader of the Government would accept the view that Mr Mackenzie is attacking the Government for not taking action to initiate further inquiries into the sinking. It appears logical that, in advancing his cause and advocating additional action to initiate further inquiries, it is necessary for him to speak of events that followed the sinking of the vessel that justify his call and attack on the Government. There is nothing restrictive in the wording of the motion. It is broad enough to enable the honourable member to talk of the events leading to the sinking, the sinking and subsequent events, which are colourful and which he is about to describe.

The Hon. W. R. BAXTER (North Eastern Province)—On the point of order, the Leader of the House is placing far too narrow an interpretation on the terms of the motion. Mr Mackenzie's remarks have been most interesting and illuminating and one cannot confine his remarks to what is in the motion, in accordance with Standing Order No. 53, and not go beyond that by talking about reclamation or anything else.

The Hon. R. A. MACKENZIE (Geelong Province)—So far as the ruling is concerned, the actual reclamation is important in regard to the sinking of the vessel. I have covered the reclamation part up to now and I shall refer to it later because it comes up again as a result of the sinking and the treatment meted out to the owner of the vessel.

I shall now move on to discuss the cause of the sinking of the vessel and how the Government's failure played a great role in the sinking of the vessel.

The Hon. D. G. Crozier—Would you say that again—"the Government's failure played a great role in the sinking of the vessel".

The Hon. R. A. MACKENZIE—Causing the sinking of the vessel. If the Minister for Local Government listens, I will explain what I am getting at.

The Hon. D. G. Crozier—I think you had better.

The Hon. R. A. MACKENZIE—The board of inquiry into the sinking of the vessel mainly hinged around whether or not the vessel in actual fact ran aground at the time. I have statutory declarations from fishermen from which I shall quote briefly.

The fishermen who had worked on and skippered the vessel Shark made statutory declarations which indicated she could handle almost any sea in that area. She was a particularly well-designed vessel and had crossed the bar many times in all types of weather. I
shall refer briefly to excerpts from the statutory declarations made by master fishermen to indicate my point.

The first is a statement on the stability of the Shark by Donald Elliott of 148 McLeod Street, Bairnsdale, who was employed as Master of the F.V. Shark for six months in 1974. It states:

... In this period I had time to assess the vessels manoeuvrability in all types of sea conditions. I have crossed the Lakes Entrance bar many times in command of at least six other fishing vessels of varying lengths and shape, laden and unladen prior to my command of F.V. "Shark". I must point out that at a Court of Marine enquiry I made it quite clear in the motion that the dredged channel and adjacent dumping areas have given precedent to a very dangerous situation.

I also quote Mr R. D. Jenkins, master mariner, who states:

I worked on the fishing vessel "SHARK", both as a crew member and as skipper from 1971 through the next seven years for considerable intervals. During that time, and since, I have seen many and varied sea conditions on the Lakes Entrance bar.

He also said:

... I consider the boat was quite safe, even during a severe broaching action, as I always found, with a minimum of assistance, she straightened herself fairly quickly. It is my opinion that the only reason the boat could lose control in a broaching situation, would be if the bow or part of the vessel met with an obstruction e.g. sandbar or beach, which would prevent her self-correcting action.

Mr G. Blank of Golf Links Road, Lakes Entrance, when talking about the Shark said:

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Order! Is this a statutory declaration?

The Hon. R. A. MACKENZIE—Yes; these are all signed declarations. Mr Blank stated:

If you approached the bar with the tanks full and at about 900 R.P.M., she would not take off because the sea would break over the stern and submerge the back of the boat.

I don't accept that the Shark could tip over so far inside the bar unless she was on the bottom and well aground.

He further said:

We operate two boats from Lakes Entrance, and are very concerned that if they can do this to a man of Mr Newman's ability and experience then what hope is there for other people to get the truth out.

A brief comment from Mr Vernon Newman is:

(1) The F.V. "Shark" could not be sunk under any normal conditions. As part-owner of this vessel at one time, I had a lot of experience in her, both on the bar, and at sea, and I was of the firm conviction she would not be sunk so long as she could behave within draught.

He continued:

(3) In the case of the "Shark" sinking, and the evidence that she turned her bow back out to sea, then I say that she did not do this, but instead I say that the bow was aground and the sea lifted the stern and swung it towards shore, thus giving the appearance that the bow turned. Then, with the vessel fully aground where the keel was as a brake, the sea leaned her to a degree where the side-deck on the lower side acted as a further brake by becoming under water, and the sea was able to then push the top, free-moving side of the vessel towards the shore, thus capsizing her.

All of those fishermen gave evidence that the ship had hit some obstruction. They believe that obstruction was the build-up of sand on the edge of the channel. When the April Hamer is dredging in that area she discharges sand on each side of the channel and this sand builds up close to the surface and to such an extent that many fishermen and seamen consider it to be a navigational hazard.

Now I shall discuss the failure of the Government. The Government is aware that it has been causing this navigational hazard. It has been discussed in the area for some considerable time, yet the Government continues to do so. When this point of view was raised at the board of inquiry it was discounted because the Public Works Department produced in evidence sounding charts taken a couple of days prior to the capsizing of the ship. Those charts were presented as evidence and indicated—and were said to indicate at the time—that no such dump existed.

These charts have since been found to be false. They are not correct charts, and the evidence could indeed have been falsified. This is important because it was the whole crux of the matter. If the charts were not correct and if there was a sand bar there that the ship hit, that pile of sand was created by the Government dredge. That navigational
hazard was caused by a Government vessel, and yet the charts presented to the court were supposed to contradict that point of view. In actual fact, people who studied the charts found discrepancies. They were supposed to have all been taken on the one day on one run through, but one finds different dates and even that a different branch of paper has been used on one of the five.

As it was found that these charts were incorrect, the owner of the ship approached the Minister of Public Works—at that time, in April 1979, Mr Tom Austin. I understand that he also approached the Attorney-General with the charts and indicated that they were not correct—indeed, that they were false. I should like to quote to the House from a newspaper report of 12 April 1979:

The State Government has impounded evidence produced at a recent court of marine inquiry following claims that it may have been tampered with.

The Minister for Public Works, Mr Austin, said yesterday he had "commandeered" a composite chart presented to the inquiry into the sinking of the fishing boat Shark at Lakes Entrance last year.

He said Mr Lance Newman, brother of the boat's owner, had claimed on Tuesday that the chart had been "moved around in some way".

Mr Austin said the chart was a composite of four or five smaller charts of depth soundings taken near the spot where the Shark sank.

He said Mr Newman had alleged the composite was not a true representation of the original charts.

The Minister said the claim was still to be investigated, but he ruled out any possibility of reopening the inquiry.

He believed the alleged irregularity was "very insignificant indeed".

That "insignificant irregularity" has been put before an independent hydrographer and I shall quote to the House from the letter of H. T. Arrowsmith and Associates, land engineering and hydrographic surveyors, of 7 March 1981, addressed to a Mr R. J. Woodroffe. They were shown these charts, which have all been signed by the barrister concerned, to indicate they were the copies of the actual charts shown at the inquiry. That letter states:

Further to the visit to my offices on 6 April 1981 by Mr G. Newman and yourself I have examined, initialed and dated 5 Number photocopied pieces of Raytheon Model DE719 Fathometer Chart paper.

I have also read the record of evidence, pages 939 to 945 inclusive, given to the Marine Court of Inquiry, dated 30 March 1979.

I am lead to believe that the 5 Number separate photocopies of Chart, initialed by me, were purported to come from a single Sounding Roll and that the said Soundings were taken on 17 March 1978, in the space of 1 hour, during a continuous Sounding Survey.

It is my professional opinion that the 5 Number pieces of Chart, mentioned above, are not from the same roll for the following reasons.

(a) 4 pieces of Chart are of U.S. manufacture.

(b) 1 piece of Chart is of Australian manufacture.

(c) The sea conditions shown on the pieces of Chart vary considerably—i.e. boat movement indicated that the sea varied from flat calm to approximately 0·5 metres of choppy water, this being inconsistent with the observation made on page 941 of the transcript.

(d) The transmission and calibrate marks throughout the 5 pieces of Chart vary by up to 0·5 metres which is an unacceptable deviation for any survey. This can only occur if the speed of Sound or Tide and Draft setting on the Fathometer is interfered with during the course of the survey. An experienced operator would ensure that this does not occur during Sounding.

(e) The length of the Stylus stroke throughout the 5 pieces of Chart varies considerably, this being an indication of the Stylus tension. It is unlikely that such a variation would occur in the space of 1 hours operation, even if the machine was run continuously for that time. The breaks in the profiles indicate that this was not the case and that the machine was stopped and restarted after each run.

(f) It is not possible to pass an opinion on the annotation on the Charts as the photocopies give no indication as to the different writing equipment used. Although certain standard fix rotations appear to have been made at the time of taking the Soundings, only viewing of the original Chart would elaborate on this conclusion.

It is noted however that certain inconsistencies do exist in the way that the annotations were made, from Chart to Chart, perhaps indicating that they were not made by the same person. Should I be permitted to view the original echo roll confirmation or otherwise of (f) above can be ascertained.
It was the opinion of that firm of hydrographers that those charts were not made at the one time and were not made at the one sounding.

The Minister was made aware of that opinion. He could have conducted a separate investigation, as the owner has done; he could even have asked the Institute of Marine Sciences to carry out an investigation, but he did nothing. The Attorney-General was aware of it and he also did nothing. If that does not spell failure on the part of the Government and its Ministers and if it does not spell an irresponsible attitude to their duties, I do not know what does.

This motion is about that irresponsible attitude of the Government and its Ministers and calls for an inquiry into the failure of the Government to act upon the advice provided to it by the owner of the vessel. Not only is the owner of the vessel engaged in ensuring that some inquiry is opened up to investigate these serious investigations that someone in a Government department has falsified evidence put before a board of inquiry, but 150 citizens of the Lakes Entrance area have become incensed at the Government's lack of action and at the injustice meted out to the owner of the vessel who has been caused considerable problems and immense financial worries which have caused him to suffer a stress problem. Those citizens are also concerned that justice has not been done; in fact, justice has been obstructed by a Government department and it has been obstructed with the knowledge of the Minister concerned.

These are most serious allegations which only another inquiry can answer. Many questions remain unanswered on the whole issue. Mr Newman was billed $167,000 for the work that the Government carried out. In my view, the loss of the vessel was caused by the Government's action. The vessel April Hamer had created the navigational hazard which caused the foundering of the vessel Shark.

After the findings, the Minister promised that he would take steps to set up a panel of experts to ensure that rescue operations of this nature were carried out by someone who was given authority by this Parliament to operate. That has not been done. The Minister has been provided with evidence that sounding charts produced at the Court of Marine Inquiry were false. The Minister has failed to act on that evidence, and who will suffer from that inaction? Not only will the owner of the boat suffer, but also the entire system of Government will suffer.

Many questions should be answered. Those questions can be answered only if a full inquiry into the sinking of the fishing vessel Shark is held. Those questions are: Why were the rescue operations handled so badly? Why was Mr Newman, who is very experienced, not allowed to take part in the initial operations? Why was the hull not sounded or tapped to determine whether anybody was inside? Why were expert divers from other areas not used? Why were the salvage contractors, which Mr Newman found would do the job for $10,000, not used by the Public Works Department? Why were quotes not obtained? Why was Mr Newman billed by the Public Works Department? Why was the Marine Court of Inquiry held twelve months after the event and then only as a result of public pressure? Surely a fresh inquiry should be announced?

Approximately 150 people have banded together to assist Mr Newman in his fight to obtain justice and to determine the truth of what occurred when the fishing vessel Shark sank. That group of people has issued a statement of allegations, which they have forwarded to the Minister and to other members of Parliament. I quote from that statement of allegations submitted by those citizens who are trying to obtain justice for Mr Newman. The document states:

1. The Police prohibited the owner from carrying out any rescue attempts and salvage during the best time possible that any success could have been achieved.

The Police did not have any right to place this restriction on the owner.

At page 4 of the judgment of the Court of Marine Inquiry, His Honour said:

No such legal authority existed in this case.
The document continues:

2. The Coroner, at a Police request, directed that no explosives were to be used. The Coroner is not an expert on explosives and had no concept of their likely effect when used as anticipated. The Coroner acted outside his authority and issued a directive without investigation, and without consideration of the consequences. He only issued this instruction because the Police were seen to be in charge.

That allegation is borne out at page 18 of the judgment, where it states:

... the Coroner exceeded his powers, or that if he acted within power, he acted without due regard to the interests of those affected by his directive.

The document continues:

3. The PWD, seemingly under section 13 (1) of the Marine Act, 1958, issued a notice to the owner, to remove the vessel within seven days. This was then verbally extended to an indefinite period as allowed under section 13 (3) (a).

Section 13 (1) states ... "(a vessel or hull) having been sunk, stranded or run on shore is permitted so to remain, the Port Officer may ... serve a notice upon the owner ... requiring the owner ... (a) within the time stated ... to remove such vessel or hull from the port, ..."

The vessel was not being permitted to remain.

On the contrary, every effort was being made, within the limitations of the restrictions, to remove the vessel. Newmans individual effort was continuous and unrelenting, as were those of his assistants. Tenders were even called for the full removal of the vessel. This unyielding attempt is indicated in numerous documents.

This in itself represents sufficient 'security' for the performance of such an act as may be required by the Port Officer under section 13 (4) (b).

4. No notice was issued under section 13 (1) (b) to request ... "security to the satisfaction of the port officer for due performance of the acts ... ."

5. Because no such notice was issued and because the performance time period had been extended, seizure of the vessel was not justified under section 13 (4) (a).

6. The PWD then, under section 13 (4) (b), set about, at the owners expense, to; "(b) (i) perform all or any of the acts which the Port Officer might have required the owner ... to perform as aforesaid ... ." The PWD did not perform all or any of the acts required of the owner.

7. To undertake the above action, the PWD contracted 'United Salvage', (a company, that before seizure was decided, was not interested in the salvage because of the low monetary value), on a cost plus basis, to perform all or any of the acts.

8. In presenting the task to United Salvage on that generous financial basis, the PWD ignored two earlier quotations, both less than a fixed price of $20 000 for full removal.

9. The PWD allowed excessive time to be spent attending the wreck, achieving negligible results. After many months, the wreck still in the same location, was declared, "no longer a navigational hazard." The PWD did not perform the act of removing the hull under section 13 (4) (b) and therefore was not justified in incurring costs in the order of $180 000 at the expense of the owner.

The PWD claim for $167 977.47 was for "clearing navigational hazard", which was not the act the owner was required to perform, according to the notice dated 20.3.78.

10. The PWD claim of $167 977.47 does not constitute "expenses reasonably incurred", under section 14.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Order! I have permitted Mr Mackenzie quite a bit of latitude. I do not think Mr Mackenzie should be reading so extensively from a document, especially one that contains allegations by people who are unknown to the House. He should wind up his reading of that document.

The Hon. R. A. MACKENZIE—I wish to have the allegations incorporated in Hansard because these people wish to place the matter before the Parliament.

The DEPUTY PRESIDENT—They can do that by petition if they wish, but not during a debate in the House through Mr Mackenzie.

The Hon. R. A. MACKENZIE—I have one more item I wish to read.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Mr Mackenzie may read that; make it as brief as possible.

The Hon. R. A. MACKENZIE—The document states:

11. Because the claim is not justified and not incurred while adhering to the Marine Act, it is invalid. With its claim being invalid, the PWD had no right to enforce a lien over insurance monies payable to Newman.

Those are the allegations that the Government must answer. If the Government expects the public to have any confidence in the Westminster system of Government, it should establish another inquiry. The allegations must be answered. The Government must not tolerate a situation where evidence has been covered up and falsified. The Government is not infallible because it is operated by people who are not infallible. A strength of a Government is the way in which it handles its mistakes.
The Government should be prepared to face up to its mistakes and admit that wrong decisions have been made.

The Government must accept responsibility for its decision. The Government cannot cover up and put things off and not do anything about them. That is why I have moved the motion, which I urge all honourable members to support.

The Hon. D. G. CROZIER (Minister for Local Government)—The case that has been marshalled by Mr Mackenzie is based, presumably, on the assumption that, firstly, the Government is in some way responsible or was responsible for this mishap, and, secondly, and equally seriously, that there has been, in his words, "a conspiracy" in the procedures since.

Mr Mackenzie's first proposition was the theory that dredging is either unwarranted or that the dredging was hazardous and that perhaps no dredging should ever take place at Lakes Entrance. I do not consider that any honourable member in this House feels confident to argue on such a technical matter and, therefore, we must fall back on the opinion of those who are competent and technically qualified and who know the sea and the conditions prevailing in that traditionally hazardous area.

The second proposition is more questionable. Mr Mackenzie, in developing his argument, asked honourable members to believe that the report of the Court of Marine Inquiry was defective. He said that the court's findings, which were brought down on 2 April 1979, were in some way inadequate. It is only fair to the members of the court and its president, Judge Southwell, that some of the matters that are certainly of relevance to some of the people concerned were outside the terms of reference. At page 10 the conclusions of the Court of Marine Inquiry state:

However, while I feel obliged to offer that criticism of Mr Newman, I should balance that by saying that he is deserving of sympathy. It was upon his boat that three men lost their lives; the disaster crippled him financially, because of gross under-insurance; and when there seemed to be reasonable prospects of salvaging the boat, it would appear that he was frustrated in his attempts by a directive from the Coroner that no explosives were to be used. This matter was the subject of very little evidence before me, because it was outside the scope of this inquiry, but it does seem that Mr Newman might have an arguable case that the Coroner exceeded his powers; or that if he acted within power, he acted without due regard to the interests of those affected by his directive. Does the Coroner, without consulting the owner, hinder the salvage of a ten million dollar ship because of possible interferences with a corpse? Surely not—and if not, is the principle any different if the ship be worth one or two hundred thousand dollars? The former ship may be owned by an international shipping cartel to which the loss would be nothing compared to that of a professional fisherman who loses his boat. Mr Newman's obvious bitterness might stem from this; and the subsequent events of the attempted salvage, of which I did not hear evidence, quite apparently did nothing to dissipate that bitterness.

This matter has not been concluded. It was recently the subject of discussion by Cabinet. Most of that discussion was by the responsible Minister, my colleague the Minister of Public Works in another place, who has been directed by Cabinet to make further recommendations on what one may call the terms of settlement.

However, having said that, I believe this was a perfectly reasonable course in the circumstances. Although the Government and I accept some of the conclusions and criticisms in the report of the Court of Marine Inquiry by Judge Southwell, we can all be wise after the event. I do not suppose any disaster has ever occurred upon which an inquiry has been held in which criticism has not been made and sustained on attempted rescue operations or what may have been done.

In the main, the court was supportive of the initiatives taken by those charged with the tremendous and horrendous responsibility of attempting to make an assessment on how they could possibly react in those circumstances, with a view to saving the lives of the crewmen, assuming that they may have been still alive after the vessel capsized. I do not believe honourable members should be debating this disaster. The findings of the court are substantial, and although some criticism has been made of what
I understand that this particular bar and stretch of water are notorious and that the sea conditions can change quickly. It is regarded as a hazardous stretch of water, particularly the behaviour of the bar itself. It is not unusual in other parts of the coast or on other coasts for bars to change rapidly in certain conditions so that it is almost impossible in rough weather to know with any certainty precisely where the bar is. To say that the hazards increased because of dredging operations is, to say the least, conjectural. The court dealt with this point in this way in its findings:


It is clear that there is a division of opinion among trawler owners as to effects of the dredging; all agree that in most weather the deepened channel is welcome but there is disagreement as to whether the hazards are increased in some rough weather conditions. Not all owners and skippers are members of the Fishermen’s Co-operative, or the Scallop Fishermen’s Association with whom P.W.D. officers have conferred in relation to dredging.


I find it odd that none of the interested parties has apparently attempted to call a meeting of all owners and skippers. They are all vitally interested in seeing that the port remains open, and that the hazards of crossing the bar are reduced to a minimum. Perhaps they realise that they hold fixed and diametrically opposed views. But an attempt to arrive upon a common recommendation to the P.W.D. is surely worth while.

There is no attempt on behalf of the Government to cover up, as Mr Mackenzie suggested. The people whom he purports to represent should have further discussions with the responsible Minister on the serious charges that he has made, the most serious of which is that a Government department and officers within it have deliberately suppressed or in some way distorted information placed before it. That is a serious allegation, and I consider that the investigation should be followed up. I shall certainly suggest that to my colleague.

For the benefit of the Leader of the Opposition, I am saying that the Government realized that the last word has not been said on this matter. Further negotiations have been authorized by Cabinet and will take place with the representatives of the owners. I am challenging the mover of the motion to
14 April 1981] Fishing Vessel “Shark”

substantiate his claim that a conspiracy has taken place because the motion relates to this and the validity of the argument rests largely on the Government’s failure apparently to provide safe navigational conditions in all circumstances at Lakes Entrance, but more seriously the failure of the Government to take adequate steps as a consequence of this disaster.

I ask Mr Mackenzie and the House what the appropriate steps are after a disaster of this kind. Is it conventional and correct to initiate a Board of Marine inquiry? I would say that this is obviously the correct action to take. Mr Mackenzie inferred that the findings of that inquiry are questioned and indeed that the conduct of that investigation was suspect.

I do not believe the honourable member has proved that. He has cast a slur on the integrity and professional confidence of the members of that court. I totally reject the imputations and assumptions that have been made by the honourable member and I invite him to provide the responsible Minister and the Government with any prima facie evidence of improper conduct by any officer of any department. In saying that I indicate that the Government does not accept the motion.

The Hon. W. R. BAXTER (North Eastern Province)—I have listened with interest to the serious allegations made by Mr Mackenzie and the background details of the tragic events that occurred when the Shark sank a little more than three years ago. I have also listened to the remarks of the Minister for Local Government. I was delighted to hear the honourable gentleman tell the House that Cabinet has authorized further investigations into this sorry episode.

It is a pity the Minister of Public Works was not more illuminating last week in a response to a question from the honourable member for Gippsland East in another place. In answering that question, the Minister certainly did not indicate that further investigation and inquiries were about to be set in train. The honourable gentleman went on with a long story about how he would investigate allegations if they were put in writing.

I submit that it is extremely difficult to put allegations in writing if the evidence to sustain those allegations is in the hands of the Government and the Government has declined to make the documents available. As I understand it, that is the position with the charts and other material. It would be easier for the people making allegations to sustain those allegations if they had in their hands the original documents. As has already been demonstrated, the former Minister of Public Works impounded those documents. I do not know how the Minister of Public Works in all honesty can expect people to commit allegations to writing when the means of sustaining those allegations is not in their possession. The Minister is stretching the point too far.

The Hon. R. J. Long—Did they apply to get the originals?

The Hon. W. R. BAXTER—Mr Bruce Evans, the honourable member for Gippsland East in another place, has assiduously assisted these people ever since the tragedy occurred. It is quite specious to suggest that attempts have not been made to obtain the originals.

The Hon. D. N. Saltmarsh—Mr Arrowsmith has seen them.

The Hon. W. R. BAXTER—He has seen copies, not the originals. If the honourable member had listened to the interesting documents Mr Mackenzie read to the House, he would have noted that Mr Arrowsmith also wished he had seen the originals because it would have helped in his assessment of whether the allegations are genuine.

I now wish to deal with the assumption of the Minister that, in his motion, Mr Mackenzie was somehow casting a slur on the court or giving an indication of having no confidence in the court. I do not believe that to be the case at all. The court made a decision in the light of the evidence which it had before it. Mr Mackenzie has stated that subsequent events have proved that some of the evidence presented to that court was suspect.
If the court did not know something at the time, it made a prima facie decision in good faith. If honourable members examine the way in which these charts came to light, an interesting scenario unfolds. I understand that during the proceedings of the court claims were made by various witnesses, including Mr Newman, that the sand banks thrown up by the dredge April Hamer were in some manner or another at least partially responsible for the sinking of the Shark. This was discounted midway through the court proceedings. Lo and behold, on the second last or last day of the proceedings, the Public Works Department produced some further evidence to say that these banks were not there. I am intrigued to know why the Public Works Department did that if it had been discounted previously. In the course of presenting this evidence, documents fell on the floor which turned out to be the charts in question. The owner of the vessel, Mr Newman demanded that they be tendered as an exhibit. He could hardly have known at the time how significant they were to turn out to be. Therefore, the documents have come to light in an odd manner and we almost did not see them.

Mr Mackenzie read out a document from Mr Arrowsmith, which clearly casts doubt upon the validity of the document. I understand it is claimed that they were all taken within a period of one hour on one machine by one operator. Mr Arrowsmith has told others that there were five separate pieces of paper, four of which were manufactured in the United States of America and one—in the middle of the chart—which was manufactured in Australia.

I am not one for casting aspersions upon anyone, but that suggests to me that if this is the case there are grounds for believing that that chart is a concocted document and that grounds for further inquiry exist. The Minister said that this would be the case. However, why should it take three years? Is it only because Mr Arrowsmith's letter has come to hand in the past few days?

That is justification for supporting the motion moved by Mr Mackenzie. I shall mention a couple of other sad facts about the episode. A matter of concern, which ought to be the subject of inquiry, is how one can run up an account of $167,000 to the owner for the salvage of the vessel when the owner had two tenders both less than $20,000? I concede that the firms which tendered may have been over optimistic and possibly could not do the job for that amount of money under the prevailing conditions.

The Hon. D. G. CROZIER (Minister for Local Government)—On a point of order, I submit that under Standing Order No. 53 the debate shall be strictly confined to the subject so stated. In relating that to the motion on the failure of the Government to take action to initiate further inquiries into the sinking of the fishing vessel Shark, Mr Baxter is now traversing ground, which is certainly related to the tragic affair but is not related to the motion before the House.

The Hon. W. R. BAXTER (North Eastern Province)—On the point of order, it seems to me when one reads the motion that the operative word is not “sinking” but “inquiries”. I submit that my remarks have considerable bearing on the inquiries.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—In your absence, Mr President, the matter was canvassed by the Leader of the Government and we pointed out then that it would be a strictly narrow interpretation of the words to believe that all Mr Mackenzie intended to discuss was the sinking of the vessel.

In other words, if we had a debate around the sinking—just the act itself—presumably the Minister for Local Government would take a point of order saying that the events that led up to the act of sinking, including the weather and so on, were also unrelated. It is an absurdly narrow point of view, and, in my view, is a duplication of a point of order taken earlier this afternoon.

The Hon. N. F. STACEY (Chelsea Province)—On the point of order—
The PRESIDENT (the Hon. F. S. Grimwade)—I have heard sufficient. I have heard a speaker from each side, and I do not uphold the point of order.

The Hon. W. R. BAXTER (North Eastern Province)—As I was saying before the interruption, let us assume for a moment that the two tenderers were over-optimistic and it would not have been possible to salvage the vessel for $20 000. Surely it would not have been as far out as that in the estimates. How could it be justified for a Government department, on behalf of an owner who has not even agreed to the department doing the work on his behalf, to let a contract to someone who has previously expressed disinterest in doing so at a cost-plus basis and take no action, so far as I can detect, to control the actions of that salvager and allow him to run up a bill of $167 000 and still have the vessel where it was in the first place? Nothing was achieved except that an extraordinary amount of money was spent. Surely that deserves a little more investigation.

The Hon. D. G. Crozier—I said that that aspect of the matter will be further investigated.

The Hon. W. R. BAXTER—I thank the Minister; I am glad that that will be further investigated.

I concede the truth of an interjection that was made earlier, that someone has to make decisions when there is an emergency, but let us consider the scenario on that day when the tragedy occurred. Here is the vessel capsized, and three persons are presumed to be on it. They may well be still living, trapped in the upturned hull. A call is received by Mr Geoff Newman, the owner, a most experienced mariner and a fisherman all his life, who is willing and able to undertake certain salvage operations in a desperate attempt to save the lives of his three crewmen.

He takes the view from his experience that a trawl board is buried under the sand and that the chain connecting it to the boat is causing the boat to be kept under the surface instead of rising to the top, and he wants to use plastic explosives to break the chain. That was a way of cutting the chain, as it was possible, with the equipment at hand, for people to stay under water only very briefly. It was impossible to use, for instance, a hacksaw or some other mechanical means of breaking the chain. Plastic explosives, as we know, and as Mr Mackenzie quoted an example, are used to blow doors from safes, but they would not have blown the boat to smithereens.

The police object to that course and take the matter to the coroner. The coroner makes a decision and gives a direction that no explosives are to be used. That may well have been his right. Even the judge of the court was unable to decide if it was right or wrong and whether he had the power to do that. But it would seem to me that, to give that direction, the coroner had probably been given either wrong or misleading information, and was given evidence that the result of Mr Newman’s activity would be to completely destroy the boat, and therefore he denied permission for the explosives to be used. I think we ought at least investigate whether that was the situation.

A further point strikes me, that should be investigated—not that it is going to do any good in this place, but for future reference—whether the chairman of the Marine Board was instrumental in giving instructions on how evidence was to be led at the inquiry. He is also the Director of the Ports and Harbors Division, so it can be alleged that he has an interest in how the evidence is led or which evidence is lead.

In some respects it is a case of Caesar appealing to Caesar, and I do not think that is a desirable situation to have in the future, because the chairman’s own department may well have come under a good deal of scrutiny and questioning at the board, and yet he wears two hats. Therefore, I suggest that we may well inquire into that matter with a view to changing the system in the future.

The Minister also said that some of the allegations and claims made were conjecture. That may well be so, but that is a further reason for an additional inquiry to clear the air. Here is a
man—as I have already said, a very experienced mariner—whose livelihood has been taken away from him for more than three years now. He is presented with a bill that he cannot possibly meet and that cannot be justified; he is denied access to the $90,000 insurance that he was carrying on the boat because the Public Works Department has a lien on that. He is denied, at the time of the tragedy, permission to carry out such salvage operations as he was able and prepared to do, by the directions of the police, rightly or wrongly. I am not commenting on that; I concede that someone had to make the decision at the time. Even if this is conjecture, it still demands a further inquiry to clear the air absolutely so that in the unfortunate event of a future tragedy such as this occurring, we can all be better prepared. The fishermen will know where they stand; the police will know what their powers are, the Marine Board will know the situation and the Public Works Department will be in a better position to prepare a modus operandi that can be put into action at a moment's notice, because we all know that in times of emergency people tend to panic, some strange decisions are made and we all regret them later.

I have canvassed a number of issues that I think ought to be inquired into, and I should also be interested to know whether since this tragedy and the publicity and the inquiry that resulted, the operational regime of the April Hamer has been changed. I do not criticize the activities of the Public Works Department in dredging sandbars, bays and so on; at the beginning of his speech I thought the Minister was going to suggest that Mr Mackenzie was saying that should not be done, but the Minister backed away from that as he went on. Of course dredging is necessary from time to time, but, as I understand the operation of the April Hamer, it throws sand or whatever it sucks up to each side and thereby creates a bank. Apparently the channel at this location was some 100 feet wide, with a bank thrown up on each side.

If the Shark, which was some 60 feet in length, turned to port and nosedived, if I may use perhaps an inappropriate term for a marine context, into that bank and was then turned over by a subsequent wave, and if the April Hamer threw the spoil into heaps rather than a continuous bank and there were breaches along the banks of the channel, it may have speared through such an opening.

The Hon. J. A. Taylor—Have you seen the April Hamer operate?

The Hon. W. R. Baxter—I am not a technical expert, nor do I claim to be. I am making an inquiry about whether consideration has been given to this matter. It has been my experience that sometimes laymen come up with some simple solutions to problems. I am not suggesting I have done so tonight, but asking whether this has been looked at.

To sum up, I believe further inquiries are needed on the issues I have raised. I am particularly concerned at the allegations being made about the charts. Mr Arrowsmith's letter is a serious and challenging document that demands an answer.

The Minister referred to negotiations. I hope he also meant that there will be inquiries, because, until the matter is resolved, it will be a running sore that will do the Government no credit, and will give no confidence to the fishermen, in this State in particular, and to others who have to deal with the Government.

The Hon. D. N. Saltmarsh (Waverley Province)—I wish to say a few words about this issue. Despite some of the comments of Mr Baxter, the Government has taken notice, even if it was only recently, of the work undertaken by a group of people who believe that an injustice has been done, in particular to Mr Newman. Wherever it is believed that an injustice has been done to a person or to a cause, there is a need for a further review to take place. As a result of the experiences in this matter, better facilities may be provided for future, similar occurrences.

It is hoped that some insight will be gained from the mistakes that have been made. I do not intend to canvass the mistakes that may or may not have
been made, but it may well be that insufficient evidence was presented to the board of inquiry, which has meant that the court was unable to formulate a clear decision on the particular issues.

An injustice lies in the fact that Mr Newman was prevented from carrying out what he believed to be an appropriate and effective salvage operation, and as a result of this he was charged with not removing the very obstacle that he was seeking initially to remove. Mr Newman and many other people believe that constitutes a severe injustice but, as the Minister indicated, the matter is being reviewed again and Cabinet has decided to renegotiate on that particular issue. I commend the Government for taking this action, especially as it was brought to its attention only recently—in the past week or so.

Another issue that is important to these rather complex issues that arise from time to time is who provides the effective advice, for example, to a Minister? One other speaker has indicated that it is like Caesar appealing to Caesar. Action is taken by the bureaucrats, the departmental officers, and when a challenge is made the same people provide the answers. This poses a serious problem to effective management of any Government.

I refer to a recent editorial in the Age, which indicated that there is a need for skilled advisers to be at the disposal of Ministers if Ministers are to stand up to the statutory authorities that they control. It also states that the bureaucracy needs a central core group to assess the competing claims on our tax dollars.

A sense of injustice may well prevail in this matter because advice was given by departmental officers and when a challenge was made the same people replied to it. The Minister is in a blind and the Parliament is in a blind. The Parliament, and Ministers, should have access to alternative, expert information to help elucidate, enlighten and provide an answer that is not only right and proper but also just. It would seem appropriate that not only should there be a renegotiation, as the Minister suggested—it may be advisable, but I would not go to the extent of calling for a fresh inquiry—but also some other competent person should re-evaluate any new information, along with the information that was available initially, so that there can be a more objective judgment on the claims and counterclaims made. This is absolutely imperative to provide greater confidence to the people in the fishing industry should there be any tragedies or accidents within their industry in the future, so that there will be clear lines of action and communication, and a fair and just response to the total issue.

I support the Minister, and I commend the Government for taking action at this stage. I hope it will be speedy action and that, if necessary, a third person will give an objective evaluation of the information that is now available.

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

Ayes.. . . . . . . 15
Noes.. . . . . . . 23

Majority against the motion . . . . . 8

AYES
Mr Baxter Mr Mackenzie
Mr Butler Mr Sgro
Mrs Coxsedge Mr Walker
Mr Dunn Mr White
Mr Evans Mr Wright
Mr Kennedy Tellers:
Mr Kent Mr Eddy
Mr Landeryou Mr Thomas

NOES
Mrs Baylor Mr Hunt
Mr Block Mr Jenkins
Mr Bubb Mr Knowies
Mr Campbell Mr Lawson
Mr Chamberlain Mr Reid
Mr Crozier Mr Saltmarsh
Dr Foley Mr Stacey
Mr Granter Mr Storey
Mr Guest Mr Ward
Mr Hamilton Tellers:
Mr Houghton Mr Hauser
Dr Howard Mr Hayward

PAIRS
Mr Trayling Mr Taylor
Mr Walton Mr Long
PORT OF MELBOURNE AUTHORITY (LANDS) BILL

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

LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL

The Hon. D. G. CROZIER (Minister for Local Government), by leave, moved for leave to bring in a Bill to amend the Local Government Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

LOCAL GOVERNMENT (HOUSE BUILDERS' LIABILITY AMENDMENT) BILL

The Hon. D. G. CROZIER (Minister for Local Government), by leave, moved for leave to bring in a Bill to amend Division IA of Part XLIX of the Local Government Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

DRUG PROBLEM IN VICTORIA

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


The motion was agreed to.

The Hon. HADDON STOREY (Attorney-General) presented the report in compliance with the foregoing order.

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

On the motion of the Hon. E. H. WALKER (Melbourne Province), it was ordered that the report be taken into consideration on the next day of meeting.

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:

Boilers and Pressure Vessels Act 1970—No. 94.

Country Fire Authority Act 1958—No. 87.

Industrial Training Act 1975—Nos. 70 to 72.

Public Service Act 1974—PSD Nos. 52 and 53.

Racing Act 1958—No. 79.

Teaching Service Act 1958—Teaching Service (Classification, Salaries and Allowances) Regulations—Amendments Nos. 541 to 543.


Eppalock Planning Scheme (Shire of Strathfieldsaye)—Amendment No. 3.


Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 5.

Melbourne Metropolitan Planning Scheme—Amendments No. 120, Part 3A (with ten maps); and No. 120, Part 5 (with map).

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 46, 1980.

On the motion of the Hon. E. H. WALKER (Melbourne Province), it was ordered that the report of the Health Commission and the Statutory Rules under the Teaching Service Act 1958 be taken into consideration on the next day of meeting.

VICTORIAN COLLEGE OF THE ARTS BILL

The Hon. A. J. HUNT (Minister of Education)—I move:

That this Bill be now read a second time.

Its purpose is to reconstitute the Victorian College of the Arts so that it is better able to provide for the preparation of young people to enter upon careers as professional artists. It also represents a most significant development for the Victorian Arts Centre, a new development to which I shall refer later.
The Victorian College of the Arts was incorporated and affiliated as a college of advanced education with the Victoria Institute of Colleges in 1973.

In 1980 a total of 462 tertiary students were enrolled; 116 in art, 213 in music, 86 in drama and 47 in dance. Since 1973 there have been 174 graduates in fine arts, 83 in music and 49 in dramatic arts. The first graduates in dance will complete their studies in 1981.

As a result of the repeal of the Victorian Institute of Colleges Act 1965 it is necessary that those college councils constituted by Order in Council made under that Act be reconstituted. While provision has been made in the post-secondary Education (Amendment) Act 1980 for that purpose, after careful consideration the Government has decided that the educational and artistic functions of the Victorian College of the Arts would be much better served if the college were reconstituted under a separate statute. The reasons for this decision derive from the quite distinctive demands and circumstances of preparing young artists for professional practice.

These considerations alone lead to the conclusion that the Victorian College of the Arts as an institution devoted to assisting young artists enter upon careers in the arts is substantially different from other educational institutions. The education activities in which it must engage extend well beyond post-secondary education, and to achieve its educational purpose it must also be a centre of artistic activity. Although the Bill has been framed to enable the college to take up and discharge its full charter, the college will, nonetheless, continue as a college of advanced education in respect of its degree and diploma courses within its wider role and, therefore, will continue to have the same relationship with the Victorian Post-Secondary Education Commission and the Tertiary Education Commission in Canberra as it now has in connection with the approval and funding of courses, and related matters.

I referred to a new dimension in my opening remarks. My colleague, the Minister for the Arts, in his second-reading speech on the Victorian Arts Centre Bill in 1979, drew attention to the fact that the Arts Centre, the National Gallery and the college occupy adjacent sites. He said then that these circumstances afforded an unparalleled opportunity and challenge to present total programmes in the arts which should encourage creative exchanges between the art forms, give inspiration to students of the arts and provide for the public an experience which few places in the world can match. This Bill represents a major step towards giving tangible effect to the motion he foreshadowed at the time, that is, the establishment of a complex which may fairly be described and regarded as the greater Victorian Arts Centre.

The greater Arts Centre concept is central to the Government's decision to reconstitute the college by separate statute as well as to the development of the arts in general. It represents a simple, readily achievable and highly effective means of creating a substantial milieu of continuous professional activity of the highest standards. It also has ramifications which extend far beyond the college and its partner institutions. Its implementation will shape and invigorate the arts in many ways and lead to a dynamic cultural and social facility without peer in Australia. Effecting the concept turns on legislative measures to link the Arts Centre, responsible for the presentation of the performing arts, the National Gallery which is responsible for the visual arts, and the college which prepares young artists for professional careers in the fine and performing arts. The Arts Centre and the National Gallery are each already constituted under their own Acts and this new measure establishes by statute the third and final partner.

Within the greater Arts Centre structure, each of the members will be autonomous in its own sphere to ensure preservation of the advantages of specialization, expertise and dedicated endeavour. At the same time, each will exercise its responsibilities within the over-arching framework created by the
close inter-relationships of the various aspects of the arts for which each has a special responsibility, cross membership on their governing bodies, and the commonality of their interests in the arts.

In the light of my earlier remarks about the education of artists, the benefits which will accrue to the college are self-evident. The college’s students will be participants in the much wider artistic environment of the greater Arts Centre. Through co-operative arrangements they will have continuing exposure to and artistic contact with artists and their works in the Arts Centre facilities. The Arts Centre will be continuously alive with artistic activity because of the presence of the college’s students.

Prior to submitting the proposal to reconstitute the college by separate statute to the Cabinet, the Minister for the Arts looked carefully at various models for educating artists as well as considering advice from within the State and the experience of the college since it was established in 1973 and that of the former National Gallery Art School, now the college’s School of Art, over about 100 years. More particularly, the Minister studied institutions in which the education of artists takes place in the wider context of arts centres and to ensure that he had a direct and full appreciation of the proposed measure, he visited the Lincoln Centre, of which the justly celebrated Juilliard School is an element, in New York City.

There is no doubt that the Lincoln Centre and the Juilliard School, like the Barbican Centre and the Guildhall Schools in London, stand in the forefront of the arts and artistic education in the world. Those two institutions represent the objectives to which the Victorian Government aspires, and which the Minister for the Arts is confident will be attained. Victoria’s own greater Arts Centre will rank amongst the finest centres of arts and artistic education in the world and will have profound influence for the good on the quality of life throughout and beyond this State. The Bill establishes the college as an autonomous education institution within the general operational framework of the Victorian Post-Secondary Education Commission. By way of a general overview, it provides for a council which will be able to be widely representative of interests in the arts to govern and manage the college and for a board of studies to advise the council on the college’s educational work. The council is empowered to exercise its responsibilities and to make statutes and regulations in the same way as all other tertiary educational institutions established by separate Acts and to confer academic awards. The Government has been particularly careful to maintain the college’s autonomy to ensure that the integrity of its programmes and awards is unquestionable. Appropriate transition provisions have been included to protect the interests of staff and to maintain continuity.

Since the Government created the Victorian College of the Arts in 1973 on the foundation of the long-established National Gallery of Victoria Art School, the college has extended to encompass education in music, opera the dramatic arts and in dance. Talented young Victorians have accepted eagerly the opportunities afforded them to realize their creative potential and each year sees a growing number of the college’s students launched into satisfying and productive careers.

At the same time the college itself has sought to develop both as a centre of artistic activities and as an agency for promoting interest and participation in the arts throughout the community. It has actively been encouraged in these endeavours by the Ministry for the Arts which identifies the college’s role as fundamental to the Government’s arts policies. This proposed legislation which will be the administrative responsibility of the Minister for the Arts, will allow further opportunities and incentives for coordinated operations and it is the Government’s intention, as means afford it, further to assist the college to achieve in full measure those objectives which have been framed for
WILLS BILL

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

That this Bill be now read a second time.

The purpose of the Bill is to effect a number of necessary amendments to the Wills Act 1958. The first of the amendments proposed is to amend the Wills Act to include a provision which is designed to provide an alternative method of valuing assets and estates where reference is made to probate values in wills.

Many wills prepared in Victoria were drafted at the time when most estates were subject to the payment of probate duties. Some of these wills contain provisions under which dispositions of property depend upon the valuation of the property for death duty purposes. There are two main examples of such provisions:

(i) A provision giving a person an option to purchase a specified property at the value placed on it for probate duty purposes; or

(ii) a provision specifying that land or property is to be devised to one person with a direction that he pay to another person the value placed on the property for succession duty or probate duty purposes.

As a result of changes to Victorian death duty legislation, these types of provisions are rendered meaningless in cases where no probate duty is levied. For instance, in cases where husbands, wives or their children are entitled to property, probate duty is no longer payable and consequently there is no measuring stick or means by which the value can be calculated.

Accordingly, proposed section 22B of the Act provides for an alternative method of valuing assets and estates where reference is made to probate values in wills. The effect of the provision is that a reference to such a valuation shall, where not required by law, be read as a reference to a valuation made by a “competent valuer”.

The broad definition of “competent valuer” has purposely been used in this measure. There are various types of assets and property which require special knowledge of the asset for valuation purposes. For instance, if the valuation relates to land it may be that a licensed land valuer may be competent. If the valuation relates to shares in a public company it may be that a stockbroker may be competent. If it relates to shares in a private company it may be that an accountant would be a competent valuer. This definition allows an executor to choose a person considered appropriate to conduct a valuation of the assets involved.

Any executor would be under a duty to act honestly and competently in selecting and binding a valuer and there are adequate remedies under existing law for any failure by the executor to act properly in the selection and appointment of a competent valuer. Moreover, there are safeguards under existing legislation whereby application may be made to the court to resolve any disputes that may arise in relation to valuations.

The second major amendment effected by the Bill is to provide for the admissibility of evidence of the circumstances surrounding, and facts known to, the testator at the time he made his will. Proposed section 22A of the Act implements the Chief Justice’s Law Reform Committee’s recommendations. The committee was of the view that, in construing a will, the court should be at liberty to take into account every relevant fact proved to have been known to the testator at the time of making his will.

Under present law, the basic rule is that in ascertaining a testator’s wishes the words of the will are prima facie to be construed according to their strict and primary acceptation. The basic rule, however, is subject to three principal
qualifications, so that the general approach taken is that of exclusion of extrinsic evidence, with limited exceptions to that approach.

At common law evidence of a testator's dispositive intention is only admissible for the purpose of resolving equivocations, that is: Terms which are applicable indifferently to more than one person or thing. The over-all picture is thus one of construing the words of the will according to their primary meaning, with the total exclusion of any other evidence of the testator's dispositive intention save in the case of equivocations, and a strictly limited admission of extrinsic evidence as to surrounding circumstances and possible secondary meanings of words in case of doubt.

The Government accepts the Chief Justice's Law Reform Committee's proposal that the existing law concerning the admissibility of extrinsic evidence to aid in the interpretation of wills be simplified and changed. Proposed section 22A (1) accordingly provides that any extrinsic evidence should be admissible to assist in the interpretation of a will, except direct evidence of the testator's dispositive intention—unless the latter be admitted for the purpose of resolving an equivocation. The primary benefits accruing from the general admissibility of such evidence are:

(i) Admissibility of extrinsic evidence will assist the court of construction whose function in interpreting a will is to search for the true meaning which the testator intended his words to bear.

(ii) The court of construction will also be assisted by having doubts about the current state of the law resolved and by having a number of complicated principles and sub-principles replaced by the one general rule.

The Government is aware of the possibility of increased costs in litigation as a result of giving effect to the Chief Justice's Law Reform Committee's report on the construction of wills, and has decided to make particular provision with respect to costs where the evidence rendered admissible by this Bill is sought to be introduced.

Proposed section 22A (2) provides that the costs of any extrinsic evidence introduced pursuant to section 22A (1) be borne by the party introducing that evidence, unless the court otherwise determines. I commend the Bill to the House.

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

It was ordered that the debate be adjourned until Tuesday, April 21.

PORT OF MELBOURNE AUTHORITY (LANDS) BILL

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

That this Bill be now read a second time.

This small Bill proposes an amendment to Part IV of the Second Schedule to the Port of Melbourne Authority Act 1958. It allows for additional land and water to be vested in the Port of Melbourne Authority. At the inception of the Port of Melbourne, its southernmost boundary was a line from Williamstown to St Kilda. As the port developed and the size and draught of vessels increased, construction of an approach channel became necessary to provide safe access to the port.

The Melbourne Harbor Trust Act 1918 vested an area, which includes the present Port Melbourne channel, and placed the port boundary a further 3 statute miles to the south of the old boundary. Over the years the increase in the size and draught of vessels has continued and the need to lengthen and deepen the channel has entailed dredging at various times.

At present the port's main approach and berths are dredged to 14 metres below low water to provide a guaranteed depth at all times of 13.1 metres. It is desirable that dredging, to provide a depth of 14 metres in the channel south of the present port boundary should be carried out, and that the channel be correctly marked.

This Bill will allow dredging of an additional length of channel to the port's main approach. When dredging is completed, additional lateral port and starboard marking beacons and a channel...
entrance marker beacon will be provided for navigation purposes. A simple amendment to Part IV of the Second Schedule to the Port of Melbourne Authority Act to increase the two distances of 3 statute miles to 7768 metres and change the words, “three quarters of a mile” where twice occurring to “1207 metres” is all that is required. I commend the Bill to the House.

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

It was ordered that the debate be adjourned until Tuesday, April 21.

The sitting was suspended at 6.36 p.m. until 8.8 p.m.

LOCAL GOVERNMENT (CITY OF MELBOURNE) BILL

The debate (adjourned from April 7) on the motion of the Hon. D. G. Crozier (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—The Bill dismisses the oldest council in the State of Victoria and, as such, is a shameful document. It was conceived in deceit, born in panic and nurtured in confusion.

In a Ministerial statement, the Minister for Local Government read words that were prepared for him and told the House that it was Government policy on local government that municipal boundaries, to the extent that they needed to be changed and if they needed to be changed at all, would be changed only with the authority of voters of the municipality.

The Hon. D. G. Crozier—Would you like me to read the statement to you?

The Hon. W. A. LANDERYOU—I know the Minister for Local Government read it once, but I have some doubts whether he wrote the statement. On 10 December of last year the Minister made what was supposed to be the long-awaited response of this tired Government to the Bains inquiry recommendations but it was in fact long on rhetoric and short on verve.

There has never been another organization so inquired into by this Parliament, apart from the liquor industry or I guess the police, as local government. For those who want to refresh their memory and learn some of the history of this State, I have obtained copies of the reports from the Library and the Papers Room. I toyed with the idea of using a wheelbarrow to bring them into the Chamber, so voluminous are the many reports.

The Hon. H. G. Baylor—You want yet another inquiry.

The Hon. W. A. LANDERYOU—I should like an inquiry into how Mrs Baylor got her preselection.

The Hon. D. G. Crozier—We might have an inquiry into how you nearly lost yours!

The Hon. W. A. LANDERYOU—I suppose if the Minister for Local Government continues to support me I might not lose the next election.

What the Minister put to this House was a considered decision—it was considered in that Cabinet had reached a decision. The Government decided it ought to have a considered opinion which eventually, after an agonizingly long period, it presented to us. The Government said to this Parliament that on matters of concern, as in the case of boundary changes, it would ensure that a referendum was held.

That was on 10 December. Within hours, the Minister was flying a kite in the press about sacking the Melbourne City Council. Within days the Minister presented to Cabinet a proposition aimed at achieving that end. Within weeks that is what Cabinet decided. Within months we now have this Bill before the House.

The Hon. D. G. Crozier—you cannot say that it was exactly sprung on you, can you?

The Hon. W. A. LANDERYOU—I suppose, having regard to the Minister's learning difficulties, the time scale set for him by the Premier has been roughly achieved by him.
The reality is that in this Parliament the Minister presented what was supposed to be the considered response. The central thrust of the Bains report was the need to restructure the council. The Minister said that was not a matter which would lead to an inquiry and that, even if a local government board of inquiry was conducted with respect to boundaries, the Government would allow the voters to make the decision.

I believe that in the days that followed late last year and the debate in this Chamber—since then there has been another debate here—the two major parties in this State were as one on the principle that the people who pay the bill of local government should have the right to determine in what municipality they live and that, if there is to be a change, it should not be made by some autocratic decision of Cabinet or a bureaucratic decision of a public servant but should be endorsed by the ratepayers of the municipality. That is what the Minister then said.

On the question of the recommendation of the Bains inquiry with respect to the election of the lord mayor or the chairman of the municipality, I suppose there is one point on which the Minister should be congratulated: I could not think of any more conservative politician who is able to unite municipalities against the Government. Fewer than 1.5 per cent of municipalities of this State support this Bill, and yet the Minister, who proudly boasts of his intention to regard the Municipal Association of Victoria as the mouthpiece for local government, has completely disregarded that association and the attitude of the vast majority of its member councils to this socially Fascist piece of proposed legislation.

I presume the Minister read the statement before he read it to the House. In that statement he said that the Government rejected out of hand the proposition that the mayor of a municipality or the chairman or shire president should be elected by a poll of those enrolled within a given municipality. That is what the Minister said on 10 December.

Within a matter of weeks Cabinet had him saying that with respect to the Melbourne City Council the position of mayor ought to be one of popular election by all the people within that municipality, or at least, as the Minister put it in the statement of 23 December, by the ratepayers within that municipality.

The Hon. D. R. White—On this important piece of proposed legislation, I draw the President's attention to the state of the House.

A quorum was formed.

The Hon. W. A. Landeryou—As I said earlier, this Bill was conceived in deceit. Against that backdrop, I was making the point that the election of the major is yet another example of the Minister saying one thing in this House and then Cabinet proceeding on a different basis from what the Minister had outlined to the House as Government policy.

On the question of Cabinet discussion, presumably the Minister was consulted by his Premier who announced, according to the Age of 10 January, that Melbourne would get a full time, salaried lord mayor. That is diametrically opposed to the principle that was put to the Legislative Council. I can understand the disappointment of the conservative and reactionary forces within the Liberal Party when late last year surveys suggested that their days were numbered, as well they might be. I can understand the million-dollar Liberal Party propaganda machine thinking up the nonsense of the so-called new directions and the need for the Government to finally make some decision it could stick to and carry out, so whom did it pick on? It picked on the Melbourne City Council which, for all of my life, has been dominated by the civic group, which is the civic arm of the Liberal Party.

The Hon. Glyn Jenkins—All card carrying members, no doubt!

The Hon. W. A. Landeryou—Presumably those that the Liberal Party has managed to run for Parliament and those who admit to being members of the Liberal Party. The reality is that the
central business district and its councillors have dominated the Melbourne City Council for all my life.

Even when this House debated the question of the internal boundaries of the existing City of Melbourne, the Liberal Party used its numbers in this Chamber, to reject the proposition that there ought to be one vote, one value. The Government produced legislation and imposed on the city, its ratepayers and the citizens of the City of Melbourne an internal gerrymander aimed at guaranteeing in office the Liberal Party's hacks and stooges that had been produced by the central business district over the years.

The same position was advocated by the then Minister and his successor in defence of that legislation. It was produced as some supposed sort of reform, but the reality is that the Bill has, as its origin, the realization that even that massive gerrymander, that great fraud which was imposed on the people of Melbourne, would be exposed next August. The then Minister for Local Government, Mr Hunt, his department and those who were responsible for the internal boundaries had miscalculated the residents' reaction to the decisions that have been taken by the conservative forces representing the Liberal Party in the City of Melbourne. Among those decisions that had so upset the residents of Melbourne was that one of the juicy plums was divided in this gerrymander by distorting the figures in a most undemocratic way to ensure that the result was rigged right from the start. Even against that system, the progressive forces within the City of Melbourne had begun the capture of what should have been considered on paper to be a conservative ward.

That is the real reason why the Government decided it had to do something about the Melbourne City Council—that August of 1981 would represent what the Labor Party and the people of Melbourne would achieve this year, a position where, for the first time since the formation of the Liberal Party, it would lose control of the City of Melbourne. It was against that backdrop and the backdrop of the so-called new directions that the Government began to panic and took action in its frustration and panic.

The Hon. Glyn Jenkins—That is pure supposition!

The Hon. W. A. LANDERGYOU—I ask Mr Jenkins to meet the central thrust of my proposition, to deny, if he can, and to prove that I am wrong in saying that Cabinet proposed, the Government members voted for and this House accepted an internal gerrymander of the boundaries of the wards of the City of Melbourne which was deliberately calculated to ensure that the central business district would retain its dominance of the Melbourne City Council. Even with a 16:10 domination now, the Government has decided in panic to dismiss the council.

Indeed, part of the nugatory process of this Bill has been the role played by the Government. What Government, in a Parliamentary process, is required to give four months' notice of its intention to dismiss any council? The Minister can perhaps take some comfort from that. No doubt his Leader felt that he needed that period to learn the lessons in the process, or perhaps he felt he needed that amount of time to teach his Premier.

The reality is that all of those reports which I have with me in the Chamber represent significant contributions to major reform proposals and the whole issue of the need for reform in local government. The record of the Government with respect to those recommendations is largely one of ignoring them but, in the case of the last report, the Minister is caught with his own statement. He said to this Parliament that he would not change the boundaries without a plebiscite of the voters and that he would not accept the recommendation with respect to the mayor, that the mayor must be elected by his own group, his peers, his councillors. Within days he was saying that he would change the boundaries of the Melbourne City Council externally and would even consider abolishing the internal boundaries. He said, "We will have a mayor elected by popular vote,
despite what I said on 10 December, and with respect to the authority of local government we will maintain a position where local government will feel its course has been enhanced”. The Bill strikes at the very heart of the existence of local government.

In my mind, there is no doubt that the Melbourne City Council has made many errors over a long period. It is no secret that my party has often criticized—the decisions of the Melbourne City Council. That, in itself, does not justify the rape of democracy that is about to occur. Many things are wrong and I will go through them in some detail, much to the discomfort of honourable members on the Government benches. I will demonstrate the poor, miserable and almost criminally irresponsible decisions of Cabinet and the Government which, when listed, make the offences of the Melbourne City Council pale into insignificance.

Four months ago when this proposal was advanced and the Minister was talking about sacking, the Premier at least had the good sense to talk about restructuring the council. With my Leader in another place, another spokesman for the Labor Party and, indeed, Melbourne city councillors, I challenged the Government to disclose its reasons for wanting to dismiss the council. It is extraordinary that the Minister and the Premier should claim that the council has been indecisive and then say that it is not the councillors who are at fault, it is the system. Perhaps then it comes to things like the casino, when the Government keeps doing its about-face act, when it sacks a Minister one day and reinstates him the next, saying that it was all a mistake, and that the Government is being decisive, I am supposed to say that it is not the Cabinet Ministers or the Government; it is the system that is at fault.

The basic, dishonest position of the Government on the question is its failure to disclose its reasons for sacking the council. If it were the Minister’s belief that purely central business district councillors are required to run the premier city of this State, that the residents are irrelevant, that it is really a question of the major retailers and the principal proprietors of this city’s two major newspapers determining who should be on the council, what it should do and how it should go about its business, then the Minister should say so. If it is really about the Melbourne City Council strategy plan as compared with the Board of Works strategy plan, the Minister should say that. If it is about corruption and if it is about decisions that have been made and that should never have been made, the Minister for Local Government should come clean. It is not good enough to say that the Premier, who judged the City Square design competition, should sack the Melbourne City Council because of the design of the City Square. I am not a great admirer of the City Square design in terms of its physical impact or physical use. However, I am not qualified to make such a criticism in respect to the “Yellow Peril” as the Minister refers to it.

However, take the example of the “Big C” fountain, which the Government was going to put, at one stage, in the City Square. When the Government could not make up its mind, that fountain finished up in the people’s park adjacent to the Parliament. That was a bureaucratic decision made without recourse to the Parliament and without regard to the damage that the Government is doing to that park. One can make similar comparisons and detail, as I will eventually, line by line, the record of the Government with the Melbourne City Council. It is not good enough for the Minister or the Liberal Party propaganda machine to pretend that all of the problems of this State and, in particular, all of the problems of this city spring from Swanston Street, when those problems rest at Spring Street and fairly and squarely on the shoulders of the Cabinet.

I said earlier that the Minister should be congratulated on the way in which he has managed to unite local government against the Bill. The Minister has done that which no other Minister would be capable of doing. Approximately 178 councils out of the 211
councils in Victoria have carried resolutions endorsing the stand taken by the Municipal Association of Victoria on this question, or have passed resolutions along similar lines and having the same import against this measure.

The Bill will appoint administrators and sack the councillors who are elected by the people within the framework that was imposed upon them by the gerrymander and the Government. The Bill suggests that the councillors be sacked and replaced by administrators, who have so far not been named and who will be accountable only to the Minister and to the Government and not to the ratepayers of the City of Melbourne. I want to reinforce this point because some of the arguments I will be putting may be misunderstood unless they are measured against this background. I, for one, and certainly the Labor Party, do not accept that the Melbourne City Council is blameless, having regard to its record and its performance over a long period. The Labor Party is not arguing that there is no case for restructuring the Melbourne City Council, but the system itself needs examination and review. However, that could have been done without the Minister's divisive tactic of splitting the community.

The Government could have instituted an inquiry or a referendum. Those proposals that went to the question of restructuring the council could have been put to the people either next August or at any time between November last year and August of this year. All of those courses were open to the Minister. All of those courses were consistent with that which the Minister had put to this House as being the Government's programme and policy with respect to the statement made on 10 December. I suppose I am one of those old-fashioned democrats who believes basically—

The Hon. D. G. Crozier—Did you say democrats or demagogues?

The Hon. W. A. Landeryou—The Minister would know all about demagogues because he opened his mouth so wide in the last State election campaign that he lost his job afterwards because he said to the people of Victoria, “Do not bother about Frank Wilkes and his Socialist programme because—although I am not elected to do so—I will sit in judgment up here and I will make sure that we will use our numbers to stop Supply.” Once again, the Minister united the two major newspapers in this State which came out with editorials and told the Premier to tell the Minister that he was wrong and to publicly rebuke the Minister. Also the Minister ended up losing his position as Deputy Leader of the Liberal Party. I suggest to the Minister that, when he wants to talk about democracy, he should compare his qualifications with those of members of the Labor Party and, if he does that, he will realize that his qualifications are not too good.

The fault of the Government is that its so-called new directions policy has meant no directions. After being in Government for almost a generation, the Government has suddenly found it necessary to talk about new directions, and the first people it picks on are the councillors of the Melbourne City Council. The Government has blamed the Melbourne City Council in this debate, and inferentially in terms of the run-up to this debate, for almost every ill from which Victoria suffers. There was even a bleep from the Minister that the Melbourne City Council is at fault for the lack of the adoption of the strategy plan.

There is only one group of men responsible for the failure to adopt the strategy plan put forward by the Melbourne City Council and that is the Cabinet, the Government of Victoria, and not the councillors of the Melbourne City Council. It is the fault of the Government that the strategy plan has not been adopted. It is all very well for the Leader of the Government to interject and say that is not so, but all the Government had to do with respect to the strategy plan was adopt it.

Take the question of the trams running through the mall. The Premier was one of those who believed originally that the mall should have trams running through it. After all, the man responsible for deciding whether trams
would run through the mall is not a Melbourne city councillor. It was not even the Melbourne City Council, but the Minister of Transport. The Minister of Transport could have taken a point about trams running through the mall. However, after having first supported the proposition of trams running through the mall, the Premier, during a State election campaign, walked through the mall and nearly got bowled over by a tram. So the honourable gentleman suddenly decided that perhaps trams running through the mall were a bit too dangerous for pedestrians and he became an opponent of trams running through the mall.

The Government always used to blame the trade unions; then it started to blame the unemployed, and, when it became electorally unpopular to blame the unemployed, it blamed married women who had been forced back to work and now the Minister for so-called Economic Development is blaming the public servants, and the Minister for Local Government and the Premier are blaming the Melbourne City Council.

One can muster all of the criticisms of the Melbourne City Council and magnify them in so many ways in terms of applying criticism to the Cabinet. The Melbourne City Council pleaded with the Government to implement the strategy plan. There has been no suggestion from the Government that the strategy plan, adopted by the Melbourne City Council in a most sophisticated public participation exercise, will be endorsed. Reference has been made to the Lentin report, but surely that cannot be the basis upon which the Government would take such drastic action as to dismiss the council. The Local Government Advisory Board advised the present Leader of the Government in 1973 that the external boundaries of the Melbourne City Council should not be changed; that there was no need to alter the external boundaries of the City of Melbourne. I assume that the thrust of that report in 1973 was reiterated in the more recent total examination of the entire local government structure in this State with respect to the City of Melbourne.

It is clear, from the advice given by the Local Government Advisory Board in its report in 1973 and the report of the Board of Review into the Role, Structure and Administration of Local Government in Victoria, that being the latest advice to the Government by its own appointed advisers, that there was no need to alter the boundaries of the City of Melbourne.

Yet, against that backdrop, and despite the fact that there is a history of revision and recommendation which the Government has ignored, and in the absence of specific recommendations, the Government has decided to act in a most autocratic way without any explanation which approaches being reasonable, satisfactory or intelligent with respect to why it is moving along the path it has decided to adopt.

Another interesting thing about this piece of proposed legislation is that it does not mention how long the council will stay sacked or how long the commissioners will stay employed. As Leader of the Opposition in this place and the Labor Party spokesman on these matters, I advise the prospective commissioners only to take a cut lunch because they will not remain in office very long. If there is a change of Government, the new Labor Party Government will go to the people and allow the people to decide. It will not tolerate the sort of dictatorial provisions contained within this measure.

In referring to the time that the commissioners will be appointed to administer, the Minister for Local Government has been most uncharacteristically coy. The honourable gentleman is not certain whether they will stay there for five years, ten years or whatever.

The Hon. D. G. Crozier—Did the Government prescribe a time limit for Keilor and Sunshine?

The Hon. W. A. Landeryou— I suppose one of the difficulties confronting the House is that if the Government is acting on the premise that
it has the right to override the wishes of the citizens of a particular area, it does not include any time limit within the measure, despite the act that there are all sorts of shenanigans going on in the province represented by the Minister for Local Government.

The Hon. D. G. Crozier—Nothing comparable to the Melbourne City Council.

The Hon. W. A. Landeryou—At least the Melbourne City Council has reports from auditors, which is more than the honourable gentleman can say about municipalities within the province he represents.

I am indebted to Australian Reference Services Pty Ltd for its transcript of a programme in which the Minister for Local Government was interviewed along with a number of others, with respect to the proposed sacking of the Melbourne City Council. The programme was called "Frontline" and was broadcast by ABC radio public affairs, and monitored through 3LO on Thursday, 5 February between 8.30 a.m. and 10.00 a.m. The compere put a number of questions to the Minister for Local Government and I hope I am not quoting the Minister out of context but the honourable gentleman did state:

The job of the administrators is a temporary job.

I shall not take up the time of the House by giving the definition of what the Australian Conciliation and Arbitration Commission and the State wage fixing tribunals define as a "temporary job". Notwithstanding, the compere stated:

For two years, though.

The Minister replied:

It will be a time-span of that order. There will be no specific time-span listed in the legislation or defined in the legislation because it's got to be—this has to be flexible.

The Hon. D. G. Crozier—Well!

The Hon. W. A. Landeryou—So what?

The Hon. D. G. Crozier—That is exactly what is in the Bill. That is how the Bill has come out.

The Hon. W. A. Landeryou—I suppose that is one of the few arguments that the honourable gentleman won in the Cabinet! Nevertheless, later in the same programme the Minister, having said two years in answer to a direct question from the compere, replied to a man on the phone who is listed in the transcript as "caller (man)". That person asked:

Good morning. Could Mr Crozier tell me why anybody should believe that the administrators will only be there for about two years when, given the fact that Melbourne's a much more complex city than Sunshine, and it's now five years since the administrator has been appointed at Sunshine.

Mr Crozier: I've said in my public statements that I anticipated that the period of administration would be at least two years . . . the period of time for which the city should be under administration.

This Parliament has prescribed, by way of legislation, to a committee of this Parliament a power which in fact can give statutory authorities one year to justify their existence or go out of business. That committee is given power to make up its mind whether or not it will extend the life of an instrumentality or quango.

Again there is a question put to the Minister:

Wouldn't two years, in the light of the Sunshine experience, seem, you know, a very short . . .

Mr Crozier: I'd agree it may well have to be longer.

Caller: Would it be longer than five, say, because it's still going on in Sunshine five years later?

Mr Crozier: Well I would certainly hope that the administrators would have completed their task well and truly before the elapse of five years.

I wonder what that task is? I suggest it is to ensure that the big development powers within the Liberal Party are completely satisfied. Is the task to ensure that those who are interested solely in development for development's sake can ride rough shod over the strategy plan of the Melbourne City Council? I suspect that is what it is all about. I suspect that is the reason why the Government is being less than frank and the Minister for Local Government is being most uncharacteristically coy with this House.
The real reason for the bashfulness of the Minister for Local Government on this occasion is that not only does the Liberal Party fear that the progressive elements of the Melbourne City Council will have control of the council by August this year, but also it is important to ensure that in the dying months of its administration its friends, the big developers, can do what they want to do, unfettered by any reasonable system of control or planning procedures.

One of the extraordinary things is that this Government, which has been long on rhetoric and short on action, has completely backed away from what was supposed to be a valid statement. The Government has been reluctant to hold a referendum to authorize this extraordinary assault, and that is what it seems to be. If the Government was so confident, given its almost total support in the first few weeks after the announcement of its proposal by the major daily newspapers in this State, with both of the major newspapers clamouring for the sacking of the Melbourne City Council, and the fact that the Labor Party has, for as long as I can remember, been a constant political critic of the Melbourne City Council and some of its decisions, one would have thought there was within the State a general feeling that the council needed to be restructured, that there needed to be changes and indeed an adventurous Minister for Local Government should have been prepared to go to the people to determine whether they agreed with what he proposed to do.

The Minister should have agreed to the request for a referendum of the people within that city. It is an extraordinary state of affairs. On the one hand, the Minister says that the boundaries will be changed but, on the other hand, this Bill says nothing of the sort. It is diametrically opposed to that statement of principle from the Government. The Government is now contradicting in a most hypocritical way what it has been saying in respect of the City of Melbourne.

Under the proposed legislation, commissioners will be appointed who will have the unquestioned right to report on extending the boundaries of that city. That may not seem, to the more conservative members in this Chamber, to be the most fundamental issue. I believe democracy is a delicate instrument, having regard to the important events in national Parliament that took place five or six years ago and all the beautiful words and lovely prose of the Liberal Government regarding the adoption of the recommendations of the Constitutional Convention which guaranteed certain things to local government, and to the publicly pronounced position of the Minister that the Government was only after the Melbourne City Council, and that the National Party and Liberal Party shires, and even one or two of the Labor councils, had nothing to worry about, because the Government was not after them, it was only after the Melbourne City Council. The Minister said that the central business district would be run and controlled by members of the Liberal Party and that the residents who lived alongside it would be hived off to the neighbouring municipalities; whether they liked it or lumped it, that was going to happen.

They are the facts. The Minister said in this Chamber that he would insist on a referendum. That would be Government policy, and before the boundaries were changed the matter would go to a referendum. However, the Bill provides for the exact opposite and in fact appoints three bureaucrats who will impose on the people of Melbourne a proposal which will determine in which city they live, whether Fitzroy, Prahran, St Kilda, South Melbourne, or a new city, and so on. That is what the Minister is proposing and that is what the Bill means. It is absurd and ludicrous to pretend it means anything different.

The Minister is not game enough to say, "We will give it twelve months, a period of time, and if it does not work I will come back and say it has not worked out in that time and I will need more time." He has not done that. The Bill is all about covering up the intentions of the Establishment of this city, and of the wealthy and powerful friends of the Liberal Party, to turn
Melbourne into a concrete and glass jungle and to ride roughshod over the interests of the people of this city and of this State. The Government has no regard for people. Members opposite worship at the altar of profit. It confounds me to know how they can go to bed at night and sleep peacefully.

With regard to the powers of the commissioners, this Minister makes sure in his Bill that their principal responsibility is to do precisely what the Liberal Party has announced they should do. That is, they should not carry out in the normal way the functions or responsibilities of council but, rather, implement and impose Liberal Party policy which is determined by the Cabinet. That is what the Bill is all about and why commissioners are being appointed. Those commissioners will not be free in the normal sense. They will be completely hidebound by the provisions of the proposed legislation.

I know Mr Stacey often has difficulty in understanding what Liberal Party legislation is all about, but even if he does not listen in the party room he should try to listen tonight. I know his attention span is not long but if he listens for a few minutes he may learn something. Mrs Baylor, who is interjecting, may not think it is important to maintain the strategy plan or a democratic approach or to ensure that those who pay the bills have some say in how the money should be spent. This measure says to the ratepayers of the City of Melbourne "for an indefinite period". The Minister, within 90 minutes on the one radio programme, was unable to make up his mind whether it will be within one year, two years or five years. He was not certain, and yet is the proposer of this proposition. The reality is that back-bench members of the Government party are suddenly discovering that they are committing themselves to vote for a proposal which will enable the Government to appoint commissioners who will not have to answer to the people who pay the bills.

The Hon. N. F. Stacey—How often are they reporting? To whom will they report?

The Hon. W. A. Landeryou—They will not report to the ratepayers. No wonder the honourable member is a failed schoolteacher. The Bill does not require any report to the ratepayers to sit in judgment on the decisions of the commissioners. I should have thought it was elementary, even to a failed schoolteacher, that that is what democracy is all about.

The reality is that people should determine their own destiny. The opposition to this Bill is as simple and as elementary as that. I know some members opposite have difficulty in understanding elementary matters but that is what this Bill amounts to. The Government is going to take the power and authority away from the people who pay the rate bill and give it to three appointed bureaucrats. They will not report to the ratepayers. They do not have to put their philosophies and policies on the line at election time every three years. They have only to satisfy a Minister that they are doing the job Cabinet gave them to do.

It is clear that job has nothing to do with the welfare of the people of this city or the welfare of this State. It is all about ensuring that the people who support the Liberal Party are given their way. As I said, that is against the backdrop of the councillors of the central business district who dominate by virtue of their numbers under the gerrymander. As I have said in the House before, 8000 ratepayers in the three central district wards elect nine councillors. In a ward which elects Labor Party councillors, Hopetoun ward, there are as many ratepayers in that one ward as there are in the central business district. If the central business district has created the mess which this Government pretends is its real concern, if it has produced the councillors who dominate the decision-making apparatus of the Melbourne City Council, how will the problems of the City of Melbourne be fixed simply by restricting its size to that area which has produced the councillors who have dominated life in the city for so long?
The Government's thinking is so inverted that it has clearly missed the obvious conclusion. We should have been introducing a democratic base within the Melbourne City Council so that the people who live, work in and pay for the running costs of that city, can determine who should run it.

The Government's record and its dealings with the central business district are extraordinary. Honourable members should recall that the Melbourne City Council was created in 1842 and is an institution older than Parliament. The record of the central business district has been called into question but one should examine the record of the Government. I refer honourable members to the example of the siting of the Exhibition Buildings convention centre which, from a planning viewpoint, is in the wrong place. The State Swimming Centre in Batman Avenue, apart from its under capacity because it cannot fit those involved with the sport in it, has had an air-conditioning scandal attached to it and it has had an electronic scoreboard installed that is incompatible with water. How is it possible for an electronic scoreboard that will not work in the presence of water to be installed in a swimming pool? Only the Government could make such an error. The Victorian Arts Centre has a constant problem of escalating costs.

The Government has listed a number of faults of the Melbourne City Council, many of which would have universal appeal, but I have directed far more serious allegations against both the State and Federal Liberal Governments and, in making allegations against the Federal Government, State Government supporters have replied that the matters have nothing to do with the State Government because they are Federal matters. A further example is the World Trade Centre, the site of which is affected by flooding so that the third floor, presumably of the car park, will be under threat each time there is a downpour.

The Hon. R. J. Long—Rubbish!
the State Government and the appointment of administrators rather than for the sacking of the Melbourne City Council.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! Mr White goes too far—the sacking of the Government is not a provision of the Bill. I do not uphold the point of order, because the Leader of the Opposition is indeed drawing a parallel and providing he does not stray too far, his comments will be relevant.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—Mr Long interrupted me about 2 minutes before I was due to conclude that point. I remind honourable members also of the Rialto building. Its history is nothing short of a fiasco of Government intervention in its relationship with the central business district, and the owners of the building have complained publicly about State Government's indecisiveness.

The Premier has suggested that indecisiveness is one of the sins of the Melbourne City Council. The on-again and off-again casino saga is a remarkable example, if one needed it, of Government indecisiveness. I challenge Government supporters to take issue on the Melbourne City Council strategy plan that was democratically arrived at by the best public participation method of planning in Australia. Because that plan happens to be at variance with the strategy plan of the Melbourne and Metropolitan Board of Works, the citizens of Melbourne will be stuck with Alan Croxford's version of what should occur. All honourable members know who will win the argument of the people versus the developer.

I have personal and professional respect for the Minister for Local Government, but it ill-behoves both him and the Government that a Minister of the Crown should ask what he is supposed to say to his statutory authority head. The lack of support for central business district office development has been evidenced by the encouragement given to the Board of Works to expand commercial centres throughout the metropolitan area.

The Government has allowed that to happen, and now the major retailers who have participated with every dollar that they can muster and every ounce of enthusiasm they can employ to ensure that they will be the first to collect their share of the retail dollar from these commercial centres, these so-called regional shopping centres around Melbourne—because that fits in with the Board of Works plan—because they are basically people with the same economic ties in the commercial corporate sense, are saying that because all these shops are attracting so many people in the suburbs of Melbourne, they should be allowed to do what they want to do. They should be able to build Myer City or a similar proposal that I released to the press on the roofing over of one of the streets, as was done in Sydney under the administrators, much to the annoyance and disappointment of the rest of that city. That proposal and others like it are all designed to get customers back into the retail centre of Melbourne.

Maybe in terms of social planning or even social justice that is the sort of objective which the House could debate and consider, but that is not what we are being asked to do. Honourable members are being asked to accept a fait accompli—to accept an assurance that we will have administrators who will make those decisions for us. Regardless of the effects it will have, even on those regional centres in terms of shopping or commerce generally, the Government says, in effect, “We will impose our will, through our administrators, on the central business district”.

The council is justified in asserting that the Government has been more than negligent in its lack of financial support for many of the council's programmes to provide to the community regional services which it has continued over a long time. I refer to the services which are of benefit to people who are not ratepayers of the Melbourne City Council—people from outside the council area. I am not trying to be parochial in that sense, but it seems to me that in consideration of
grants and other Government activity, some other municipalities are at a dis-
advantage in receiving regional and commuter or tourist services and often
receive favourable consideration in comparison with the Melbourne City
Council, yet that council can claim that the Government has been neglectful of
its responsibility in that regard.

The imposition of an extraordinarily high levy for the underground rail loop
has been a matter of constant concern to at least the progressive element of
the Melbourne City Council. The Gov-
ernment, which, under the patronage of
the Minister, ensures that Alcoa of
Australia Ltd receives electricity at a
bargain basement price—cheaper than
the amount it costs to produce—initially regarded the Melbourne City Coun-
cil’s Electricity Supply Department with
the same degree of warmth when it
came to working out its tariff rate. We
know there is no Alcoa there, but
is the $53 million worth of assets of
that section of the council to be sold
off and handed over to some other
authority? So far no guarantee is
offered by the Minister or the Premier
that those decisions will be taken and
put to the people. Rather, I suspect
they will be taken by bureaucrats and
implemented regardless of the attitudes
of the people.

That treatment, both in terms of
cost of electricity and the underground
railway and the neglect of its responsi-
bilities to provide services for the
people, has contributed in no mean
order to the substantial economic de-
cline and decay of the city. Those
responsibilities cannot be levelled just
at the Melbourne City Council. Al-
though I am not prepared to defend the
Liberal Party control and domination
of the council, I know that many of
the sins that have created the econo-
mic decay and downturn in the central
business district have happened as a
result of State Government indecision
and lack of direction rather than that
of the Melbourne City Council.

There is no greater example that
can amplify the point I have been en-
deavouring to make than the employ-
ment by Myer Melbourne Ltd of one
Mr Richard Thomas, the former prin-
cipal press secretary to the Premier. He
was appointed to a $50 000 a year pub-
lic affairs management position. I
assume he is a man skilful enough to
attract that sort of salary, but it is
indicative of the point I have been en-
deavouring to make that even Myer
Melbourne Ltd, having had a series
of serious problems with the State
Government, knows full well the ex-
tent of planning problems that have
been created by the Government. If
one examines the Melbourne City Coun-
cil planning problems, one sees
that they clearly indicate the extent
of Government complicity in the cre-
aion of the problems in the first place.
They are not problems created initially
as a result of indecision by the Mel-
bourne City Council, but largely as a
result of State Government indecision.

I am one of those who have often sup-
ported, both privately and publicly, the
National Trust of Australia Ltd (Vic)
in its attack on the Melbourne City
Council for allowing the demolition and
destruction of historic buildings, but
when one looks at the record, as I have
done in recent months, one finds that
the council’s solicitor has always
advised it that a refusal to act on
demolition applications would mean the
payment eventually of compensation of
perhaps millions of dollars. The
National Trust and others argued
against that legal opinion, but it
sounded and read quite convincingly
to me, and, no doubt, to the council,
and I have no difficulty in accepting
the legal advice. After all, the Attorney-
General did that with respect to the
Solicitor-General’s advice and, although
it did not turn out to be correct, there
was some suggestion that the Attorney-
General had nowhere else to go. The
Melbourne City Council sought advice
and was stuck with it, and yet what
did Parliament do about the so-called
Gobbo report which was supposed to
fix this problem?

The report was presented to Parlia-
ment with a Ministerial statement on
16 May 1978, nearly three years ago.
The Gobbo report, when adopted, was
aimed at solving the problems associated with compensation. From the report came the Public Works and Planning Compensation Bill. This Bill got as far as the second-reading speech stage by the then Minister of Lands, Mr Borthwick, on 18 December 1978. It has not been sighted since, and I assume it is still in the "too hard" basket because the current Minister of Lands certainly has not introduced it in this session.

A similar principle applies when one looks at the performance of the Parliament and the Government with respect to the Building and Development Approvals Committee. That committee was established in March 1975, six years ago, after pressure from many councils, including the Melbourne City Council. Its report was presented to Parliament in 1977, three years later. The first piece of legislation resulting from the work of that committee dealing with section 11A of the Town and Country Planning Act came into operation in November last year, some weeks before the Minister apparently made up his mind to sack the council.

Although that section gives a long overdue and very straightforward power to delegate power to council officers, the more recent step recommended by the BADAC report which gave rise to the legislation introduced in another place this session, no attempt has been made to proceed with considering that proposed legislation to the point of carrying it. I believe, as does my Party, that there should be a public inquiry into the Melbourne City Council; that this Bill should be withdrawn, and that there should be a public inquiry to give the people who pay for the cost of running that council an opportunity to put their points of view to the inquiry. That is the course that the Minister should have decided to take in the first place.

It is merely lip service to say to local government, "We were the first to act in respect to the Constitutional Convention recommendation; we have a constitutional amendment, and don't worry about the rest of the councils, it is only the Melbourne City Council that we are after". The Minister, or Cabinet, without disclosing or debating frankly, honestly and publicly their reasons for the proposal, has introduced a measure which gives effect to an autocratic decision, and neither the Premier nor the Minister has introduced anything like satisfactory reasons for the dismissal of the council.

I therefore move the following amendment:

That all the words after "That" be omitted with the view of inserting in place thereof "this House refuses to read this Bill a second time until—(a) a full open public inquiry is conducted into the Melbourne City Council and the report of that inquiry is presented to the House; (b) the Government makes a full disclosure of the reasons for its dismissal of the Melbourne City Council, and (c) the Local Government Advisory Board has inquired into any changes to the boundaries and structure of the council and the board's recommendations are made public and submitted to a referendum of the ratepayers of Melbourne and any other council affected by the recommendations."

Briefly, the amendment suggests that the House does not proceed with the Bill until a full, open and public inquiry has been held into the Melbourne City Council. This would enable the Minister, the police, the citizens of Melbourne, and any other interested person to put their points of view to the inquiry and for the inquiry's findings and report to be presented to the Parliament.

The amendment also calls on the Government to make a full disclosure of its reasons for the dismissal of the council. I remain unconvinced that a council which has served its duty regardless of the value judgment one would make about the quality of that service—since 1842, deserves better treatment than to be told that it is to be sacked because of the matrix screen, the "Yellow Peril", or the City Square, over which the Premier presided, or because of the trams running through the mall. After all the Premier supported that idea; it was only when he nearly got knocked down that he withdrew his support for the proposal. The sins of omission and commission of this Government outweigh enormously the
sins of the council. I doubt very much whether that is anything like the reason.

The Minister knows that the Melbourne City Council has progressively undergone change despite its gerrymandered boundaries, and that by August of this year there would have been a change in the political composition of the current council. There may even have been a Labor Lord Mayor.

The next point in the amendment is that the Local Government Advisory Board should inquire into any changes to the boundaries and structure of the council, that the board’s recommendations should be made public and submitted to a referendum of the ratepayers of Melbourne and any other council affected by the recommendations. That gives rise to the policy announcement in this Chamber by the Minister just over four months ago, when on 10 December the Minister made it clear that, before any boundary changes were implemented, the proposals would be submitted to the people. Before any party dismisses a council that has existed for so long, at least that sort of procedure should be adopted. There should be an inquiry, there should be a report, and it should be available in Parliament for debate and discussion, but the Government has said “No” to such an inquiry, and one can only wonder why that is so.

No one has been told why the council is to be dismissed, sacked or restructured. Indeed, the employees of the Corporation of the City of Melbourne were not consulted. There was no discussion with them as to what should occur, and it is extraordinary that the Government continues to proceed having regard to the timing—which was the Government’s timing and choice. In the months available before this sessional period, the Government could have had an inquiry, and it could have taken a whole range of options. Those options were canvassed by the Minister. It is as if two different people are speaking; the Minister in terms of December 10—no Lord Mayors, no mayors elected, no boundary changes, autonomy of local government; we must respect them. All that is fine prose, but it is meaningless if it is not Government policy or, more importantly, if it is not being implemented by the Minister. Yet no charter could be more abused, or savaged, than has the statement of the Minister in his Ministerial statement by the production of this Bill, because it is the exact opposite of both the spirit and the wording of the Ministerial statement.

The Melbourne City Council is not without fault, is not without blame, but the principle of democracy, as I indicated earlier—and its very structure is so fragile—is that any abuse of the democratic process has to be resisted. If the case for restructuring the council, even for new personnel in the council, is so strong, the case should be taken to the people like every other politically important question and the ratepayers allowed to determine their own destiny. That would at least afford them the opportunity to participate in the sort of process that I have outlined, which fits squarely with Labor Party policy and, I thought until just after 10 December, with the Minister’s own policy.

The Bill contradicts that policy. My amendment is full square with it, and I ask the House to support it.

The PRESIDENT (the Hon. F. S. Grimwade) — Honourable members from now on will be speaking to the motion and to the amendment.

The Hon. K. I. M. WRIGHT (North Western Province) — On 23 December 1980, the Melbourne City Council received a rather unwelcome Christmas present, when the Premier announced a Cabinet decision that the council would be restructured. It caught a lot of people unawares, even members of the Liberal Party, because they probably knew of the great electoral backlash that would result from it. "Restructured" is a nice way of putting it, because what the Government was saying was that the Melbourne City Council was to be sacked. The immediate reaction of the National Party was that it was undemocratic, unfair, and not in the best interests of British justice. Over the intervening time of
almost four months, nothing has occurred that has urged members of the National Party to change their minds. The Government might have considered that the sacking was justified, but members of the National Party believe the council should have been advised beforehand that the Government, the Minister and the Premier were unhappy with the performance of the council. In all fairness and in consideration of British justice, the council should have had the opportunity of rebutting the reasons given by the Government.

All this is rather contrary to the views of the Minister expressed in a report to the Legislative Council on 10 December 1980 entitled “The Final Report of the Board of Review of the Role, Structure and Administration of Local Government in Victoria”. Although it contains many interesting matters that are applicable to this subject, I shall refer to only two paragraphs. The Minister said:

The role of the Local Government Advisory Board will be widened and its capacity strengthened to monitor the structure of the State-wide municipal system on an on-going basis and to suggest changes to boundaries of local government units where appropriate.

As is the case in New Zealand though, opportunity will be given to voters enrolled in municipalities affected to determine by a poll whether a specific external boundary change recommended by the Local Government Advisory Board should proceed.

Less than two weeks later, the Minister announced a completely contrary point of view. Why was there sudden action? Was there fresh input of information or views? In the Age of 13 December 1980, under the headline “Cabinet worried at Melbourne’s declining image” the following appeared:

Mr Crozier said Cabinet in about three weeks’ time would consider ways of improving the council and the image of the city.

Mr Crozier said another option would be to appoint an administrator to run the city while a new organization was decided on and a fresh council was elected.

There was therefore some inkling of that three weeks before, but the Government did not take any immediate action on it. Why has the Government departed so quickly from the Minister’s statement of 10 December 1980? The honourable gentleman claimed that the council was indecisive, ineffective and inefficient. These were some of the words also used by the Premier. However, as Mr Landeryou said, the same charges could be made against the Government. In many instances the Government has vacillated and shown an inability to make up its mind. The prime example of this is the fact that when the Parliament met again after the summer recess, the Government had no business ready. For about three or four weeks it could not make up its mind how it would proceed. This Government has been in office for 25 years and it has run out of steam and needs stiffening up.

To overcome this lack of public confidence and the trough into which its popularity had sunk, to impress the community with its decisiveness and toughness and to enhance its image, the Government took this move. Members of the National Party regard the decision of the Government as arbitrary and high-handed. What does the community think about it? I have stated what the National Party thinks and the Opposition has already indicated its opinion about it. The Municipal Association of Victoria, which is the respected voice of municipalities throughout this State, in its annual discussions with Cabinet representatives, including the Premier and the Minister for Local Government, said that this decision placed strain on the relationship between the State and local governments.

It should have placed on record what the Municipal Association of Victoria said should happen at this time and in the future. It said:

(a) The Association seeks an assurance that before any Council is dismissed or suspended the Government will initiate and consider the report of some appropriate public inquiry or public investigation and before dismissing or suspending such Council should clearly state its reasons for taking this action;
(b) That before amending the boundaries or re-structuring any Municipal Corporation an appropriate public inquiry or public investigation be instituted by the Government;

(c) In particular the Association supports the principle of the statement made to the Parliament by the Minister for Local Government on 10th December, 1980, in the following terms;

'As is the case in New Zealand, opportunity will be given to voters enrolled in the municipalities affected to determine by a poll whether a specific boundary change recommended by the Local Government Advisory Board should proceed.'

(d) The Government take action to incorporate these principles in legislation.

The Municipal Association of Victoria told the Government representatives that the association had circularized councils, acquainting them with the terms of the resolution and seeking the response of the councils in Victoria to it. The response was amazing. Only three councils, or 2 per cent, agreed with the Government's action. One hundred and thirty-three councils, or 87 per cent, expressed concern or strongly agreed with the Municipal Association of Victoria stance and sixteen councils, or 11 per cent, took no action. The reason was that little information had been circulated by the Government on the matter. The Municipal Association of Victoria continued:

In view of these results the Association believes that it has a strong mandate to seek the introduction of legislation which embraces the terms of the resolution and the principles inherent therein.

The Federated Municipal and Shire Council Employees Union of Australia has also expressed strongly the view that the decision to sack the council was made too hastily and without proper consultation. It said it believed the Melbourne City Council at times is inefficient, cumbersome and in need of review. Some members of the National Party may believe that at times. The councils supporting the various points of view spoke to members of the National Party and put their cases. Those supporting the sacking of the council gave reasons why they did so. As always, members of the National Party listened carefully before making a decision. The employees union wrote to me, and I am sure other honourable members received a similar letter. The union said:

If the boundaries of the City of Melbourne are to be altered, then Employees working outside the new perimeter will either lose their jobs, or transfer to another Employer, be it Council, or Government Authority. The Minister for Local Government will not give the guarantees we require regarding employment levels.

In the National Times of 28 February 1981, it is reported that even members of the Liberal Party at a branch meeting at Beaumaris were critical. The report states:

Victoria's Premier, Rupert Hamer, was the target of sharp criticism at a recent Liberal Party meeting when he attempted to justify his Government's decision to sack the Melbourne City Council.

In the same article the views of Sydney's Lord Mayor, Alderman Doug Sutherland, were expressed. He referred to the principle of the appointment of commissioners. He said that when the Sydney City Council appointed commissioners in 1967 it was a complete disaster. He said:

The commissioners were in power for nearly two-and-a-half years, and 10 years later the present Sydney City Council is saddled with the crushing task of clearing up the incredible mess that they created.

The Hon. N. F. Stacey—That has nothing to do with Beaumaris branch.

The Hon. K. I. M. Wright—That is so. I thought I made that apparent. The Municipal Journal of March 1981 summed up the views of the Municipal Association of Victoria on the important aspect that the security of municipal councillors is threatened throughout the State. The Premier, Mr Hamer, is quoted in the Municipal Journal as saying:

The suggestion has been made in some quarters that the Government's action actually threatens the security of every other municipal councillor in the State. This is utter nonsense.

The Minister for Local Government, Mr Crozier, is reported in the Municipal Journal as saying:

The security of every other Council in Victoria is no more or no less at risk as a consequence of the Government's intentions regarding the Melbourne City Council.
However, every council is at risk. Honourable members must ask themselves whether the sacking is justified. What mistakes has the council made and what has the council failed to do? Reading between the lines, it seems to me that planning is perhaps the main villain. It is claimed that the $500,000 strategy plan has been laid aside after seven years. The 1969 blanket interim development order remains. It is also claimed that builders and developers have received no firm directions on the plan.

There have been uncertainties and difficulties with the retention of historic buildings. Who actually pays the cost of retaining those buildings? Central business district businessman, Mr Tom Luxton, is quoted as saying that the council is, "ineffective, incompetent and indecisive". I shall refer to what the council has to say on these matters. Later one could also ask whether the council is overstaffed. I note that there are almost 2800 employees, some of whom could be placed at risk. It is claimed that some of the procedures of the council are out of date and inefficient. I am sure one could claim that of many businesses, councils and local departments.

The Age of 6 January 1981 mentions an internal investigation. It states that $250,000 will be saved by reorganization, and that is commendable. It is claimed that city planning is a disgrace, that the mall is a disaster and that the Lord Mayor's powers are inadequate. The Minister gave some belated reasons for the dismissal in his second-reading speech. I was interested in the reasons because I believe there are two sides to every argument. I telephoned Mr Bethke, the chief executive of the council. It is interesting to note that he grew up in the North Western Province, in Warracknabeal, Dimboola or thereabouts. He wrote to the Minister for Local Government on 14 April 1981 and has given me permission to quote the letter. Firstly, I shall mention planning procedures. The Minister is his second-reading speech of last week, mentioned the lack of implementation of the strategy plan. On behalf of the council, Mr Bethke said:

Since 1975 the Council has been seeking Government legislation to implement the Strategy Plan. The Council has continuously dealt with applications in accordance with the Strategy Plan since 1974. However, its decisions have been often over-ruled or changed by the Town Planning Appeals Tribunal because there is no supporting legislation for the Plan.

Therefore, the council obviously cannot be blamed for this aspect. The Minister said:

... a further illustration of the unsatisfactory state of the council concerning planning etc. is the Town Planning Appeals Tribunal decision of 5 February 1980.

On behalf of the council, Mr Bethke said:

The Council's General Purposes Committee conducted an enquiry following this decision of the Appeals Tribunal which exonerated the City Planning Department from malpractice or misconduct.

He also refers to planning:

The relevance of determinations by the Building Referees to planning matters is still considered debatable.

With regard to the Bourke Street Mall, the Minister, in his second-reading speech, mentioned the strange saga of the Bourke Street Mall, which still lacks an agreed plan. Mr Bethke informed the Minister in his letter that:

In addition to the Premier's insistence that trams be retained, a design study on the Bourke Street Mall has been hampered by the need to retain an area on either side of the tram lines to meet the requirements of the Metropolitan Fire Brigades Board.

There is no point in having a mall if the trams are retained. One needs only to visit Launceston and see the success of its mall to realize the validity of what I am saying. I shall mention the City Square project. The Minister mentioned vacillation and indecision plaguing council affairs, and said:

The Committee has not at any stage reported to council.

I would like the House to take particular notice of what Mr Bethke said:

Since November, 1977, the City Square Project (Special) Committee has presented 78 reports to 38 meetings of Council.
That is the committee that has reported to the council. When one hears comments like that, one starts to doubt the correctness of other statements. I was quick to judge the council on some aspects, but when one hears that kind of comment, one realizes the need to be cautious in judging the council. The Minister also stated:

No over-contract expenditure has been approved by Council.

Mr Bethke also said:

The contract sum approved by Council was subject to rise and fall provisions. All payments made have been recommended by the Council’s consulting architects, and correct according to provisions of the contract. As such the “contract price” approved by Council has not been exceeded.

I shall deal with the realignment of Flinders Lane which is Stage 2 of the City Square project. Mr Bethke states:

The original design concept has always included Flinders Lane. It was therefore treated, not as an “addition” to the main contract, but as a variation.

In relation to Spencer Square, the Minister said:

Construction may have been ultra vires.

Mr Bethke replied:

In response to the Council’s request for clarification re its powers to apply any sums towards this purpose, the Secretary for Local Government replied as follows (4th September, 1978):

“... The Minister is of the opinion that legislation on the subject is not warranted but he has undertaken to give consideration to the question of validating legislation for this project should the need arise”.

The successful tender was accepted and approved by Council according to normal procedures.

Mr Bethke continued in a similar vein to discount some of the claims made by the Minister. I will not continue with the letter at this stage.

The regrettable aspect of this matter is the smears and innuendo that have been made against councillors and council officers. It is similar to the Wandin nursery situation. I understand more activity has occurred in that regard today. No State Government department is immune from these allegations. No private business is immune from them either, and honourable members should be careful, as responsible people, when criticizing the council. The matter should be cleared up as quickly as possible. I agree with my Leader who has stated that he has heard nothing on this matter that has proven dishonesty.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! I inform honourable members that this evening I was advised that four people have been charged with offences in regard to the Wandin Nursery.

I remind honourable members that, because there are criminal charges, the matter is sub judice and honourable members should not refer to those persons or that matter. The House has no desire to prejudice a fair trial when it occurs.

The Hon. K. I. M. WRIGHT—I accept the ruling and shall not refer to that matter. Dishonesty has not been proven against any past or present councillor and no such person, to my knowledge, has been interviewed by the Police Force the last time I checked. Dishonesty has not been proven against any past or present senior administrator and no administrator has been interviewed by the Police Force. That should be placed on record because some all-embracing aspersions have been cast in speeches and in statements of honourable members.

One should ask whether the Government is correct in describing the Melbourne City Council as a special case and stating that it should not be treated like other councils because it is the major council of a capital city and its area is the point of entry to the State. I do not agree. All 211 councils
should be treated in the same manner. One Act should govern all councils and not an Act for the Melbourne City Council and another one for other councils.

In municipal history, only two councils have been dismissed. One was the Sunshine City Council which was dismissed following an inquiry because it had major financial problems that are now in the course of being overcome, for which I commend the work of the administrator. The other was the Keilor City Council which was dismissed because it was unable to form a quorum. No inquiry was held in that matter because it was obvious to everyone that the council could not operate without a quorum.

A further point is the four-month delay in the announcement of the dismissal of the Melbourne City Council and the time when the Bill will be effective. If the operations of the council were so bad, why was the Government not prepared to act immediately and to call Parliament together to deal with the matter as soon as the problems became evident or, alternatively, why did the Government not wait until just before Parliament was due to resume before making up its mind on the matter?

Many comments have been made in the media and elsewhere about the financial state of the Melbourne City Council, its debt liability and a comparison of that debt liability with those of major councils in other capital cities. As at 30 September 1980, the Melbourne City Council liability was more than $51 million, or 2.05 times the general rate income for 1979-80; the Adelaide figure as at 30 June 1980 was $33 million, or 3.66 times the general rate income for 1979-80; the Perth liability as at 30 June 1980 was almost $22 million, or 1.67 times the general rate income for 1979-80; and the Sydney figure as at 31 December 1979 was $34 million or 1.21 times the general rate income for 1979—therefore Melbourne compares favourably.

In referring to comments Mr Lander-you made about various wards and to some of his references with which I do not agree, I request permission to incorporate certain tables and a map in Hansard.

The PRESIDENT (the Hon. F. S. Grimwade)—I advise honourable members that Mr Wright has shown me the various tables and the map that he wishes to be incorporated in Hansard. The matter is relevant and I understand that Mr Wright has copies available for honourable members.

Leave was granted, and the tables and the map were as follows:

**VALUATION (NET ANNUAL VALUE)—1980-81**

(Excluding property classified under Cultural and Recreational Lands Act 1963)

<table>
<thead>
<tr>
<th>Ward</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert</td>
<td>20,521,070</td>
<td>9.9</td>
</tr>
<tr>
<td>Bourke</td>
<td>25,268,115</td>
<td>12.2</td>
</tr>
<tr>
<td>Gipps</td>
<td>42,096,250</td>
<td>20.2</td>
</tr>
<tr>
<td>Hopetoun</td>
<td>11,129,355</td>
<td>5.4</td>
</tr>
<tr>
<td>LaTrobe</td>
<td>41,463,375</td>
<td>19.9</td>
</tr>
<tr>
<td>Lonsdale</td>
<td>41,647,215</td>
<td>20.0</td>
</tr>
<tr>
<td>Smith</td>
<td>14,739,885</td>
<td>7.1</td>
</tr>
<tr>
<td>Victoria</td>
<td>11,096,300</td>
<td>5.3</td>
</tr>
</tbody>
</table>

207,961,565 100.0

**TOWN RATE 1980-81**

(At 13.42 cents in the dollar on Valuations set out in preceding Table)

<table>
<thead>
<tr>
<th>Ward</th>
<th>Assessments Number</th>
<th>Percentage</th>
<th>Town rate Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert</td>
<td>5,895</td>
<td>14.0</td>
<td>2,753,927</td>
<td>9.9</td>
</tr>
<tr>
<td>Bourke</td>
<td>4,692</td>
<td>11.2</td>
<td>3,390,982</td>
<td>12.2</td>
</tr>
<tr>
<td>Gipps</td>
<td>3,791</td>
<td>9.0</td>
<td>5,649,318</td>
<td>20.3</td>
</tr>
<tr>
<td>Hopetoun</td>
<td>6,938</td>
<td>16.5</td>
<td>1,493,559</td>
<td>5.3</td>
</tr>
<tr>
<td>LaTrobe</td>
<td>4,300</td>
<td>10.2</td>
<td>5,564,386</td>
<td>19.9</td>
</tr>
<tr>
<td>Lonsdale</td>
<td>4,242</td>
<td>10.1</td>
<td>5,589,056</td>
<td>20.0</td>
</tr>
<tr>
<td>Smith</td>
<td>6,557</td>
<td>15.6</td>
<td>1,978,092</td>
<td>7.1</td>
</tr>
<tr>
<td>Victoria</td>
<td>5,628</td>
<td>13.4</td>
<td>1,489,124</td>
<td>5.3</td>
</tr>
</tbody>
</table>

42,043 100.0 27,908,444 100.0

Note: No dissection is made of amounts from rates expended in each ward, consequently no expenditure figures can be supplied.
CITY OF MELBOURNE

Persons Enrolled on Municipal Roll for 1980–81

<table>
<thead>
<tr>
<th>Ward</th>
<th>Persons enrolled</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert</td>
<td>5554</td>
<td>13.29</td>
</tr>
<tr>
<td>Bourke</td>
<td>4686</td>
<td>11.21</td>
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<tr>
<td>Gipps</td>
<td>2794</td>
<td>6.68</td>
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<tr>
<td>Hopetoun</td>
<td>8122</td>
<td>19.43</td>
</tr>
<tr>
<td>LaTrobe</td>
<td>2715</td>
<td>6.49</td>
</tr>
<tr>
<td>Lonsdale</td>
<td>2824</td>
<td>6.75</td>
</tr>
<tr>
<td>Smith</td>
<td>7257</td>
<td>17.36</td>
</tr>
<tr>
<td>Victoria</td>
<td>7854</td>
<td>18.79</td>
</tr>
</tbody>
</table>

(For boundaries of wards see attached plan)

The Hon. K. I. M. WRIGHT—Mr Landeryou stated that the population of commercial sectors of the City of Melbourne is few in number, and that is a fact. The three central business district wards of Gipps, LaTrobe and Lonsdale have the least persons resident, being 6.68 per cent, 6.49 per cent and 6.75 per cent. However, on valuations those three wards are respectively 20.2 per cent, 19.9 per cent and 20 per cent, which is 60 per cent of the total valuation. Almost exactly the same percentages apply for the town rate 1980–81. Administrators examining these three ward boundaries should very strongly consider the valuations of properties and rates obtained from those wards. In addition, the special underground railway rate for Gipps, LaTrobe and Lonsdale wards are respectively 24.5 per cent, 24.8 per cent, and 24.7 per cent on the amount paid in 1981 of $3 016 089.

The next question is whether the council has special financial circumstances and a case can be put that it
has. The Melbourne City Council loses no less than $7 million in rates for properties owned by the Government, charitable institutions or churches. I referred to this subject in the debate on the Local Government (Further Amendment) Bill recently and, in a speech to the House a former member, the Honourable Charles Hider, referred to the difficult financial affairs of the Melbourne City Council, and claimed that, if it continued, by 1982, the council could be insolvent. That highlights the difficulties.

I also point out that the council has a special difficulty, because—possibly due to the shopping centres and supermarkets established in the suburbs—the number of people employed in the wholesale and retail area in the central business district reduced from 241,000 in 1966 to 206,000 in 1976. That serious aspect should be considered, plus the fact that the council has to spend 75 per cent of rates on regional services, roads, parks, gardens and all those things that are used by people in the Greater Melbourne area.

I have mentioned the payment to the underground rail loop, which I think will prove to be a white elephant, along with the Arts Centre, which is proving to be much more expensive than the Sydney Opera House, about which grave concern was expressed.

I also ask the question whether the Melbourne City Council is restricted in its operations? When one looks at the facts, one sees that it is. The Melbourne and Metropolitan Board of Works is providing services such as water supply, sewerage and drainage. It has an important role in planning and will assume greater powers under the new legislation. Statutory authorities provide a wide range of metropolitan services. I refer to the Country Roads Board, the Housing Commission, the Environment Protection Authority, VicRail, the Transport Regulation Board—I mentioned the Board of Works—the Melbourne and Metropolitan Tramways Board, the Melbourne Harbour Trust and the Metropolitan Fire Brigades Board.

It is obvious that the commissioners will have a mammoth task. I rather wonder whether the Government has given the commissioners sufficient facilities, under this measure, to carry out this onerous task. It will cost the ratepayers at least $200,000 a year to attract commissioners who are capable of doing the job. I understand that a figure of $100,000 a year has been mentioned for the administrator. We ask ourselves who he will be.

The Hon. H. R. Ward—Why don’t you take it on?

The Hon. K. I. M. WRIGHT—I think that job would be too difficult for me. It is interesting to note that several well-known identities and former members have been seen in this building both last week and this week and I rather wonder whether that is an indication that an announcement about the administrator will be made soon. Perhaps events to come will prove this to be significant. As I said, the job will be no sinecure.

Three people will have the task of the decision-making of 26 councillors. They will also be conducting an extensive inquiry into boundaries, structures and functions of the operation of the council. I ask, “What assistance is going to be given?” I hope the Minister for Local Government will elaborate on this matter when he gets a chance to reply to the amendment that has been moved by Mr Landeryou.

Another anomaly is that I take it these administrators are going to be responsible to the Government and not to the 65,000 ratepayers who will pay them. I find that an interesting point of view. It is rather interesting to note that it appears that the Government has admitted it made a mistake in the 1979 legislation when the numbers of councillors was reduced from 33 to 26. It is now proposed that there be twelve councillors. I believe that is a correct decision by the Minister and the Government because I noted on an overseas study tour that as few as six councillors were performing the task for a city as large as Melbourne.
It has now been claimed that, contrary to the decision in the Bains report, the Lord Mayor will be elected by a popular vote. I am not sure whether I agree with that proposition either. I grew up in local government and, in my experience, I found the method of councillors electing one of their peers as leader for the time being to be excellent. I would take a lot of convincing that the best way to do it is by popular vote. A man who is very good in public relations—a man like President Nixon—can get himself elected.

The Hon. D. G. Crozier—Would you say that any of the present members of the city council would be in that category? Can you think of anyone who would fit that description?

The Hon. K. I. M. Wright—I would imagine that most of the members of the current city council would at some time or other be in a position to be the mayor of the city. A man could be appropriate to the mayor of the city this year and yet next year he could be a totally unsatisfactory, unsuitable proposition. It is his fellow councillors who have the best opportunity to judge.

One point is that a central business district without residential areas would not be a viable entity. Another point is that, as I understand it, if the Local Government Advisory Board were to examine the boundaries of a municipality the consent of the councils involved would be required. I suppose this measure has taken care of that aspect. If it has not, then it should.

Mr Landeryou referred to a Greater Melbourne Council. I agree with him that perhaps the Government has been concerned with the possibility of an Australian Labor Party-dominated council. I too would be concerned about that happening, because decisions made outside the council chambers are detrimental.

Mr Mackenzie interjected about the role of National Party councillors in local government. I say here and now, without doubt, “Yes”, many National Party members are civic minded enough to serve on their local councils, but never do they bring party politics into it. I am proud to make that statement. In 99 per cent of cases our colleagues from the Liberal Party operate in the same way.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Could Mr Wright tell me to which clause of the Bill he is now referring?

The Hon. K. I. M. Wright—I will return to the Bill but I was directed from the debate by Mr Mackenzie's interjections. In conclusion, I refer to the fact that at least four Bills for the wholesale restructuring of the Melbourne City Council have been introduced into this Parliament. Probably one of the most recent was the Greater Melbourne Council Bill, which was introduced by the Country Party in 1951. The Premier of the day was Mr J. G. B. McDonald of the Country Party which is now the National Party.

He believed an improved system of local government was absolutely essential for the metropolitan area. His Government proposed that 30 of the inner municipalities in Melbourne and the Melbourne and Metropolitan Board of Works should be replaced by a Greater Melbourne Council which would have a Lord Mayor and 72 councillors. They would replace 384 councillors. Needless to say, there was a considerable amount of opposition from the 30 councils. As I understand the position, very few, if any, supported that measure.

I have details of the debate. However, I will not refer to it except to say that it extended over 200 pages of Hansard before the vote was taken in the Assembly, and the vote was 35 to 25 in favour of the Bill. The Bill was then transmitted to the Legislative Council and was introduced and read a first time by the Honourable Percy Byrnes of the then Country Party, now the National Party, the predecessor of Mr Dunn. Immediately at the first-reading stage it was lost by sixteen votes to seventeen—one vote! I understand that one member was brought in almost on a stretcher from his sick bed to vote on the matter. Like other honourable members, I hope that will not happen again. It is interesting to note that the Assembly debate took 200 pages of
Hansard to support the Bill; the Legislative Council took several inches of Hansard to defeat it. Had the Bill been carried, this legislation would have been unnecessary.

One really amazing factor behind the whole issue is that, to this date—and I have checked this with Mr Bethke, the chief executive officer—the Melbourne City Council has received no official, written advice of the action the Government is taking. I find that most unstatesmanlike, discourteous and generally unlike the Government, most of whose Ministers are courteous and businesslike. I am surprised at the absence of some written intimation keeping the council informed as to what is happening.

The amendment moved by Mr Landeryou calls for a full and open inquiry and calls on the Government to make full disclosure of the reasons for the dismissal of the Melbourne City Council. Mr Landeryou wants the local government advisory board to inquire into any changes to the boundaries and structure of the city and to make recommendations.

To summarize, I admit that the Minister might have felt he had good reason to recommend this course of action. However, I repeat the National Party’s belief that it is an undemocratic action and that warnings should have been given to the council. The council should have been given the reasons and allowed the opportunity of replying to those reasons. If it had replied in the vein in which I have replied tonight, I believe it is likely that the sacking would not have occurred. There should have been an inquiry. The National Party opposes the Bill and supports the amendment.

The Hon. N. F. STACEY (Chelsea Province)—I support the motion and oppose the amendment. The Minister is to be complimented on the second-reading speech to this House. He specified the areas of concern, giving examples of the sorts of concern felt by the Government, and clearly laid out the course of the Bill. No speaker has yet criticized the Minister’s speech, nor has any honourable member dealt with the details of the Bill, although some have neglected to refer to the facts of the Bill when criticizing certain items.

Mr Landeryou referred to the views of the Municipal Association of Victoria. It is important to examine the responses of those 178 municipalities which favoured the policy developed by the association. It is my belief that some councils and some councillors did not appreciate the necessity that the Government, of its own volition, is forced to act by way of this Bill tonight. That is, a specific Act of Parliament must be passed to dismiss a municipal council. I believe a number of councillors and councils did not appreciate the effect of that amendment to the Constitution Act in 1978.

I again point out that the system for the dismissal of a council in New South Wales is simply a decision of the Executive Council. Every member of the House would believe that the Victorian requirement of a special Act is preferable and a far more democratic means of operation.

In his remarks, Mr Wright suggested that the word “restructure” was a euphemism for the sacking of the council. At the very core of the Bill and the concern of members of the Government is the realization that the forms of conduct of council business are the main areas needing reform.

The Hon. K. I. M. Wright—It was too sudden, and the Chelsea council thought so too.

The Hon. N. F. STACEY—I agree that the City of Chelsea went along with the recommendations of the Municipal Association of Victoria. However, that council was advised by me that a special Act of Parliament was required. I was pointing out that some councils did not recognize that fact.

I also pick up a point skimmed over by Mr Wright. He made the statement that he felt there was a smear on councillors of the Melbourne City Council, and then he dealt with the Wandin Nursery and did not pursue
his initial statement. There is no slur implied or stated by the Minister, the Premier or any member of the Government. Like Mr Wright, I have had a background in local government, having served as a council member for nine years, and it would be the furthermost thought from my mind to smear or cast a slur upon any person who decided, of his own volition, to serve in an honorary capacity on a municipal council. That smear is an idea that I wish to put down and dismiss immediately.

In the same context, I refer the House to the Minister's second-reading speech where one sentence illustrates his view on the matter. He said:

"The efforts of councillors of capacity and ability to produce positive results have been consistently thwarted by the cumbersome nature of the council's administrative system. That is a criticism of the system and the structure in which councillors are forced to work. I hope to develop that aspect in my remarks this evening."

The Melbourne City Council predates this Parliament, as Mr Landeryou reminded honourable members, having been established in 1842, and it is appropriate that it should have an Act of its own. I should hope that will continue because it is a recognition in the statutes of its long history predating that of the State Parliament.

The Melbourne City Council administers the capital city of Victoria which is at least the equivalent of the best city in Australia. It is significant in the development of Victoria since 1842 that Melbourne, besides being the geographic centre of the State, has been the administrative and financial centre of the State and for much of that period, since at least 1880, has been the financial centre of Australia. It is important that the House direct itself to ensuring that the outcome of the Bill, the reports of the administrators and the recommendations of the administrators will produce a more effective and efficient council to administer our capital city.

I shall focus on what a successful central business district should be. I admit that the terms are not analogous, but I want to focus not merely on the Melbourne City Council areas that exist now but on that centre which is the capital part, the financial part, the central business district. A successful business district is a healthy, safe and convenient place, which provides a pleasant and attractive atmosphere for living, shopping, recreation, civic activities, cultural activities and service functions. Any new development for that district should be in a form and pattern that preserves and enhances that existing character.

The central business district as it exists falls a long way short of what should be the desirable goal for an urgent revitalization. Mr Victor Gruen is one of the experts in the United States of America on district revitalization and he is quoted as saying:

"At the core of the problem lie purely human considerations. The hearts of our cities will function in a healthy way only if they fulfil the desires in the hearts of people, if they effectively serve human hopes, aspirations and needs." "What makes the heart of the city tick is not its structures, however large and well-designed, nor vehicles nor utilitarian services, but people. " "Without people to pervade the city in manifold ways, its structures become hollow, meaningless shells." "The questions before us can thus be boiled down to one basic overruling sentence: How can we attract people back to the heart of the city?"

That final question has been quoted many times—how does one attract people back to the heart of the city? That question has been the concern of many councillors of the Melbourne City Council over many years. It is an important question, for which the Bill seeks to provide the answer.

History will judge the construction of the Melbourne underground rail loop as the last hope for the central business district shopping centre. There has been a decline in the central shopping centre and a growth over the past ten years of regional shopping centres. The only aspect that will reverse that trend is a transport system that will encourage people to shop in Melbourne as distinct from Southland, Eastland, Northland and the other suburban shopping centres.

It is up to the Government, VicRail and the public transport administrators generally to ensure the provision of a
transport system not only for the commuters who work in the city but also for those people who wish to visit the city to shop or attend the cultural activities that form a core meeting place.

At present the city opens at 8 a.m. and is dead by 6 p.m. The central business district currently has a stark, cold environment that suffers from the 9 to 5 syndrome. Its inhabitants rush in, complete a day's work and then rush home to enjoy far better facilities than those facilities that are available within the central business district. Those many thousands of people must be encouraged to remain longer, but that will occur only when the desirable aspects are implemented in one form or another.

Some reference has been made to the strategy plan. The succeeding speaker on the Government side will deal with that aspect in more detail. In about 1974 the City of Melbourne adopted a strategy plan prepared by Interplan Pty Ltd, and a number of goals and objectives were built up around the preservation of the three main assets of the city: Variety, compactness and accessibility. Five different features that were possible for the City of Melbourne were identified and outlined, and covered the following areas: 1. Environment; 2. Cultural, recreation and entertainment facilities; 3. Transport; 4. Industry and wholesaling; and 5. Government.

Since 1974, some 30 action plans have been prepared and it would seem that few, if any, have been implemented. That is referred to in more detail in the Minister's second-reading speech, and I refer specifically to the item where the Minister quoted the finding of the Town Planning Appeals Tribunal on a particular application.

The Bill arises out of frustration, confusion and inefficiency both within the council structure and within the administration. There has been no direction given on the development of office, retail or entertainment sub-areas, but a continual policy of inconsistency, lack of direction and change of view. In the meantime, the three assets that this city has—those I have mentioned previously—have been seriously eroded and almost lost their value.

Therefore, there is need for a Bill that is designed to produce a quarterly report from the three administrators, one full time and two part time, who will examine the system, the structures and the organization to enable a future council—a smaller council and one that is concerned with the whole municipality and not just sections of it—to plan and to meet those objectives that were laid down in 1974.

The Melbourne City Council employs 2900 people to service approximately 60 000 ratepayers. It is interesting to compare that number with the City of Brisbane, which employs 8000 people to service a population of 253 000 people. However, the City of Brisbane operates transport, water and sewerage authorities in addition. In comparison the Melbourne City Council employs three-eighths of the number of employees to service a population a quarter of Brisbane.

The City of Melbourne has a cumbersome multi-committee system. The central problem is that councillors stand willing to be elected, are elected and find themselves allocated or sent out to one of a large number of committees which exist within the structure of the Melbourne City Council. Those committees are the workplace and each councillor has a knowledge of the area of influence of the committee, whether it be parks and gardens, town planning or council properties. It is extremely difficult for any councillor, no matter how hard he works and how assiduous he is, to be able to understand the global picture of the needs of the entire municipality. Consequently, certain councillors have looked to their own wards and never really examined the municipality as a whole. I ask honourable members to consider the councils that operate in the areas they represent. I am certain that the councils in the provinces of honourable members that are most successful are those councils
in which the councillors take responsibility for and an interest in the whole municipality and not just their own parochial wards.

The councillors who have been elected to the Melbourne City Council have been interested in looking after firstly their own wards and secondly the area of responsibility of the committees on which they are members. Few councillors in the Melbourne City Council would have an over-all or comprehensive understanding of the administration for which the council is responsible.

That is a serious defect in the traditional structure which has grown up over a long period in the Melbourne City Council. Indeed, that is the central issue and it is interesting to look at what other municipalities have done to try to overcome these difficulties.

A number of councils have opted for a corporate management plan and I refer to the Caulfield City Council, which was one of the first, and Camberwell City Council and Footscray City Council. They are a few of the municipalities which have adopted a corporate management plan in order that each individual councillor should be responsible, at least for part of his time, in determining over-all policy decisions for the whole of the municipality.

The staff has a tremendous responsibility and the senior staff of the Melbourne City Council have, over the years, performed their task well and diligently. The staff have accepted their responsibility to advise council on new policies or modifications to existing policies and any local government officer anywhere in the State worth his salt would ensure that this would happen.

However, it is extremely difficult for an officer of the council to develop a policy that in fact goes beyond the boundaries of this segmented, fragmented committee structure. Therefore, the committee structure has not only handicapped councillors, but also handicapped the administration itself.

I ask the question: Of each dozen or so committees which exist and which are serviced by their own little secretariats; what interaction really takes place between the various officers, other than the town clerk or the executive officer and perhaps the engineer? What in fact is the over-all understanding of the administration of the City of Melbourne?

The question that I pose and what I see identified as the problem can perhaps be illustrated by referring to a couple of quotations. The first is from the Age of Saturday, 12 July 1980, before this matter arose. In News Diary on page 4 of the Age, the following paragraph appears:

We learnt that with only five days to go before the City Square opened for business, the Melbourne City Council finally succeeded in letting the licensed restaurant above the amphitheatre. The problem was that the restaurant is very small with seating for only 63 diners and virtually no headroom in the kitchen.

If that was a problem, I suggest it was a problem of which the council as a whole was not aware. In fact the council was only able to have a tenant go into that small restaurant a few days before the opening of the City Square.

As honourable members would be aware, the News Diary consists of a series of unrelated paragraphs but I am concerned that in the same column there is an article about lost letters and it states:

For those people who have written to the Melbourne City Council without getting a reply we have unravelled one of the great mysteries of this city. The council does not have a central record of correspondence. A Melbourne City Council town planner, Mr John Arup, told the Town Planning Appeals Tribunal this week that there was no record of letters written to the council.

If that is so, perhaps the reason is that the council has this fragmented structure. If honourable members are concerned about this, I could refer to two further illustrations where people have written letter to the Melbourne City Council and received no reply. One person has written on seven occasions and he has received no reply.
I am not criticizing the individual officers concerned for not answering letters or indeed for not registering the incoming correspondence, but I believe that is an illustration of the malady which exists. I am trying to illustrate that that is caused by the functioning of committees, which, in the over-all administration of the council, represents a loosely fragmented structure.

I do not desire to be critical to any great degree, but I refer to an illustration of what I believe is an example of the difficulty that an individual councillor would have in influencing what would be a major decision by the Melbourne City Council.

I refer to the publication *City of Melbourne, Pedestrianization of Melbourne's Central Retail Area*, and refer to the submission prepared jointly by the City Engineers Department and City Planning Department of the Melbourne City Council dated March 1976. The report identifies the benefits of the mall and commences by stating:

A long-range view could readily see that the central retail and entertainment core of this city—

If developed as a pedestrian mall:

would greatly enhance the City of Melbourne.

The study then goes on to refer to the advantages of producing a central mall as a means, as I said at the beginning, of attempting to attract people back to the city. The study refers to a great deal of information, not only from within Victoria but also from interstate and overseas.

The Hon. K. I. M. Wright—With trams, or without trams?

The Hon. N. F. Stacey—That is the point I will come to, if Mr Wright can be patient. I do not want to read the whole report, but I will make it available to honourable members to examine, if they so desire. However, I turn to page 15 of the document where it states:

This study is the first stage of the following over-all programme for the implementation of a pedestrian mall or malls in the central business district.

At that time no decision had been made whether or not there would be a mall. The report then goes on to detail the steps to be taken, and the first refers to the:

Definitions of objectives and location of the study area.

The second step refers to the creation of a Mall Advisory Committee. I am not sure who was on the Mall Advisory Committee, but it certainly was not all of the councillors and there were other people involved in the composition of the Mall Advisory Committee.

The third stage covers a whole list of things about pedestrian volumes, loading and unloading requirements, regional traffic movements, frequency and type of emergency and service vehicles and a whole list of steps necessary for identifying and carrying out all the analyses.

The fourth stage refers to a review of existing data, the fifth to the development of intent and principles. The sixth stage refers to the report to the advisory committee and the seventh stage to the development of preliminary design. The eighth stage reads:

To advisory committee for comment.

The ninth stage refers to the preparation of final design, and the tenth stage reads:

To advisory committee and council committees for comment.

In fact, the tenth stage is reached before the whole development of the mall—after the preparation of the final design has been taken—goes officially to a council committee.

Then we come into the area of public comment in the public committees which are to be formed and amendments incorporated and final scheme prepared, and the thirteenth stage provides:

Mall proposals submitted to council committees for consideration and submission to council.

Of the total membership of the Melbourne City Council, remembering that there were 26 councillors, it is
likely that at least one half or three-quarters of the councillors had no comment or input into the discussion on the proposal, that it had all happened in the Mall Advisory Committee, until the fourth last stage was reached in the development of a mall. If I were a councillor I would want to be involved at least in discussing the concepts and principles and having some idea of the input to the final design before it became a fait accompli. That, to my mind, is an illustration of the sort of difficulty that many councillors have been operating under within the Melbourne City Council.

It is interesting to examine page 65 of the Pedestrian Mall Study, which analyses specific streets and mentions Bourke Street. I have read that section five times, and it is not until one comes to the end of the study after the statistics and so on and reaches the second last point that trams are mentioned. The study states:

Bourke Street contains considerable overhead (tramway) and underground (P.M.G. and electric cables, gas, stormwater and water mains) . . .

Not until that part of the study are trams mentioned. Indeed, the study only mentions overhead tramway wires; it does not specifically mention trams. Nowadays everybody would recognize that the biggest problems in the Bourke Street mall are the trams. In conclusion, the report dealing with Bourke Street states:

Bourke Street would be particularly successful if closed for pedestrians and there would be no major problems caused that could not be overcome by detailed design.

No mention is made of trams. It is interesting to note that all the maps in this document do not indicate the location of tram lines. Even if the council had been consulted at step 13, and a councillor was able to ask the innocent question about trams, it was not considered in the document at all. Perhaps the question of trams was not even considered until some councillor asked the naive question when the council reached consideration of step 13 and step 16.

I use that example because it illustrates the system, organization and administration that have grown up over the years, which have been designed either on purpose or by accident to exclude councillors from decisions concerning the central business district at least and perhaps the municipality as a whole. That worries me. It worries me even more when I read a brochure published by Councillor Ivan Powell, who was at the time Chairman of the Public Works and Traffic Committee and a member of the Finance Committee. Councillor Powell published an annual report to his ratepayers in the Hotham ward dated June 1978, which illustrates the point I make. The document published by Councillor Powell is in the form of a letter to ratepayers, and I compliment him for publishing such a document. The letter states:

This year I was elected Chairman of the Public Works and Traffic Committee. It is over 35 years since Hotham ward had a committee chairman (Councillor Coleman in 1942). It means Hotham ward gets a better deal. That statement from the Chairman of the Public Works and Traffic Committee offends me and some councillors. On the second page of the letter Councillor Powell quite rightly identifies a number of problems. The statement indicates the way in which he is forced to think because of the structure under which he operates. The letter continues:

Last year, I warned that the City Square would cost you more than the Underground Rail Loop . . . Only councillors Malone, Ennis and Lethlean protested too.

Under the heading, "Strategy Plan—Important Warning", the letter states:

The Strategy Plan is the central most important matter that the council has dealt with. I have stood out against and exposed attempts to bury it. It is a complex issue—but the heart is to contain major office development within a five minute walk from the Underground Rail Loop stations—that means fewer cars, fewer parking problems and less congestion.

That councillor, who is involved as the Chairman of the Public Works and Traffic Committee, in June 1978 recognized how important the strategy plan is. Councillor Powell asked for it and has tried to obtain it. He knows that it is important for planning a major office development within five minutes walk of the underground station.
Councillor Powell is frustrated because he cannot persuade the rest of the councillors to adopt the strategy plan, which was first proposed in 1974. Under the heading, "Redistribution—next year—Shameless Gerrymander", the letter states:

The last redistribution was in 1939 and we sure need another one now. That was stated in 1978. Councillor Powell looks upon that as the first time—he has expressed this in his letter—that there is hope of doing something for the Hotham ward.

I refer to an article that appeared in the Sunday Observer on 25 November 1979. It is written by Dorothy Wentworth-Walsh and she quotes Mr Rogan, who was then the Town Clerk as saying, "I am depressed with the way the council has deteriorated". The article continues in the same vein. The headline of that article is "City is Run like a Crap Game". I do not accept that but it is notable that Mr Rogan is quoted as saying that he is depressed.

The Hon. K. I. M. Wright—All councils have their ups and downs.

The Hon. N. F. STACEY—Perhaps this down is caused by the stultifying structure of isolated committees.

In early 1978 the Melbourne City Council approached the State Government because it looked ahead at the increased rates it would have to charge. The council's first reaction was to state that in five years time the rates would be impossible. The council decided that it would go to the State Government and ask for money. I understand that the submission to the State Government requested a grant of approximately $7 million to $8 million. If it was successful in that application, the council was to seek an undertaking that the State Government would contribute something like 25 per cent of the necessary income to the Melbourne City Council. It is significant that the council did not first seek to tighten up its administration and make sure it was an efficient and effectively administered organization. The council did not examine whether it really required its 2900 employees.

I make it clear that the central issue I have been canvassing tonight is that the present structure and method of administration of the Melbourne City Council, which it has inherited from the traditions of the past, is inappropriate for the administration of a complex capital city. Many councils have now realized that a council of 26 councillors is unwieldy. Many councillors realize that the administration of the city by watertight committees is a disastrous way of trying to take an overall view of the whole municipality.

The City of Melbourne has been well served over the years by most of its councillors. The councillors who have survived have found it an impossible task to apply what many members in this House would regard as the proper responsibilities of a councillor. They have found that the system has beaten them and they have not been able to produce the sorts of reforms and changes that are necessary for our capital city to meet the needs of the future decades and the next century.

I support the Bill because I believe that if we are fortunate in the choice of the three administrators and if they stick to their task and take a cold, analytical view of the needs of the administration, they will succeed. If the recommendations of the administrators are canvassed amongst the community and are subjected to discussion and examination and the effect on nearby municipalities is contemplated, the whole process, as initiated in the Bill, will provide an opportunity of producing a Melbourne City Council administration which can cope during the next century.

The Hon. D. R. WHITE (Doutta Galla Province)—The Bill before the House is designed to sack the Melbourne City Council. The first question is: Who is responsible for the downfall of the Melbourne City Council that made the Government decide to sack the council? Was it the last Lord Mayor, Ralph Bernardi, who was Lord Mayor in 1979-80? He had only one year; it could not have been Ralph Bernardi.
Was it Irving Rockman? It could not have been Irving Rockman, because like Bernardi, he was a member of the Liberal Party. Was it Don Osborne, his predecessor as Lord Mayor—not clever, but smarter than the Minister for Local Government? Honourable members remember Councillor Osborne; he wanted to ban women from the refreshment rooms and would have preferred councillors to wear spats at council meetings! It could not have been Councillor Osborne when he was Lord Mayor, because he was a member of the Liberal Party, so he could not have brought about the downfall.

What about his predecessor—was it Ron Walker, the clown of Collins Street? It could not have been Ron Walker; he was a member of the Liberal Party! Since being Lord Mayor of Melbourne, he has been appointed by the State Government as Chairman of the Fountains Committee, so it could not have been Ron Walker.

Was it Alan Whalley? He was a member of the Liberal Party and he was appointed by the State Government and employed at least part time on the Town Planning Appeals Tribunal, so it could not have been Alan Whalley.

Was it Edward Best? Honourable members all remember Ted Best, known by his best friends as “second Best”!! It could not have been Ted Best. He was a member of the Liberal Party; and what happened to him when he became Lord Mayor? After he became Lord Mayor he was appointed by the State Government as Deputy Chairman of the Melbourne and Metropolitan Board of Works—a member of the Liberal Party!

Was it his predecessor, Ian Beaurepaire? We all remember Ian Beaurepaire—not as bright as his wife, but chairman of that well-known public company, the Olympic Tyre and Rubber Co. Ltd. It could not have been Ian Beaurepaire; he was a member of the Liberal Party!

Was it Sir Leo Curtis? Everyone remembers Sir Leo Curtis, a well-known public figure—one of Jenny Ham’s old boyfriends! Was it Sir Leo Curtis? No, he was a member of the Liberal Party.

What about Sir Maurice Nathan—was it Sir Maurice Nathan, his predecessor as Lord Mayor? No, it was not Sir Maurice Nathan; he was not responsible for the downfall. He cannot be blamed—he was a member of the Liberal Party! He was appointed as a member of the Victoria Promotion Committee because of his efforts as the Liberal Party’s bagman.

Having seen and experienced all these men in action as councillors of the Melbourne City Council between 1974 and 1977, I can say one thing clearly. Whatever their lack of capacity as Lord Mayors of Melbourne, one thing they all had in common, apart from being members of the Liberal Party, was that qualitatively as decision-makers they were eminently superior to the present Minister for Local Government, Digby Crozier. No one is better qualified to comment on that matter, because I have had more experience with the lot of them than any other person.

The question is, who has controlled the Melbourne City Council since the second world war? For the most part it has been the Civic Group, and who are the members of the Civic Group? I want to quote a former councillor, Michael Winneke, the son of the Governor. This is what he informed me about the operations of the Civic Group. He said:

I was not a member of the Liberal Party when I was elected to the Melbourne City Council.

But he wanted to join the Civic Group. He was the first exception, and, to my knowledge, the only exception to the rule that one had to be a card-carrying member of the Liberal Party to be in the Civic Group. What did they ask him to do to become part of the Civic Group? He had to sign a statutory declaration that he had voted Liberal all his life before they would accept him as a member of the Civic Group. There are no caucuses in local government; there is no politics in local government; all one has to do is produce one’s card or sign a statutory declaration and abide by council decisions.

The Hon. D. R. White
What the sacking of the council is about is clear: It is the Liberal Party involved in bringing down the Liberal Party. It is clear that all these men who have been previous Lord Mayors of Melbourne have been conspicuous identities in the Liberal Party.

Let us get to the issues. The major issue surrounding the Melbourne City Council sacking is the Melbourne strategy plan. It is a sophisticated plan which is clearly beyond the comprehension, intellect and understanding of the Minister for Local Government. It is one of the most sophisticated concepts of participatory planning ever introduced. It is far more than a physical land use planning scheme.

It involves significant democratic participation in the implementation of action plans throughout the residential areas and the commercial districts. All local ratepayers were asked to become involved in the process of implementing the decision of the strategy plan, a democratic concept far beyond the grasp of the present Minister for Local Government, because one thing that he steers away from and has steered away from throughout his political career is the concept of democracy in action.

The main feature of the plan and the main principle that concerns the Labor Party, most residential councillors and those who want to preserve the nature of the city is the retention of the mixed use areas, which include Royal Parade, St Kilda Road, South Carlton and West Melbourne. The plan is concerned with plot ratios and would reduce the amount of large-scale high rise development in those areas, not only for aesthetic reasons but also to ensure that future high rise development in Melbourne is confined to the less sensitive areas of the central business district so that people will be encouraged to use public transport rather than private transport. Of course there is public transport in St Kilda Road and Royal Parade, but most people who would be employed in those areas would have to use more than one mode of public transport to get to work, so they would be more than likely to use private transport.

What concerns members of the Labor Party is that the sacking of the council will lead not only to the abandonment of the strategy plan—that is almost inevitable—and plans for low-scale development in the mixed use areas, but also to high-rise development in the most sensitive areas of the central business district.

On 19 January the National Mutual group of companies said that it had arranged an option with Grollo Builders and Engineering Pty Ltd. The Grollo company has recently bought another property at the corner of King and Collins Streets and at least two other buildings in the city. The building has been placed on the market by the National Mutual group for more than $10 million because of criticism by the company of the State Government’s opposition to other proposals for the redevelopment of the area. In other words, the National Mutual group was continually frustrated, not by the Melbourne City Council but by the failure of the State Government to establish an initiative and to endorse agreements that the National Mutual group had entered into with the Historic Buildings Preservation Council.

It is regrettable that since the announcement of the sacking of the Melbourne City Council in December the Grollo company purchased the option for the National Mutual Rialto site. Soon afterwards, the Government clearly indicated that it would ease controls on the Rialto site. Since then, as recently as April 11, Mr Jack Chia announced that he was going to proceed with a redevelopment project which would save a group of historic buildings at the end of Collins Street. Mr Davidson, Chairman of the National Trust, has applauded this particular proposal as being consistent with the old Historic Buildings Preservation Act. However, my concern is the association with that project of a former
Civic Group councillor, a member of the Liberal Party, Robert Peck, and that the current proposal, accepted by the National Trust, is not the one that will be built on that site ultimately, because I have had experience of the sort of promises that Peck has put before the community in the past.

On the day of the announcement, the Chairman of the National Trust clearly indicated to the Minister for Planning that the trust would be objecting to the new Bill. I will talk about that further along the track. The new Bills, which are currently before the Legislative Assembly, interestingly coincide with this measure to sack the Melbourne City Council.

In addition to those two recent developments has been the decision of Chia to also build an eleven-storey office block costing about $9 million on land in Little Bourke Street in the heart of Melbourne's legal establishment. So it is clear that the developers are beginning to get the green light, and the question before the Parliament on the sacking of the Melbourne City Council is what will happen to the strategy plan?

The Melbourne Strategy Plan should be given the power of law. It should become a statutory plan, administered by a properly elected city council. No one should be fooled by the Minister for Local Government who has been saying that he is going to implement the strategy plan. He does not understand it.

The Hon. D. G. Crozier—You do not understand what I have been saying. It is the prerogative of the Minister for Planning, not the Minister for Local Government.

The Hon. D. R. White—The Minister for Local Government has been saying for the past four months that the Government intends to implement the strategy plan in its original form as agreed upon in June 1974. It has had the opportunity to do that for more than six years, and it has absolutely no intention of doing so. What will happen following the passing of this Bill to sack the council, and the historic buildings measure, is clear. There will be massive high-rise development in the most sensitive historic area of the central business district, and the areas that were to be set aside for low-rise development, the mixed-use areas, also in a sensitive historic area in East Melbourne, Royal Parade, and St Kilda Road, will also be the subject of high-rise developments.

One of the most conspicuous features of this Bill is that the seven members of the Melbourne City Council who have been seeking to oppose the strategy plan, and who have done so all along the line, have been investing in the mixed-use areas waiting for the plot ratios to be changed by these weak-kneed Ministers and the Government, who are subservient to the interests of developers, and developers alone, and to no other interest group in the community.

The issue before the House is clear; either uncontrolled investment is allowed based on development to go where it will, in and around the city, or Parliament can ask that the development occur within an agreeable strategy, administered on behalf of all the users of the city. It is clear what will happen, and it is clear what did happen, to the Melbourne City Council plan.

The Melbourne City Council had a firm strategy plan which, unfortunately, has not been implemented by the State Government. Since 1975, the council has been seeking Government legislation to implement the plan. The council has also prepared local development schemes for the Government to implement with legislation and, although supporting legislation was passed in December 1979, it still has not been proclaimed.

Since 1974 the council has continually dealt with applications in accordance with the strategy plan, but its decisions have often been overruled or changed by the Town Planning Appeals Tribunal because there is no supporting legislation for the plan.
Successive Ministers have had the opportunity of implementing the strategy plan, which the Minister for Local Government does not understand, yet he has seen fit to oversee this legislation to sack the council and to ignore the implications. Coinciding with the decision to sack the council is the introduction in the first week of April in the Legislative Assembly of the Historic Buildings Bill, and in the second week in April in the Legislative Assembly the Government Buildings Advisory Council (Amendment) Bill. Both those measures will reduce the possibility of historic buildings being retained in the central business district.

I wish to briefly quote a letter from Winsome McCaughey, which appeared in the Age of Saturday, 4 April 1981.

Paragraph 2 states:

It has to be deliberate “planning” on the part of the State Government, and not just coincidence, that the bills to sack the Melbourne City Council, and to dis-empower the Historic Buildings Preservation Council, were both being read or debated in Parliament on the same day.

These two bills together effectively remove all planning decisions from the only two public bodies that had some opportunity to control demolition and ensure the kind of orderly development that is in line with the public interest and well-being, and not just serving private purses.

Now these planning decisions are to be centralized in the hands of one Minister and the heads of large inaccessible bureaucracies. Whole areas of historically and socially valuable buildings will be able to be demolished simply by developers making “arrangements” with Ministers and administrators.

It is now going to be done behind closed doors as a result of private arrangements. They are in the process of consultation. The process of public participation is being wiped off the board. The letter further states:

The presence of the Melbourne City Council meant that the developers had to apply for permits before they could construct high-rise buildings, and this also set in train procedures which gave councillors and citizens an opportunity to know what was going on.

It seems the stage is now set for the same kind of wholesale uncontrolled and destructive development that Sydney underwent nearly a decade ago.

There can be no assurance from this Government that that will not happen.

The Minister does not understand the Historic Buildings Act; he does not understand the strategy plan; he could barely name twelve streets in the municipality. This is another instance of the Government reacting to a political event. In this case it was the events of October 18 that put pressure on the Government internally to take some initiative, and was a result of the pressures of large-scale developers and other interested parties throughout the community who have engaged in speculative investment in the mixed-use areas and the sensitive parts of the central business district, in the hope that the Government will ignore and overlook the strategy plan.

In response to the letter which appeared in the Age, the Minister for Planning responded on 10 April 1981 with a letter, the first paragraph of which is very incongruous and difficult to justify or understand. He said:

Winsome McCaughey appears to be looking for burglars under the bed and mistaking the sounds of progress for things that go bump in the night.

I hardly consider that the introductory paragraph by the Minister for Planning constitutes an attempt to address himself to the real issue of this proposed sacking of the council. He then goes on to say:

To describe the City Council as being “democratic and accountable”, and to attribute orderly development to it is to deny the record of recent history: the fiasco of the strategy plan, the mess of the Mall, the confusion of the City Square, the delays, the uncertainty, the inconsistencies.

Those events and those issues cannot compare in magnitude to the gross incompetence, financial management and poor administration of the Government, but more of that a little later. The Minister also said in the course of his reply:

It is to bring accountability and recognition of the democratic processes into the matter of preservation that the new Historic Buildings Bill makes the elected Government, instead of a non-elected statutory body, responsible for deciding historic preservation matters.

The Opposition has seen the Government in action. It knows what will happen. The decisions will be made
behind closed doors. They will be presented as fait accompli and there will be an absolute minimum of public participation, if any. The underlying principle is the Government's decision to override completely the principal of participation through the representation of taxpayers. The Government has returned to the Boston tea party syndrome. The ratepayers will have no representation, but will still be expected to contribute to the cost and to the upkeep of the Melbourne City Council without being able to participate in its affairs.

The Bains report at page 4 sets out how local government should operate. It is a pity that the Minister for Local Government did not study that page of the Bains report. It states:

In a system of representative democracy, such as that which exists in Victoria, sensitivity and responsiveness to local interest and needs should be effected at the local level by vesting responsibility for policy making, revenue raising, expenditure and over-all performance, in councillors accountability to the local community.

That is a concept that the Minister for Local Government does not embrace. The Minister represents a long line of Legislative Councillors from rural seats over a period stemming back to 1856 when the Legislative Council was created. This House was created to prevent a popularly elected Government—a progressive Government in the Legislative Assembly—from passing legislation. That was the purpose 'written into the 1856 Legislative Council constitutional Bill, and I can quote the drafters of that piece of legislation. It is in line with that tradition that the Minister for Local Government said in April and May 1979 that the Liberal Party would use its Upper House majority to veto moves by a future Labor Government to implement the $400 million job scheme. An article in the press at the time stated:

The State Development Minister, Mr Crozier, also said the Liberals should not hesitate to use their numbers to reject any socialistic measures or refuse Supply.

As Mr Landeryou said earlier, the Minister was actually sacked for having said that and demoted as Deputy Leader of the Liberal Party in the Upper House merely because of the momentary embarrassment that it caused the Government. I am sure that in other circumstances, Government supporters would not have hesitated to fall in line behind the Minister and use those powers the Government has in this House.

I am drawing attention to what the Minister sees as his role in this House, which is to prevent democratically elected Governments in the Legislative Assembly from being able to pass legislation. It is consistent with that concept that Victoria has a Minister who is prepared to proceed and sack the Melbourne City Council without the ratepayers and the councillors being able to have their say in why those decisions were made and to deny them their democratic right to have the Local Government Advisory Board hear evidence, as occurred with the Sunshine City Council. At the very least, when the Sunshine City Council was sacked the due processes were followed.

As a result of the initiative taken by the Minister for Local Government, a wide range of people has come out in opposition to the Government. Some of the names of those people were listed in an article that appeared in the Age of 27 March. That article states:

A group of Melbourne citizens, including a vice-president of the Liberal Party, has called for a full parliamentary inquiry into the proposed restructuring of the Melbourne City Council. The signatories to that request include: Dame Beryl Beaurepaire, a Vice-President of the Victorian Liberal Party since 1976, Mr Neil Cleerehan, a former diplomat; Mr Bruce Grant, a former head of Ormond College; the Reverend Professor Davis McCaughey; a former city council town clerk, Mr Frank Rogan; an executive of the Brotherhood of St Laurence, Mr David Scott; Councillor Betty Marginson, of Hawthorn; and the President of the Freedom from Hunger Campaign, Dame Phyllis Frost. That group has requested that the Government ensure that the administrators abide by the Melbourne strategy plan and that the Government introduce legislation implementing the
plan, which the council has been bickering over since 1974. The Government has not yet indicated that it is prepared to do that.

From my experience in the Melbourne City Council amongst the Osbornes, the Beaurepaires, the Walkers and the Rices, I discovered that none of those councillors was of less stature than the present Minister for Local Government. What of the issues that the Minister for Planning mentioned in his letter to the Age recently? The Minister indicated that the real issues that caused the sacking of the Melbourne City Council were: The fiasco of the strategy plan; the mess of the mall; the confusion of the City Square and the delays and uncertainties and so on.

How do those problems compare with the promise to roof the railway yards, which the Government has promised at every State election since 1948, but ignored? What of the promise to complete the Melbourne underground rail loop in a reasonable time and at a reasonable cost? That has never been achieved. What of the decision to shift the State Library to the National Museum site? What of the extraordinary costs associated with the Victorian Arts Centre? What of the fiasco of the Board of Works building? What of the indecision within the Liberal Party room on the casino issue? What of the Housing Commission land deals and the idiocracy associated with endeavouring to demonstrate the need for the World Trade Centre? None of those issues with which the Government has been intimately involved and most of which surround the central business district and the municipality of Melbourne. Each of those decisions will haunt the Government because nothing is more certain than the Minister's failure to understand the sensitivity, particularly of the metropolitan area.

Although the Minister may appreciate the regional benefits of an economic project for the Portland area, he does not understand the implications that subsidizing such a project would have on the rest of the metropolitan area—just as the Minister did not understand the implications of the statements he made in April and in May 1979 and the ramifications those statements would have on sensitive political seats. I refer to the quote by the Liberal candidate for Prahran—"The person who cost me my seat was the Minister for Local Government, Mr Crozier."

The Minister is completely insensitive to the political processes that occur in the metropolitan area. Nothing can be more certain than that over the next twelve to fifteen months the decision to sack the Melbourne City Council will haunt the Government. Every decision that is made in the central business district; every sensitive area that becomes subject to redevelopment; every part of the mixed-use areas that is built on, every part of the mixed-use areas that is aesthetically sensitive and is designed to be kept to low-plot ratios in order to promote the use of public transport instead of private transport will haunt the insensitive and undemocratic Minister for Local Government and the people whom he has endeavoured to move. The people who have been responsible for these so-called faults of the Melbourne City Council, as I outlined at the start, have been none other than the Minister's colleagues in the Liberal Party who have had exclusive control of this House since its inception.

The Hon. A. J. Hunt—That is not true.

The Hon. D. R. WHITE—The Legislative Council has been under conservative control since its inception, as has the Melbourne City Council.
For those reasons, I support the amendment moved by my colleague that this House should refuse to read this Bill a second time until there is a full and open public inquiry, until the Government makes a full disclosure of the reasons for the dismissal of the Melbourne City Council, and until the Local Government Advisory Board has inquired into any changes to the boundaries and structure of the council.

The Hon. H. G. BAYLOR (Boronia Province)—In the press statement of the Premier dated 23 December 1980 the honourable gentleman said, in part:

The Government is confident that a smaller streamlined council will stimulate development in the vital central city area. We want to see greater encouragement to rebuilding in suitable areas, much greater residential growth in the inner city and more certainty and much quicker decisions in relation to planning and building permit matters.

I propose to relate my statements to those reasons set out concisely in the Premier's press statement. At the time that the Premier made this statement, both he and the Minister for Local Government foreshadowed a Bill to be introduced in the Parliament to encompass these aims, by making fundamental changes to the City of Melbourne, by producing a much smaller council of about twelve members, a Lord Mayor to be elected by all ratepayers on the roll for a fixed term, and the introduction of more restricted boundaries to enable the new council to concentrate on the administration of the central city. Such a Bill is before the House tonight.

Many contributing factors have led to the action the Government is taking. One of the major factors has been the inability of the council to implement a sound planning scheme for the city, based on properly thought-out planning controls, to maintain sustained development and desirable growth for the central business district, at the same time preserving and protecting the city's valuable assets.

The story of the Melbourne strategy plan was a long and sorry saga of inefficiency and ineptitude by the Melbourne City Council. This saga began in 1974 when the first Melbourne City Council strategy plan was released as a non-statutory document. The major thrust of the strategy was to encourage office accommodation and other commercial activities to locate within the central business district by limiting heights and plot ratios in the outlying areas of the city proper—along the boulevards such as Royal Parade and St Kilda Road where already substantial redevelopment was taking place.

Because the strategy related to only the Melbourne City Council area, development pressures occurred in adjacent municipalities, and this is the part of the strategy plan to which Mr White did not refer. The adjacent municipalities had different controls on heights and plot ratios. As a result, adjoining planning controls disagreed with one another, which caused much confusion amongst developers both on a small and large scale. There was utter confusion because on the borders of neighbouring municipalities different sets of controls applied. No consultation took place between the Melbourne City Council and its neighbours in the development of the strategy plan, and to reach a degree of conformity or even agreement about some of the controls like plot ratios. In addition, the strategy plan adopted by the Melbourne City Council differed from that adopted by the regional planning authority, the Board of Works, which resulted in much more confusion and an almost impossible situation regarding appeals before a tribunal.

Several of the municipalities took out interim development orders, thereby creating dual permit situations which, in many cases, resulted in permits which were in conflict with each other. Resolution of these conflicts were usually left to the Town Planning Appeals Tribunal and because the only statutory planning scheme in existence was the Melbourne and Metropolitan Board of Works scheme, the determinations of the tribunal were made on the different control on the board in relation to the height limits, set-backs and so on. Confusion existed in the minds...
of property owners, planners, local councils, local action groups, residents and other interested parties.

This ludicrous situation has been allowed to remain until, through the Ministry for Planning, it was decided that it could no longer be tolerated. As long ago as 1976, Ministers for Planning have been urging a clear statement of planning policy be drawn up for the metropolitan area of Melbourne. The Town Clerk of the time, Mr Rogan, was being urged to pursue a course leading to the implementation of the final strategy plan and conservation plan for the central business district through an amending planning scheme or a series of planning schemes initiated by the council. That was urged in a letter to Mr Rogan.

Some typical abortive attempts were made by the council in response to these requests. One example was amendment No. 96, prepared by the Melbourne City Council to give effect to the strategy plan and its provisions. It included new zones in the central business district with plot ratio controls, a series of zones adjacent to the central business district, such as residential and urban conservation, and so forth. It was noted that a major legal and practical difficulty for persons affected by the amendment was that its detailed comprehension required an examination of the local development plans which were not exhibited and were unknown to the Town and Country Planning Act at the time. Eventually, after a large number of objections were received, council withdrew this amendment and was back at square one.

Eventually the present Minister for Planning, Mr Lieberman, took a firm hand and, in an address released on 15 May 1980, detailed action that he had taken to bring about some resolution of the continuing disarray of the Melbourne planning scheme. Mr Lieberman announced that he had called together the Melbourne City Council and four neighbouring inner-city councils, in his words, “to seek a common approach to mutual planning problems and issues”. Two committees were to be formed and included on those committees were representatives of the councils, the Melbourne and Metropolitan Board of Works, the Ministry for Planning and the State Government. This was the first indication of a constructive positive approach in the many long years of dithering that had taken place regarding the strategy plan. On 11 October 1980, Mr Lieberman stated:

We are looking to provide controls which will not only protect, but which will provide certainty for the property owner and the development industry: The final controls recommended to the Governor in Council will state clearly what may and what may not be done in the way of development and redevelopment and they will embody the guidelines to ensure that future buildings along the boulevards and in the vicinity of the gardens and Parliament House precinct will not only be compatible but will be an enhancement.

That is one of the most clear statements that the community has received in all these years. Honourable members heard Mr White state this evening that the Government did not understand the strategy plan. It is not the Government that did not understand but the people involved at the time did not know where they were going. They did not understand what they were trying to achieve and did not have any clear way of how to achieve or implement the vague notions that they may have had.

The Minister for Planning went on:

We want controls that will encourage appropriate and imaginative development but we want to ensure that what is built does not intrude in size and scale on the special character of these unique areas.

Here at last is a statement of clear thinking, of vision, and tangible evidence of action being taken by a responsible Minister to sort out the mess and bring about the resolution of a long-standing confused situation.

It is interesting to note in the days when Councillor Walker was Lord Mayor and our friend, Mr White, was a Melbourne city councillor, that there was, as usual, a controversy raging about the good old strategy plan. Someone in the town hall had dreamed up an alternative scheme known—Mr White referred to this—as the “mixed
use area study" which substantially altered the aims of the original strategy plan.

At that time the Premier was advised by Mr Walker, the Lord Mayor, that the council had twenty planners working full time on the strategy plan, and that the cost to date of the plan was approximately $400,000.

I have some press cuttings from that time. There was one from the Sun, one from the Herald and another from the Age. The headlines are, "Hamer wins on city plan", "Walker gives pledge to Hamer—city plan row is settled" and "We'll hurry up city plan: Mayor".

It is interesting to note what our friend, Mr White, did. He opposed the alternative plan which was put forward, and what did he do? Mr White called for the sacking of the town planner, a Mr J. Williams. Mr White saw nothing wrong with that, but he conveniently did not remind honourable members of that tonight. I refer to the Australian of 7 April in which it was stated:

Labor Councillor D White, a critic of the alternative scheme, yesterday blamed the city planner, Mr J. Williams, whom he said should resign over his "opposition" to the strategy plan. Councillor White said many councillors still favoured the idea of development on the periphery of the city.

It is a sham for people such as Mr White to stand up now and claim that the Government should not be contemplating any such undemocratic process as sacking the council, when Mr White seemed to be ready to call for the sacking of someone he disagreed with in council.

The Hon. K. I. M. Wright—Council officers have been sacked before.

The Hon. H. G. BAYLOR—Yes, they have, but here we have a former councillor of the Melbourne City Council calling for the sacking of an officer because he disagreed with what the council officer was doing.

I now turn to some of the more recent observations with regard to the confusion and snarl-ups in planning involving the Melbourne City Council. I turn again to a document dealing with the findings of the Town Planning Appeals Tribunal on 5 February.

The Hon. K. I. M. Wright—What year?

The Hon. H. G. BAYLOR—I will give that in a minute. The Minister for Local Government in his second-reading speech, quoted a passage from this finding but I submit it bears repeating in the context of what I am saying. It is Town Planning Appeals Tribunal application No. 1882, heard at Melbourne on 5 February 1980. It is an appeal against the refusal of the Melbourne City Council to grant a planning permit for the use and development of 26-32 Rathdown Street, Carlton, for the purposes of making alterations and additions to the four existing single storey row houses. In upholding the applicants appeal against the refusal, it is interesting to note that the chairman of the tribunal, in his findings, made this statement:

We are of the firm opinion that the Council is wrong in treating and applying its policy as an inflexible rule not to be departed from. The arguments that it is necessary to do this so as to obtain consistency and avoid any criticism that favourable treatment is being meted out to an application that does not fit in with the policy are contrary to any authority and commonsense.

We further record that we were disturbed to find once again that the representatives of the Melbourne City Council were not placing all relevant material before us. In this appeal the written submission made no mention of the fact that there had been a ruling by the referees appointed pursuant to the 33rd Schedule to the Local Government Act in relation to the proposed alterations. Further no mention of this was made during the presentation of the Council's submissions and it was only after they had been completed and the matter was raised by the representative of the appellant that the Council's representative conceded that there had been such a ruling.

I have a letter from Balmah Nominees Pty Ltd dated 4 October 1979 which sets out once again the agonizing delays and difficulties which the ordinary citizen had to endure when dealing with the administration of the Melbourne City Council. I quote in part from the letter which is dated 4 October 1979 and is addressed to the Lord
Mayor. It begins, "Dear Sirs, Gentlemen."—even though there was at that time a lady on the council. It continues:

I am writing as a ratepayer to tell you of my experience with your Council's administration and to tell you what is going on is not good enough.

This poor man then goes on to list some of the difficulties and delays that he has experienced. He has written a long letter and I will not quote it all but I quote briefly from another section where he says:

It has taken one year to accomplish what should have occurred in no longer than eight months solely because of the council administrative incompetence as illustrated by—

Then he lists five points. They are, inter alia:

1. Internal mail not delivered.
2. Building Permits were delayed approximately one month because the Director of Building refused to make a decision of a properly designed glass roof.
3. Permit to open footpath was to be issued in 1 week from date of application—in fact took close to 4 weeks.
4. Sub-division approved by Council Committee occurred on the 2nd April with conditions to be fulfilled before sealing.
5. Sealing of the sub-division—all required work was completed and reports filed by the 14th September. By the 24th September I was still being told it would be processed in due course, perhaps a week. Upon complaint to the Lord Mayor, the sealing took place the following day.

That letter illustrates some of the frustrations that people have had to go through. These are not the big developers, not the so-called people that the Government has been accused of listening to and protecting. These are the small, individual people who wanted to put a roof on or add something on to the backs of their houses, or do some small jobs. These are the people who have been utterly frustrated by the ineptness of the administrative processes in dealing with applications that entail the obtaining of permission.

The Hon. K. I. M. Wright—I have received complaints from other councils along the same lines, so it is not only the Melbourne City Council.

The Hon. H. G. BAYLOR—That is right, and I will get on to that in a minute. That type of frustration can be illustrated time and again by people who have had dealings with the Melbourne City Council. It could be summed up by the recent hot line established by the newly appointed Minister for Economic Development in an article in the Herald dated 26 February 1981 which states:

The Melbourne City Council has been the section of government most criticized during the phone-in campaign conducted by the Minister for Economic Development, Mr Smith.

Local government planning in particular came under fire in the first two days of the campaign.

Mr Smith said the sentiment which came through loud and clear was to cut through red tape which may be holding back investment in Victoria.

"It (the phone-in) has vindicated the Government's decision to sack the Melbourne City Council," Mr Smith said.

There was plenty of opportunity in that phone-in campaign for people to complain about other municipal councils. In fact, the three day phone-in revealed that the majority of complaints were in relation to the Melbourne City Council.

I will give a further instance of blatant maladministration which is detrimental to the ratepayers of the city. I shall deal with the rail loop levy.

The Hon. K. I. M. Wright—Which Minister was that?

The Hon. H. G. BAYLOR—It was Mr Wilcox, who stated:

There will be no need at all for the council to increase its rates for reasons of the Loop in residential areas such as Flemington, North Melbourne and South Melbourne.

It was never intended that those areas should be called upon by the council.

The matter was never brought before the full council and no decision appears to have been made to that effect. In fact the residential ratepayers paid
two sets of the rate levy before it was dropped from the rate notices. That says something about councillors who represent residents' interests on the council. It also raises the question of the legality of those rate levies.

It could not be claimed that the councillors were unaware of the levy. It had been drawn to their attention by the Combined City of Melbourne Association and others and, yet, nothing was done about the matter for more than two years. Even the Town Clerk of the day, Mr Rogan, in a newspaper interview printed in the Sunday Observer of 25 November, which my colleague Mr Stacey has quoted, has said:

The City is run like a crap game.

He said it appeared that the council had deteriorated. He is quoted in this long article as saying:

"A lot of them are just weak vacillators and I had an instance of this recently, when, by one vote, they revoked a building permit because one councillor said a condition had not been fulfilled by the company.

It was found that the company had met the requirement and the other councillors had just voted with that one councillor on a false premise so little in-depth study was put into these matters that came before the councillors. They followed the councillor sheepishly and granted things on completely false grounds.

The Hon. K. I. M. Wright—I know of a Government department that started a building and had it half finished before it got a permit.

The Hon. H. G. BAYLOR—Mr Wright had his chance to speak earlier and if he wished to mention those matters, he should have done so in his speech. He has lost his chance now because it is too late.

I shall now deal with the dreadful saga of the City Square and the mall. The mall has already been dealt with at some length by my colleague, Mr Stacey. Those projects are obvious illustrations of the bungling ineptitude of the council's administration. As far back as 1978 some councillors, to their credit, had misgivings about the City Square and the way in which it was being handled. In the Melbourne Times of 1 March 1978 under the heading, "Recipe for Disaster" it is stated:

The Hon. B. P. Dunn—who wrote the article?


The Hon. B. P. Dunn—It does not mean anything.

The Hon. H. G. BAYLOR—It is a printed document and I am entitled to quote from it. It states:

A noble vision, the City Square project contains within it both the seeds of greatness and disaster for the City of Melbourne.

Unfortunately, in their headlong pursuit of greatness, too few of our city fathers have stopped to consider the extent of the financial quagmire into which the council has plunged.

At best, the council has the financial capacity to pay for the City Square, but only by diverting all available funds for new capital projects into the construction of the Square and the allied Regent Theatre project over the next four years. As a result of that commitment, many other projects have had to be abandoned. When the first tenders for the square were approved in 1977, it embraced an expenditure of $10 million. No figures were produced indicating the effect of the square on the city municipal rates.

The presentation of the tender figures was less than satisfactory, according to normal business principles, and created doubt about the true and final cost. Estimates were altered during discussion in council as they were in such a confused mess. It involved the commitment of all majority loan funds over the next two years. There should have been some consideration of financing the square from other sources on the basis of a regional responsibility. That option was never even considered.

Other developments occurred after the initial tenders for the shops under the Plaza Theatre. An article appeared in the Age in July under the heading, "Council blamed for City Square woes".

The Hon. B. P. Dunn—who wrote that?
The Hon. H. G. BAYLOR—Damien Murphy wrote the article. I hope Mr Dunn is satisfied. I hope he remembers that name, because I will test him later. A shopkeeper, Tony Gelme—Mr Dunn will correct me if I am wrong in the pronunciation of that name—is mentioned in the article. It states:

Shopkeeper Tony Gelme becomes bemused when he recalls that there were nearly 550 applications for shop leases in the City Square.

Less than seven months after the Queen officially opened the City Square the shopping arcades behind the tumbling fountains resemble a morgue. Many of the shops remain unoccupied or many that are tenanted are poised to close.

The shopkeepers blame the Melbourne City Council.

"It's a disaster," Mr Gelme, a spokesman for City Square tenants, said.

Many shopkeepers have refused to pay rent because they claimed the council had undertaken to have the City Square complete by the time they took up tenancy.

At least 21 of the 37 occupied shops (out of 44) have banded together and refused to pay rent since August. The council is charging shopkeepers between $15 and $75 a square foot rental and has lost more than $500 000 in revenue since the shopkeepers refused to pay.

"If it had been a private enterprise concern running the City Square then the tenants would have known what they were getting into. But because it is local government and certain undertakings were made, what we bought is not what we got."

Again another article deals with the shops in the City Square and it was not until February this year that the council negotiated a formula for rents in the shops in the Plaza square. The article appeared in the Herald on 11 February 1981 and was written by Mr Bruce Dover, the Herald reporter on local government. The article states:

City Square retailers are to pay rent for the first time since July last year.

The Lord Mayor, Cr Jack Woodruff, said today the council had finally agreed on a formula to work out rents in the square’s Plaza area.

Cr Woodruff said income from the shops was now likely to be around $200 000 a year instead of the original projected figure of more than $800 000 a year.

These are reported to be successful businessmen sitting around the table, yet we find these fiascos one after another. The council lost $244 000 in that little exercise.

Dare I mention it—the "Yellow Peril"! About the only good thing that could possibly be said about it is that it became such a talking point and, in an obscure way, a "tourist attraction" for people to gape at, laugh at and to stretch their imaginations as to what it might resemble. That has included everything from a shed that has fallen in to an unspeakable graffiti wall. How absurd that such a decision could have been made in what should have been, in many people’s eyes, a restful haven in the centre of the city with green grass, trees, seats, peace and quiet where one could rest quietly and peacefully.

Once again, it is worth quoting from a press statement in the Herald editorial on 24 March 1981 under the heading, "The Peril Saga". Honourable members may be tired of hearing me quote from various sources but there is much from which to quote to support my argument.

The Hon. B. P. Dunn—Everyone has already read that.

The Hon. H. G. BAYLOR—Judging from their comments, honourable members have obviously forgotten what they read. The Herald article states:

It is characteristic of a City Council on the verge of paying for its bungling by being dissolved that it is now proposing to pay $29,500 to remove something which less than a year ago was installed at a cost of $70,000. Equally it is characteristic of the way we do things here that some trade unions are now proposing to set themselves up as arbiters of what we should or should not have in the bedevilled City Square—itself rapidly qualifying as the flop of the century.

I could also mention the so-called unique, intriguing matrix screen, which I would concede was quite a bright idea except that it is losing the taxpayers thousands of dollars a year. The people who sit around the city table are supposed to include businessmen and women. We understand many of them would claim to be successful in their own businesses. I find it unbelievable that these people could make
such decisions, which appear to be completely unbusinesslike. I have a letter from the present Town Clerk, Mr Bethke, to the Premier regarding the losses incurred by the video matrix screen. Mr Bethke wrote this letter at the direction of the council in answer to statements which the Premier made in the second-reading speech.

The Hon. R. J. Eddy—What date was that?

The Hon. H. G. Baylor—the date was 26 March 1981. The letter was addressed to the Premier and signed by Mr Bethke. I am endeavouring to illustrate what I have been saying about the complete lack of a businesslike approach and the deplorable waste of ratepayers' money. Mr Bethke does his best to defend the way in which the matrix screen was introduced and states:

Because the screen was installed primarily to provide a service to the community, as with a great number of other Council operations, the Council would have been satisfied with a nominal operating cost, although it was originally believed that low-key sponsorship would provide needed regular revenue for the Council.

I shall now refer to the key part of the letter which states:

However, when the actual operating costs became apparent, the Council spared no effort in endeavouring to effect an arrangement whereby a large proportion of the costs could be recovered by advertising on the screen.

Mr Bethke went on to say how the council enlisted the aid of a large advertising agency. Unfortunately even with that assistance the Council was able to obtain only $60 000 in revenue.

That hardly explains the matter satisfactorily in my book. If one is in business and considering a new venture, one makes sure that the estimates and operating costs of the venture are accurate. To be on the safe side one would possibly over-estimate these costs. Other hopelessly impractical undertakings in the square include the laying of a light grey carpet in the area where people sit in the Plaza theatre. Within two weeks the carpet was absolutely ruined. Anyone with any common sense would have known that that would happen. Consequently the carpet has had to be replaced.

The bluestone used in the paving is of a porous variety and the cost of cleaning it is astronomical. The estimated maintenance cost of the toilets in the square amounts to over $100 000 per annum. Even Councillor Rockman was concerned about that matter because he wrote to the Town Clerk on 10 September 1980. The letter stated:

Dear Town Clerk,

Toilets in the City Square

I am very concerned at the estimated maintenance cost of $100 000 plus per annum to maintain public toilets . . .

At the end of the letter Councillor Rockman stated:

Perhaps this matter should also be referred to the Public Works and Traffic Committee but in any case I think the matter should go back to the City Square Committee.

That was a slight display of concern by one of our businessmen about these enormous inordinate costs. The maintenance of the City Square alone will add approximately 2 per cent to the city rate and the financing will add another 12 per cent, making an estimated total on the square alone of 14 per cent of the rates.

As no final costing has been carried out these figures can be disputed. However, in the light of no concrete businesslike monitoring in detail it would be hard for anyone to come up with an undisputed figure.

I shall now deal with the reaction of the council since the dismissal announcement. In particular, I, along with the great majority of the community, deplore the decision to spend $90 000 of ratepayers' money on anti-Government propaganda, which was to no avail and which, anyone in their right senses should have perceived would be to no avail. Seven councillors perceived this and issued a statement on 10 February 1981 which stated—

The President (the Hon. F. S. Grimwade)—Order! The honourable member has quoted extensively from press releases, letters and articles, which have appeared in the newspapers, to support her argument. I think the honourable member may be doing this to excess. I suggest that
it might be better if she summarized what is in those press releases rather than read them. I remind the honourable member that May makes it clear that the reading of letters and articles is repugnant to the spirit of debate. I suggest that the honourable member might summarize in her own words any other references she wishes to make.

The Hon. H. G. BAYLOR—I shall endeavour to do that. Seven councillors suggested that the council deserves to be sacked because of the sorts of decisions to which I have referred. There was a tremendous reaction to the spending of ratepayers' money on advertisements against the action proposed by the Government. Many persons wrote to newspapers deploring the spending of ratepayers' money and, no doubt, they were ratepayers. The legality of that course of action was questioned. The Lord Mayor publicly criticized the Melbourne City Council and several editorials in the media reiterated his sentiments. The majority of persons considered the advertisements were unnecessary and a waste of money and that, if the council wanted to put its case in defence of its performance, a better avenue was available to it rather than the spending of $90,000 of ratepayers' money.

Much has been said about what will happen when the administrators are appointed. Despite numerous publicity given to this aspect and reported comments of both the Minister for Local Government and the Minister for Planning, both of whom have reiterated the actual job of the administrators and the controls over him, it has been overlooked that the administrators will be required to report to the Minister quickly. Some persons are under the impression that, because the administrators are required to report to the Minister, members of the public and members of Parliament will not know the details. That assumption is wrong because members of Parliament will have every opportunity of asking the Minister for Local Government about those reports and progress made, and the public will know because there will be no secrecy.

The Hon. K. I. M. Wright—They will not be able to do that until December.

The Hon. H. G. BAYLOR—One has to give them the chance. One can only suppose that the persons who have voiced those concerns are hearing only what they wish to hear. Mr Wright quoted from the Municipal Journal which reported plainly the remarks of the Minister for Local Government. Presumably all persons in local government and councillors would read the journal.

The Hon. W. R. Baxter—You are joking!

The Hon. H. G. BAYLOR—They should—one cannot protect people from themselves. The Minister made a plain statement. The Melbourne City Council holds a unique position in local government. It administers the capital of the State. The appointment of administrators is not a threat to other councils even though some councils can be considered to be inept and their dealings in planning matters inappropriate. An Act of Parliament gives protection that no council can be dismissed arbitrarily. As the Minister stated, local government was given constitutional status and Victoria is the only State to have done that. The provision was quite rightly made for a possible dismissal of a council should it be necessary, but no council can be dismissed at the whim of a Minister.

The Hon. K. I. M. Wright—Without an inquiry?

The Hon. H. G. BAYLOR—That depends on circumstances and, in the circumstances leading to the Bill, fairly drastic action was called for.

The Hon. B. P. Dunn—we are waiting for you to give evidence—apart from the “Yellow Peril”.

The Hon. H. G. BAYLOR—I have given a lot more than that. It is important to remind honourable members of the “dire and dreadful” events that occurred in Sydney.

The Hon. B. P. Dunn—The Lord Mayor said that.
The Hon. H. G. BAYLOR—Yes—the one person stating that is the Lord Mayor of Sydney. I refer honourable members to an article in the Sydney Morning Herald of 7 June 1969, which was headed "A new-look Town Hall (with canary curtains and an $800 000 surplus)" and referred to when the administrators were running the city and the enormous changes in the administration, even the precincts of the town hall:

Once it was a cavern of heavy drapes, dark carpets and gloomy corners out of which peered the framed, bewiskered faces of civic fathers long gone to their reward—or where perhaps a brass nymph danced on a shaky pedestal; a perfect place, some would say, for a Caucus of Labor aldermen. Now there's a brilliant blue carpet, canary yellow curtains, a dust-free bookcase and pleasant, if rather insipid, Australian landscapes.

The article continues to report how easier people were able to get service at the Sydney City Council. I totally disagree with the remarks made about the disastrous effect of administrators running the council in Sydney. Many members of the Labor Party have previously extolled the virtues of the Sydney council and the New South Wales Government.

I applaud the concept inherent in the Bill. Anyone listening to the arguments of the Opposition will be appalled by the stunted thinking of those honourable members. Their complete lack of progressiveness of vision and faith in the future is frightening, especially as those honourable members are supposed to be in the forefront of modern thinking. The action of the Government will be applauded far and wide when the results are known and Melbourne is a vibrant, living city again. I would not be surprised if either the Labor Party or the National Party tried to take credit for it. However, members of the Liberal Party have long memories and will always remember the work of the Government.

The sitting was suspended at 12.8 a.m. (Wednesday) until 12.33 a.m.

The Hon. JOAN COXSEDGE (Melbourne West Province)—I oppose the Bill and support the amendment. I believe one positive result will emerge from this Bill: That this undemocratic and arbitrary action of sacking the Melbourne City Council will be the final straw for Victorian voters. It would be obvious to blind Freddie, with no disrespect to you, Mr President, that the Hamer Government no longer has the support of the Victorian people.

In fact, the Victorian Government is a disgrace, in its arrogant disregard for the needs of the people. The Liberal Party has sacked the Melbourne City Council on the grounds that it is incompetent and inept. Most people believe Liberal Party members are talking about themselves, but to the charges of being incompetent and inept they would add corrupt and criminally negligent. We know the real reason the Government is sacking the council has nothing to do with criminal negligence or misappropriation of public funds. However, it has a great deal to do with the fact that this council, elected by the people of Melbourne, will not accede to the demands of powerful developers, speculators and investors who would be willing to destroy Melbourne as long as they made a quick profit.

This is confirmed by a matter I raised in this House a few weeks ago when I provided hard information to the Minister for Local Government, backing up claims that have been made by members on this side of the House on many occasions that the council is being sacked as a result of heavy lobbying from the Melbourne Chamber of Commerce acting on behalf of large and powerful developers.

This is supported by the chamber's own house journal, Commerce News of January/February 1981 in which the Chamber of Commerce boasted of its success in persuading the Hamer Government to change the structure of the council. On page 1 an article appears headed, "Chamber claims credit", which states:

After some two years of lobbying and hard work by the Chamber, it is gratifying to hear of changes the State Government is likely to make to the Melbourne City Council.

That seems to me a fairly clear statement.
I asked the Minister about recent building application figures for Melbourne. These figures showed that there were only 69 building applications in January 1981 compared with 119 for January 1980, a drop of 42 per cent. The value had also dropped by 56 per cent from $8.59 million in January 1980 to $3.765 million in January 1981.

These figures clearly indicate that the developers are just waiting on the sidelines for the dismissal of the Melbourne City Council and the appointment of administrators who will give them open slather. We can say goodbye to some of the most interesting parts of Melbourne that are still left. We will obviously see some of the city's historic buildings demolished.

I feel very strongly about this matter, because before I came to this place I was a practising artist for more than twenty years. During the latter years I concentrated on drawing our old historic buildings. For example, I completed a commission for the Builders Labourers Federation to draw "Green Bans" buildings all around Australia. I have held four one-woman exhibitions.

The Hon. Glyn Jenkins—One person.

The Hon. JOAN COXSEDGE—I am a woman. I have held four one-woman exhibitions. Even then I had to work mighty fast in Melbourne to draw buildings before they were pulled down. This experience made me develop a special feeling and sensitivity about these buildings and their importance to our city and, indeed, to our understanding of our own history. Without such buildings a city is a very sterile place.

It is perhaps worth while to quote briefly from a transcript of the ABC programme Frontline. The date is Thursday, 5 February 1981 when Alderman Sutherland, the Lord Mayor of Sydney was interviewed. I shall quote the statement in answer to the odd comments about Sydney administrators made by Mrs Baylor. Alderman Sutherland had this to say:

I'd like to give you the benefit of our experience in Sydney with the appointment of administrators to run the city. The exact same thing was done there in the late 60s, from 1967, when a Council was sacked, removed from office—a democratically elected council—for no rhyme nor reason and administrators were appointed—three of them—to run the city.

They wrought havoc on the city by their excessive development applications, planning decisions that they made over a period of two and a half years. It cost the city $17 million to bail itself out for decisions they made to approve commercial development in what is now regarded as one of the most select residential areas in Sydney.

The Hamer Government has actually gone on public record as saying that there are no grounds on which to charge the Melbourne City Council with incompetence or misappropriation, and yet it is being thrown out without any recourse of appeal to the people. What the Government is virtually doing is disenfranchising the people of Melbourne.

Members of the Opposition therefore draw the obvious conclusion that the Government has plans for Melbourne which will not be supported by the people or their elected council representatives. These plans will be implemented by three carefully chosen dictatorially imposed administrators whose first priority—indeed, probably their only priority—will be to look after their speculator mates, the big stores and developers.

What will some of these plans mean? Inevitably, there will be the further wholesale destruction of some of the most attractive sections of the city—that is, as I said earlier, the bits that are left and those of our historic buildings that have not already been demolished. There is bound to be an attempt to divert trams from the Bourke Street Mall to Lonsdale Street, not to help shoppers, but to make sure that certain large retail stores have their sales boosted by tram passengers in the Lonsdale Street area—which is normally moribund, like the gentlemen sitting in the front seat opposite and like the Hamer Government.

Victorians have woken up to the fact that the decision to sack the Melbourne City Council is just another manifestation of the arrogance of the Government with its born-to-rule mentality, which is prepared to ride roughshod over the democratic rights of ordinary people.
The track record of the Hamer Government is not an edifying one. Indeed, it is probably fairly safe to say that the Government owes its very existence to a gerrymander second only to that other great democratic State, Queensland. I was being fairly cautious when I made that statement.

This is the Government that has been publicly exposed for its involvement in land scandals, which have never been satisfactorily explained and which are still surfacing. This is the Government that spent $300,000 of taxpayers' money on a press campaign to persuade us to go back to using public transport while it is busily implementing certain sections of the Lonie report and closing down railway lines.

This is the Government—and I am drawing a comparison between the Government in its performance and attitudes to sacking the Melbourne City Council and therefore I think it is very relevant and important to look at the two together—that has been involved in so much incompetence and corruption that the Bill seems to be the height of hypocrisy.

Whatever criticisms we make of the Melbourne City Council—and we have made and will make criticisms of it from time to time—there are democratic ways of achieving reform. Sacking the elected representatives for the political and economic advantage of an influential minority is certainly not the way. The reality is that major business interests would have lost control of the council next August at the annual election to the Australian Labor Party independent residential block. Everybody knows it.

It is obvious that under this ultra-conservative Hamer Government, only the wishes and industries of the barons of industry really count. People are treated with absolute contempt and fed lies, hypocrisy and deceit.

All councils are affected by this sacking because councils believe that if the Government can step in and sack one when it does not suit it, obviously it can move in and sack the rest. At least in the case of the Sunshine City Council the Hamer Government made a pretence of democracy; it held a kangaroo court, but now the Government has become so arrogant that it is even bypassing the minimal amount of window-dressing that it exhibited at that stage.

I conclude by saying that I strongly support the amendment; I oppose the sacking of the Melbourne City Council and I support the sacking of the Hamer Government instead.

The Hon. D. E. KENT (Chelsea Province)—This is one of the most significant issues that the House has had to debate for a long time because the Bill provides for the dismissal of elected councillors. The council was elected under the Constitution, under the structure and the boundaries approved by the Government of Victoria, and the people who elected the councillors had every right to expect that they would be able to carry out their functions and to be judged by the people to whom they are responsible. This Bill substitutes for the elected council commissioners appointed by the Government, liable to be dismissed at the whim of the Government, making it quite obvious that their purpose is to carry out the will of the Government.

The amendment moved by my Leader, Mr Landeryou, gives the House the opportunity of at least allowing the people of Melbourne to exercise some of their democratic rights in that there should be no dismissal of the council before a full inquiry is carried out and a report is presented to the House.

It is significant that the Melbourne City Council has not been charged with one breach of the Constitution or the Local Government Act. It has been dismissed on the grounds of ineptitude and incompetence. Listening to the various recitals which have been given tonight by several members, particularly Mr Stacey and Mrs Baylor for the Government, one would imagine that they were looking into a mirror and reciting the record of the Government which they support and of which they are members, because everything

The Hon. Joan Coxsedge
they said, the grounds they put forward for the justification of this action, are the grounds which would, if they were proper, justify the dismissal of the Government.

The Victorian Government is fortunate that the higher Government in this land is apparently sympathetic to it, but we should not be surprised or shocked at that because we should be aware that it is following a precedent which has been supported by the Government in the past. Whatever pretence the Government may make about its belief in democracy, what it really believes in is a token right of the people to representation, to have their will expressed through elections, and yet whenever there is a real challenge to the power of the people who are the masters of the Government and the masters of the Liberal Party, democracy is dropped by the wayside.

We have seen the prime example of this in the disgrace of this nation which occurred on 11 November 1975, and the same principle is being applied today when a constitutionally elected council which has not been found guilty of any breach, but simply on the grounds that it is not carrying out the supposed will of the Government of Victoria, has been dismissed and replaced by administrators or commissioners for an indefinite period.

The Hon. C. J. Kennedy—The three stooges!

The Hon. D. E. Kent—They will have to be stooges because the Government has the right to dismiss a commissioner at any time and to replace him with another. It is obvious that the people of Melbourne who, under the Constitution, are supposedly entitled to elect councillors to administer a municipality, have no voice and no opportunity of determining the future of their city.

It is ridiculous to claim that the incompetence of the Melbourne City Council is unique. I hold no brief for that council any more than for any other council. Probably many of them are noted for inefficiency and incompetence, perhaps even for corruption, but they have a right to be judged by their ratepayers. Honourable members are told that, in the future, councillors will be judged by a full adult franchise, as provided by the Local Government Act.

The principle of exercising power to dismiss someone who is not doing what one wishes is the hallmark of a dictator. It is the sort of thing which was approved when it was carried out successfully by an early exemplar of the Government in Germany in the 1930s, when Adolf Hitler, with the support of the majority of the people, inflicted a dictatorship on them.

It is all very well to state that there is much criticism of the actions of the Melbourne City Council. There is criticism by the ratepayers of the actions of most councils, but that is no justification for their dismissal. There is trenchant criticism of the actions of the Government, but the Government is not prepared to go to the people before it has to be judged on its performance. Honourable members can rest assured that, if the people of Victoria next year give the Government the result it merits, the members who constitute the Government today will exercise the power they have in this House in the most ruthless manner. There is already public evidence of that intent from the very person who is responsible for the Bill before the House, the Minister for Local Government, who, prior to the last State election, made it clear that he was prepared to use whatever powers may reside in this House to thwart the expressed will of the people. He has run true to form in this performance which tonight will undoubtedly result in this House approving of the dismissal of the Melbourne City Council.

It has nothing to do with the real responsibility of government or the responsibility of councils, which is to represent the welfare of the people. These actions are concerned with enabling those financiers and speculators who are the outside controllers of the Liberal Party to exercise their dominance over the City of Melbourne and, substantially, over the people of Victoria; the welfare of the citizens of this
city and of this State does not come into consideration at all. Many people whose ambitions and aspirations are being furthered by this act have no allegiance to this country; their allegiance is to foreign powers of various sorts.

The real issue is the issue of autonomy. Honourable members have heard Government spokesmen and Liberal Party spokesmen over the years emphasize again and again their belief in the autonomy of local government. Obviously, that is a facade, a hollow mockery. The autonomy of local government exists only so long as local government obeys the wishes of the dominant Government, be it State or Federal. Honourable members know that the Local Government Act is a huge tome which lays down rigorous conditions for the conduct of municipalities. Despite that, not one charge of a breach of that Act has been brought against the Melbourne City Council which is now faced with dismissal. The Bill emphasizes the mythology of the professions of the Government and of the Liberal Party and of conservatives in general, in democracy. One could not expect otherwise from the tradition that those members are here to maintain.

Strangely, the very people bringing about this coup are most critical when, in a foreign country, a coup overthrows the elected Government, especially when it is a coup from the left. However, they mask their satisfaction if it is a coup from the right, the people who support the Liberal Party's own type of authoritarian government.

The Government of Victoria is fortunate in that it need not resort to military power to achieve its dictatorial take-overs. It has that tremendous financial power which is capable of controlling the economy and, to a regrettable large extent, of controlling the thinking of many people in this State. It is tragic that Victoria is about to commemorate Anzac Day, a day on which many Australians claim that people fought for freedom—freedom of the individual—the right of self-determination and all those sorts of values which the Government pretends to uphold. It is blasphemous to witness the participation of members of the Government in those sorts of events when in practice they support and indulge in the most authoritarian domination of the people.

They deny people the freedom of expression which they claim exists in this country. Honourable members frequently attend citizenship ceremonies where the statement is made that we belong to a free society where people have the right to determine their own future. The record should be put straight: People have the right to determine events in a very limited way, provided that they do not upset those people who are determined to maintain their real authority in our society.

That is the reason why this Bill is before the House tonight. It is remarkable that the Government, the Premier and, I think, the Minister for Local Government in this House in introducing the Bill, claimed that, although there is strong criticism of the incompetence of the Melbourne City Council, no reflection was being cast on individual members of the council.

I find that an absurd statement to make, to claim that a corporate body is not representative of the individuals within it. It is a device that the Government will undoubtedly use as the election approaches next year, because the indictment that will be made against the Government obviously will be denied by each individual member of the Cabinet and each individual member of the Liberal Party. As always, they will go out to the electorate claiming that each one of them is pure and innocent, and has been incorruptible, working in the best interests of society, and that they are not responsible for the corporate sins of the Government. Perhaps they will acknowledge some of the evils of the Government.

It is about time that there was an acceptance of individual responsibility for corporate action. It should not be allowed to rest only with Cabinet Ministers, and the Minister for Local Government who has been responsible for the Bill in this House. It should rest fairly and squarely with every member

The Hon. D. E. Kent
of the Cabinet, and with every member of the Liberal Party in this Parliament. Every one of them is guilty of denying the democratic rights of the people of the City of Melbourne, and that is the attitude that they will adopt when it suits their circumstances in regard to any municipal council in Victoria.

It is unlikely that the Government will see fit to act against many other councils, although many councils are very small, and many are undemocratic.

The Hon. D. G. Crozier—Because they are small?

The Hon. D. E. KENT—Not because they are small. Their franchise, their distribution of ridings, as the Minister would be aware, is more inequitable, and, as he would well know, many councils are incompetent and make decisions that are changed from time to time. They can be rightly accused of extravagance and waste of ratepayers' money, but in the main they will be allowed to continue because they do not exercise a significant impact upon the economic life of this State; they do not present an opportunity for manipulation of the lives of the people of Victoria by financial domination of the State, as the potential exists, and is practised very largely, within the City of Melbourne. That is the only reason. They are ineffectual, but they represent no real threat to the power of the Government, or to the power of the people who control the Government, so they will be allowed to continue, however ineffectual they may be, and however misrepresentative they may be of the people they are supposed to represent.

It is remarkable that Mr Stacey, in his supposed defence of the action of the Government, failed to state that every municipality in the Province of Chelsea is strongly opposed to this action. They rightly see it as a threat to their autonomy, as a threat to the rights of the ratepayers to elect a council to carry out their will; and the further right of those ratepayers to dismiss councillors, or not to re-elect them if they fail to carry out their will. I believe Mr Stacey has greatly misrepresented his constituents, their needs, their aspirations, and their belief in some semblance of democracy.

It is not to say that there are not many criticisms of the actions of the councils in that area, as there are everywhere, but if one wants to compile a file of the misdeeds of a council, one can do that in relation to any council. Therefore, the real reasons why the Government has decided to act at this stage upon the Melbourne City Council have to be examined. The Government has had the opportunity many times of restructuring and redistributing the boundaries within municipalities. A realignment of municipal boundaries has been discussed.

There was the Bains inquiry into local government in Victoria and the Government and the Minister for Local Government, have repeatedly said that they needed more time to think about even the most basic recommendations made by that inquiry about restructuring and giving the people for whom these redistributions were suggested the right to express their views on the subject.

The Hon. D. G. Crozier—Was that a recommendation of the Bains report?

The Hon. D. E. KENT—Yes, I think it was.

The Hon. D. G. Crozier—Could you find it for me?

The Hon. D. E. KENT—I am sure that the principle which the Minister has expounded in this case is one which has the support of municipalities throughout the State and the Municipal Association of Victoria. Yet on this occasion an opportunity is not being given for an inquiry of any nature to be held, first of all to determine if offences have been committed by the Melbourne City Council, and what those offences have been. An opportunity has not been given to have recommendations for restructuring and redistribution presented, so that the ratepayers affected may be able to make a judgment on it.
It seems strange that, suddenly, there should be great urgency to bring about this dictatorial act. The Opposition is expected to accept the remarks of the Premier on March 12, when he said:

In no way is this legislation aimed at any individual councillor. That is an absurd statement. It is aimed at every councillor who is a member of the Melbourne City Council; it is their council that is being destroyed; it is their membership of which they are being deprived; membership granted to them by the ratepayers of the city, and it is something that can be taken away from any elected councillor in any Victorian municipality.

It has been a long debate tonight on this Bill, and it has been particularly noticeable that from the Minister for Local Government down, not one member of the Government has sought to give any legal or moral justification for this action. It is obvious that the members of the Government, collectively and individually, will tolerate some representation from the people provided that representation does not have the power to implement the wishes of the people.

It is not surprising that honourable members opposite feel like that. The Minister for Local Government is of a traditional authoritarian line. The Minister comes from an area that has been settled by stealth and by acquisition, which has maintained its power in various Parliaments by gerrymander. The Minister has expressed his views openly on his concept of democracy by the exercise of the powers of this House.

The Minister of Water Supply is a man who is regarded as an inoffensive gentleman, and he is frequently regarded as a gentleman.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! That is an appropriate time to finish reflecting on the Minister of Water Supply and to return to the Bill.

The Hon. D. E. KENT—In congratulating the Minister of Water Supply on his reputation it is important to point out that, despite that reputation, he is just as responsible as any other Minister of the Cabinet for the action perpetrated by the Bill. I am sure that the Minister would not deny collective responsibility for the actions of the Government.

Mrs Baylor demonstrated her obvious lack of knowledge of basic democratic principles when she said that no council can be dismissed at the whim of the Government. It is strange that a person who has attained election to the Parliament should not understand the basic reality of numbers. Mrs Baylor should know by now that, if the Government has the numbers in the House, it can do what it likes and it can exercise its whim. The fact that the Government has to bring legislation forward to dismiss a council does not mean in the slightest that a council cannot be dismissed at the whim of a Government, because that is exactly the exercise the Government is indulging in tonight. That action is not the first black mark against the Government or against society, but it is another step, which proves once again, that the illusion of democracy in our society is nothing more than a myth.

The Hon. G. A. SGRO (Melbourne Province)—Because it is 1.15 a.m., I can assure the House I will be brief. In January of this year the Age ran an article under the headline, "Hamer plans full-time Lord Mayor for the city". I interpreted that article to mean that a council that has been democratically elected for 139 years is to be dismissed and a full-time Lord Mayor appointed, the Government should give those people who have to foot the bill to pay the mayor an opportunity to have a say in the matter?

The Hon. H. G. Baylor—The people will be electing him.

The Hon. G. A. SGRO—Does Mrs Baylor not think the Government should ask the people for their views on the matter? After all, those people pay the rates and the taxes so that Mrs Baylor and I can sit here. Those are the people who elect councillors and Lord Mayors. The Government
should ask those people before it changes the law. However, the Government is now moving to dismiss the Melbourne City Council, which has been democratically elected for the past 139 years. That is democracy at work!

If the Minister for Local Government visited tomorrow the area Mrs Baylor represents and asked her if she would support the sacking of her local council that is properly elected by the ratepayers, what would she say? Mrs Baylor would be the first person to object.

I have been a member of this House for two years and for the first time I heard a good speech tonight by a member of the National Party who spoke on this issue. Normally the National Party at first disagrees with the Government on an issue, but then qualifies its statements and votes with the Government. However, on this issue, the National Party has demonstrated an independent point of view.

I have lived in Australia for 30 years and I was shocked when I heard about the Government's intention to sack the Melbourne City Council. When the Premier announced on 23 December that the Government was going to sack a democratically and properly elected council, I was in Rome. I was at the Australian Embassy when a telex arrived announcing the sacking. Somebody said, "Mr Sgro, do you know anything about what has happened in Melbourne?" I replied, "No, I do not know. What has happened?" That person said, "For the first time in the history of the City of Melbourne, the council has been sacked. Do you know why?" I said, "No, I do not know why". Neither the Minister for Local Government nor the Government has given the reasons why the Melbourne City Council is to be sacked. The Minister for Local Government should explain what is wrong with the Melbourne City Council. Accusations have been made that the council has misspent money. However, as Mrs Coxedge said, more money will be misspent once the council is sacked.

Democracy was conceived in Greece 2000 years ago. Tonight the Minister and the Government have proved that they do not care a damn about democracy so long as they have the power. In 1979, the Government did not ask the people for a mandate to sack the Melbourne City Council. At the last State election, the Government did not say to the people of Victoria, "If you elect us, we will sack the Melbourne City Council, which has been properly elected". Two years after that State election, the Government has decided, in an arbitrary way, to sack the Melbourne City Council without providing any reason.

What the Minister is doing has occurred in many other parts of the world. In those countries where dictatorships have flourished, the authorities dismissed some city councils, with which they disagreed and then the trade union movement, the Communists and so on, and, in so doing, they destroyed democracy. That is what will happen in the City of Melbourne if the council is sacked.

Perhaps I was one of the first in the past to criticize some of the actions of the Melbourne City Council. However, it is up to the ratepayers of Melbourne to decide whether there should be a change of council. That decision should not be taken by a Minister who lives 300 or 400 kilometres from the City of Melbourne to decide what is good for the ratepayers of Melbourne.

It does not make any difference what I say or what anyone else says. The Government decided four months ago to sack the Melbourne City Council. However, I assure the Minister that part of the City of Melbourne is in the area I represent and, before the next State election, I will visit all the houses in that area to ensure that the people dismiss the Government.

As Mr Kent said, in 1975 a properly elected Government was sacked. In 1981 a properly elected council is being sacked. What is next? When one reads of what is happening in other parts of the world, one realizes that more and more people are taking the
law into their own hands. I cite what occurred in the United States of America two weeks ago when an assassination attempt was made on the life of the president. The people are frustrated with the politicians who say one thing at election time but who wield a big stick and suit themselves after they have been elected. In many parts of the world people are taking the law into their own hands and this may apply to the Melbourne City Council. I hope I am wrong. Perhaps somebody will do something as silly as the actions of the young man in the United States of America a few weeks ago.

The Hon. C. J. KENNEDY (Waverley Province)—I thought the comments of Mr Stacey and Mrs Baylor were somewhat flippant. The matter under debate concerns an old institution—the Melbourne City Council. Melbourne was incorporated as a town in 1842 under Act 6 Victoria No. 7, of the Governor and the Legislative Council of New South Wales. The first election of councillors took place in 1842. Responsible Government did not occur in Victoria until 1855. Parliament met for the first time at 12 noon in the Parliament Houses on the Eastern Hill in the City of Melbourne on 21 November 1856. The Melbourne City Council is an old and revered institution.

The first mention of the Government's intention to sack the Melbourne City Council was made in December last year when some big city retailers called on the Government to do so. Those retailers were Mr Tom Luxton of James McEwan and Co Pty Ltd, Mr David Bardas of Sportsgirl Australia Pty Ltd, and Mr Arthur Coles of G. J. Coles and Co. Ltd. A few others were included, and a spokesman for Myer Melbourne said that Myer was also behind the move. When Myer is behind a move, the Herald is not far away. The Herald is reputed to be printed on the back of Myer advertisements.

Since then six editorials have appeared on this subject. However fast the Government moves to sack the Melbourne City Council, it is not fast enough for the Herald. Some of the editorial headlines in the Herald were:

No threat to councils—Crozier; Council woes pile up; Council: Act fast! Cut the talk and Go!; Dangers in delay; Blackmail tactics; A waste of $65,000.

The Herald has much to do with this matter because in 1975, according to an article in the Australian of 30 December, the Herald had a circulation of 50,000 copies daily. At one time it rose to almost 530,000, and on 17 December 1980, it was down to 384,000. I mention that in passing.

People do not go to the city as often as they did in the past because many regional shopping centres have developed. No inquiry has been made by an independent body into the dismissal of the council, unlike what was purported to be the independent inquiry into the Sunshine City Council some years ago. Although the Government said that the commissioner would serve for an interim period of only a year or two, there is still no elected body running the Sunshine Council.

The Government has given no reasons for its actions in this matter. It has manoeuvred the Melbourne City Council into this situation. Several times it has attacked the council for having trams in Bourke Street, but the trams are the responsibility of the Melbourne and Metropolitan Tramways Board which is the only authority empowered to remove the trams from that street. That would need to be done at the behest of the Government.

Sydney has had an unpleasant experience with administrators who were put in to run that council fourteen years ago and were there until a Labor Government came into power. Recently Alderman Sutherland said that in that period the administrators created over-development, were responsible for the wrecking of historic buildings without public consent and that the situation was so bad that there were green bans and riots. The Lord Mayor said that the Sydney City Council is still cleaning up the mess that was left.
The Victorian Government is plotting a dangerous course from which one might imagine it has a large majority and will be around for ever. However, most of the councils in Victoria are opposed to what the Government is doing. They have a big influence on the local scene. They form what one would call the local establishment. Members of the Government party who read local newspapers will realize that the Government’s present course of action is extremely unpopular. Even the Castlemaine Shire Council has expressed its concern. In the Dandenong-Springvale-Oakleigh Journal of 16 March under the headline “Any Council Is At Risk” the following appeared:

The Government will dismiss any council it feels is not doing its job, according to the Minister for Local Government, Mr Crozier.

In a letter tabled at last week’s meeting of Dandenong Council, Mr Crozier, said no assurance could be given that “some form of appropriate public inquiry” would be held before a council is dismissed or suspended.

On 3 December last, a delegation from the Waverley City Council met with the Minister in Queen’s Hall as a result of the strike that the Waverley City Council had caused among its garbage collectors. The Minister told the delegation of officers and councillors from the City of Waverley that if they did not have the strike settled by 3 March, they would be sacked. These councillors have expressed some concern.

The Hon. D. G. Crozier—That is fanciful.

The Hon. C. J. KENNEDY—The Minister stated that last week. The honourable gentleman is very good with his convenient memory, but he should check with the Waverley City Council. The Bill shows that the Government, and particularly the Minister for Local Government, enjoys sacking local councils. It has a record for sacking councils and it is now proposing to sack the oldest council in the State. The Government is sacking a council which was established by the New South Wales Government before the Victorian Government was in existence.

The Hon. Glyn Jenkins—What date was that?

The Hon. C. J. KENNEDY—I said it before, twit! It is getting late and I shall not labour a matter which is of significant importance to the future of the Melbourne City Council. Most of the sensible comments have been made tonight by Mrs Coxsedge, Mr Sgro, Mr Landeryou, Mr Kent and other Labor Party speakers.

However, what the Government is about to embark upon is a course of action which will cost it the next State election because those municipalities which feel threatened—and they are threatened—will be campaigning to get rid of the Government at the next State election. I notice that the Minister for Local Government and some of his supporters smile at that suggestion.

I understand that there is no time limit and if Government supporters are prepared to listen, I am prepared to speak. However, when the numbers go up at the next State election, Government supporters will cry, “I wish to the Heavens we had never touched the Melbourne City Council with a 44-ft pole”. The Government will lose a number of seats at the next State election. For example, in the Waverley Province, one seat on the eastern side of Springvale Road was narrowly held by the Liberal Party at the last State election but it will be lost at the next State election and that will occur because of the parlous course which the Government has adopted in relation to the Melbourne City Council. I commend the amendment moved by the Leader of the Opposition.

The Hon. H. A. THOMAS (Melbourne Province)—I support other Labor Party speakers on the Bill. The action of the Government in threatening to change the boundaries for the election of councillors to the Melbourne City Council is to ensure that the Civic Group retains control of the council.

This evening there have been a number of references to the Sunshine City Council. The Government appointed an inquiry into the Sunshine City Council which showed that $500 000 annually was unnecessarily spent on administration as at the take-over move,
which shows what a bunch of crooks they were. That is what happened in Sunshine.

The Hon. G. A. S. Butler (Thomastown Province)—On the one hand I acknowledge the lateness of the hour, but on the other hand there are one or two things which ought to be stated responsibly. First of all, I commend the Leader of the Opposition and Mr White for the manner in which they challenged the Minister for Local Government to indicate his decision-making process. After all, it is not a small task to decide to eliminate the Melbourne City Council. I would have thought, unlike Sunshine, Keilor or one or two of the other minor municipalities, that that decision would have to be given some weighty consideration.

It seems to me that the Minister for Local Government has decided, off the top of his head and for whatever reason he saw fit, to expand his record by eliminating the major and principal municipality in Victoria. The purpose of the Bill is to establish that fact.

It surprises me that it has taken the Minister for Local Government so long to get around to it. After all, the community has been speaking about it for the past three or four months and this matter should have been considered during the last sessional period.

The Hon. J. A. Taylor—Does Mr Butler agree it should have been done?

The Hon. G. A. S. Butler—No, I do not agree it should have been done. I also do not agree that Mr Taylor has the right to seek a pair thereby ignoring his responsibility to the Gippsland Province.

The Hon. J. A. Taylor—What pair?

The Hon. G. A. S. Butler—Mr Taylor will find out. I do not wish to say a great deal about the Bill except to indicate that the people in the Melbourne municipality have a right to be consulted before the council is sacked. They have a right to be asked by the Minister for Local Government whether or not there should be a curtailment of the boundary or whether or not Melbourne should become just simply a council with a central business district.

If the Government is simply gearing the municipality so that Myers and other stores can run the scene, somebody seems to have forgotten to tell Myers that the Government’s decision to close down a few railway lines will deplete the number of people coming to shop in those stores.

The Hon. G. A. Sgro—They have the underground.

The Hon. G. A. S. Butler—There is the underground, but if the Government closes the Upfield line that will mean 2½ million people will not be using the Melbourne underground rail loop and if the Pascoe Vale railway line is closed, that will be a few more million people, and that is what will occur.

The Government is really seeking to bring about a reformation of the municipal structure in this State. There are 211 municipalities within Victoria. If honourable members go back some years to the Rogan plan which suggested an extension to the Melbourne municipality they will find that at that time there was a lot of argument and discussion about the issue but nothing happened.

There have been several reports presented to the Government. There was the Voumard report into local government and a number of other reports ending with the Bains report. They were all beautifully produced documents, none of which meant two bob because nothing has occurred as a result of the reports.

However, the Minister for Local Government has decided off the top of his head to dismiss this Council, that council or another council, and the honourable gentleman has now decided to take on the Melbourne City Council. Naturally enough, the citizens in that area responded, and they decided that the Minister was irresponsible.

The Hon. H. G. Baylor—Only a very few.

The Hon. G. A. S. Butler—I disagree with Mrs Baylor; it was a considerable section in the community.

The Hon. R. J. Long—that is a matter of opinion.
The Hon. G. A. S. BUTLER—It is a value judgment. If I read correctly the second-reading speech of the Minister for Local Government concerning those matters that he considered wrong with the Melbourne City Council, I could legitimately ask why the honourable gentleman did not do something about the council before. After all, the Melbourne City Council is only part of the local government structure.

The Minister for Local Government has certain powers and authority. So with respect to the Melbourne underground railway loop, the City Square and a number of other projects which were raised in the second-reading speech of the Minister for Local Government, why did the honourable gentleman not decide to intervene to ensure that the people who ran the Melbourne City Council carried out their obligations and duties? It is no good hiding behind a smoke-screen and saying that the people who administer the city are responsible for its inefficiencies. The people who are responsible for running the Melbourne City Council are elected councillors and they are responsible to the Minister. The Government should not blame the people who administer the city for the inefficiencies and deficiencies of the people who are elected and who become involved in all sorts of shenanigans, which brings me to the cardinal point of this matter.

It is well known that for many years the Melbourne City Council has been run by the Civic Group and the Liberal Party. Any honourable member who tells me that local government has nothing to do with politics must be joking. After all, everyone on the Government side of the House who is elected to represent the Liberal Party knows full well that councillors are elected by either the Australian Labor Party, the Liberal Party or the National Party endorsing them.

For many years, the Melbourne City Council has been run by the Liberal Party, not the Australian Labor Party. Suddenly, the boundaries have been changed and it has been decided to reduce the size of the council from 33. That would have to be the worst redistribution geographically I have ever seen in any State or municipality, and I have been involved in redistributions for a long time. It is the worst collection of boundaries that I have ever seen and it is designed to ensure that the Labor Party does not win. Strangely enough, the Labor Party started to score victories and it started the process so that by next year the Labor Party actually would have gained control of the Melbourne City Council.

It is cynical for the Government to talk about what is wrong with the administration of the council when the Government has been doing the same for the past twenty years. The Government has been representing the Melbourne City Council and, all of a sudden, it becomes politically apparent that the Labor Party will win and it decides to dismiss the council.

The Hon. R. J. Long—Councillor Woodruff is a Labor Party supporter.

The Hon. G. A. S. BUTLER—Councillor Woodruff has had a long and distinguished career in the Australian Labor Party. He decided, by his own decision, not to obey the caucus decision of the Australian Labor Party. Mr Long knows, as well as I know, that on occasions an individual decides that he cannot accept a decision of his colleagues. Therefore, he pays the penalty for it.

The Hon. H. G. Baylor—That does not say much for the individual.

The Hon. G. A. S. BUTLER—That is the name of the game. Would Mrs Baylor deny that? After all, if she decided to cross the floor and vote with the Labor Party, I am sure her colleagues would make sure that she never did it twice. She should not be hypocritical. Councillor Woodruff, despite his long and distinguished career in the Labor Party, decided not to abide by the decisions of the Australian Labor Party Caucus, for his own reasons. As a consequence, he paid the penalty. Actually, it is a penalty that I wish he had not endured. Nevertheless, he accepted that responsibility, as other members in the Labor Party accept their responsibilities.
The Government's dismissal of the Melbourne City Council is in the same category as the dismissal of the Whitlam Government by the Governor-General. After all, it was good enough for the Governor-General to dismiss the Whitlam Government in 1975. I suggest that it is appropriate for the Governor to dismiss the Government for its incompetence and inability to meet its responsibilities. Nevertheless, honourable members know that will not happen, because Government supporters are the gentlemen who decided on the eve of the last election, despite the advice of their colleagues, that it did not matter whether the Labor Party won Government in the Legislative Assembly because the Liberal Party would have the numbers in the Upper House.

The Minister for Local Government will have that opportunity next June. I hope his colleagues give him better advice than they did last time. Opposition members understand the class struggle that goes on and we are prepared at all times to be democratic and try to achieve a democratic process. We accept that responsibility on entering this House, which Government supporters have not done. They have not been prepared to accept the democratic process of a council that they may or may not like.

The point is that the Government must accept the fact that they are councillors who are elected in the due process of electoral law. They were elected by the people of the City of Melbourne and, having been elected, the Government has no option but to dismiss them.

The Hon. J. V. C. Guest—We are not dismissing the councillors; we are getting rid of them by due process of the law.

The Hon. G. A. S. Butler—I would not have expected Mr Guest to adopt such a Fascist attitude. However, if that is the attitude that he adopts, so be it, but he should not expect honourable members on the Opposition side of the House to accept that attitude because, despite the problems the Government may or may not have had with the Melbourne City Council councillors, most of whom are friends of the Government, the Government should have coped the blame. However, it did not and it went 'out with a blunt axe and knocked the council over.

It has taken six months to do so and, no doubt, by the end of this debate the House will endorse the proposed legislation, although Opposition members will not do so. I repeat what my colleagues have said about the Government being responsible for this move, because it will not be the responsibility of the Opposition. The Opposition accepts no responsibility for the Government dismissal of the Melbourne City Council. The Government will have to wear that responsibility and demonstrate to the community that it was right. As my colleagues have demonstrated, not one municipality throughout the State agrees with the decision.

An Honourable Member—Yes they do.

The Hon. G. A. S. Butler—There are a few odd ones. If 97 per cent of the people for whom he has responsibility have suggested to the Minister for Local Government that he should back off, that is what the Minister should have done.

The Hon. R. J. Long—that is not true.

The Hon. G. A. S. Butler—That is about what amounts to. After all, we are not talking about Labor councils. Labor councils have obviously said, "No". The Labor councils have stated that the Minister should back off. Interestingly enough, across the State all sorts of councils that I would have perhaps described as Liberal or National Party councils or, for the want of democracy "independent councils", have said the Minister is wrong. The municipal Officers Association has said the Minister is wrong and innumerable groups of people within the community have said the Minister is wrong.

The Minister has totally disregarded them, and does not seem to be concerned about it. I suggest with all humility that no man is a god unto himself. The
Minister for Local Government should heed the words of warning and examine his inner self and perhaps, even at this late stage, consider a reappraisal of the course of action that he is about to become involved in. We shall reap the benefit, not the Government.

The Hon. R. J. EDDY (Thomastown Province)—This is perhaps the most important piece of legislation that has been introduced into Parliament during the years that I have been a member of Parliament. I believe the Bill will act to the detriment of the present Government at the elections next year. In sacking the Melbourne City Council, the Government has not considered the ratepayers of the city and it is quite apparent that there have been some contradictions in the earlier statements and remarks made by the Premier and the Minister for Local Government with respect to the sacking of the city council. I shall refer to the first press statement dated 23 December 1980, which appeared in the Herald. The article was headed, "City council—the Sack; State Orders Revamp." The article states:

The State Government will sack the Melbourne City Council. The Premier, Mr Hamer, said today administrators would be appointed to "run the city and make arrangements for the new structure."

The very next day, 24 December, Christmas Eve, a headline in the Sun stated, "Big 3 to Run City". The article stated:

The State Government is considering appointing three administrators to run the City of Melbourne when it sacks the City Council next year.

Further on the article states that the Premier said that factions and conflicts in the council had created delays and frustrations over decision-making and in some cases had led to no decisions being made at all.

That statement reminds me of the actions of this Government because it has done exactly the same thing on a number of occasions. As the Premier stated, delays and frustrations have been caused, which is exactly what the Government has done to the people of Victoria on many occasions. Because we have learned that the Melbourne City Council is to be sacked and because of the statements of the Premier, honourable members find themselves here until the early hours of the morning debating this important piece of proposed legislation.

I shall refer to comments made by the Minister for Local Government on the same morning. His remarks were published in the Age on 24 December which stated:

Victoria's Local Government Minister, Mr Digby Crozier, decided as long as a year ago that the Melbourne City Council was inept and had to go.

That must have been in 1979. The article goes on to say that this is what the Melbourne Chamber of Commerce has always sought. The Chamber of Commerce wanted a Ministry to run the city. It is quite apparent that the Government was dictated to and was not prepared to operate in its own right. The Government has allowed itself to be dictated to by outside bodies. The Government was not prepared to act in its own right and has been dictated to by many people including certain councillors within the Melbourne City Council. Mr White named each and every one of those councillors and named the party to which they belong.

The Hon. N. F. StaceY—To which do you think they belong.

The Hon. R. J. EDDY—The honourable member named the councils and the parties to which they belong. The Government has acted as judge and jury and has made a decision to sack the Melbourne City Council. The Government has not allowed the small businesses representatives and ratepayers within the inner city business area of Melbourne to have any say about whether the council should be sacked. The Government has not allowed the ordinary people within the outer areas such as the Coburg section of the City of Melbourne and other areas that adjoin the Melbourne City Council limit to have a say.

Now the Government wants to set up three administrators to restructure the Melbourne City Council so that they can be sure that the Melbourne City Council will be controlled by twelve members of the Liberal Party. That may not be so. The ratepayers within the City of
Melbourne have not been provided with the opportunity, as the amendment has suggested, for a referendum to be held so that they can voice their opinion as to whether or not the Melbourne City Council should be sacked. The Government is not prepared to allow the ratepayers of the City of Melbourne, who have contributed towards the development of the city, the opportunity of a choice in the future of the city council.

Much has been said during the debate on the Bill, but honourable members have overlooked the effect of the redistribution of boundaries of the City of Melbourne in its restructuring on bordering municipalities of Brunswick, Fitzroy, Port Melbourne, South Melbourne and Richmond, which will have certain areas now under the boundaries of the Melbourne City Council joined to their municipalities. These municipalities will be presented with additional financial burdens for the funding of elderly citizen centres, meals-on-wheels programmes, pre-school centres, kindergartens and other welfare facilities. The ratepayers of these municipalities will be called upon to meet those costs as, indeed, the major expense of welfare facilities is met by ratepayers in all municipalities in Victoria. Has the Government considered those matters? If so, the Labor Party would like to know how the Government proposes to provide finance for those services to ease the burden on ratepayers. There has been no mention of whether the Government has decided how it will finance the additional stresses placed on municipalities affected by the restructuring of the Melbourne City Council.

The Government should allow the ratepayers of the City of Melbourne to vote on the issue. No doubt some persons will be in favour of the sacking of the city council. However, the Government has not provided any ratepayer of the City of Melbourne the opportunity of casting a vote. Honourable members have had the opportunity of debating the matter fully but ratepayers have not had the benefit of a referendum. The actions of the Government will certainly remain in the minds of electors throughout Victoria and will affect the Government adversely in the next State election.

The Government has not yet named the three administrators to be appointed. One will be a full-time chairman, one a full-time deputy chairman and the third will probably be the tea maker—that is as much as is known about the administrators to restructure and run the City of Melbourne for an indefinite period. In one statement the Minister for Local Government mentioned eighteen months or three years, but it could be for five years; the Labor Party does not know and neither does the Minister.

The taxpayers will take notice of the statements of members of the Opposition in the debate. Of the 211 municipalities, 178 were opposed to the sacking of the Melbourne City Council, including municipalities in the electorate represented by the Minister for Local Government.

The Government has acted improperly. If it had been honest, it would have allowed a referendum of all ratepayers in the City of Melbourne and given those ratepayers a choice. The decision of the Government makes one wonder which will be the next municipality to be sacked. The Government will not say and does not know, but it could be any municipality. The Melbourne City Council did not know that it was to be sacked until an announcement was made on Christmas Eve. The Government stands condemned. The amendment moved by Mr Landeryou is supported by all members of the Labor Party. At the next State election, the people of Victoria will demonstrate that, in their view, the Government has acted incorrectly. I support the amendment.

The PRESIDENT (the Hon. F. S. Grimwade)—I call on the Minister for Local Government to speak on the amendment.

The Hon. D. G. CROZIER (Minister for Local Government)—On the amendment—at 10 minutes past 2 a.m. In this lengthy, repetitive and singularly ironic debate, in many ways the House has been treated to a surfeit of turgid oratory and repetitive logic by mem-
bers opposite. The irony is that only last week the Leader of the Opposition, Mr Landeryou, chided this Government for resorting too often to inquiries. The Government was told it was a Government of commission—a Government by inquiry—and it ought to dispense with that mechanism and make decisions.

The Government has made a decision on this matter. It has made a decision on which, if we are to believe the florid oratory of members of the Opposition, it should be congratulated. By their assessment, this will work to their demonstrable political advantage at the next State election. We are told in the next breath that this is a diabolical thing to do because every council is threatened, no council will be secure and most councils oppose this decision. If all of that is true, there must be some political advantage for the Opposition.

The Government considered several options, as I foreshadowed when this matter was debated on 17 December last. The Government could simply have walked away from the problem. Even Mr Landeryou agrees, although some of his colleagues do not, that there is a problem of sorts. The Government believes the problem is an increasingly serious one, for reasons well canvassed by my colleagues, as outlined in the second-reading speech and touched on during the debate last year. The Government could have walked away from the problem and said, “It is another local government unit, we will let them get on with it and sort it out as best they can”. The Government could have attempted further cosmetic surgery, a further tinkering with the procedures and a change of internal boundaries. It is clear from past experience that that formula would probably not be effective.

The Government decided to come to grips with the central problem, to which I referred in the second-reading speech and to which my colleagues also referred. The proposed structure will do justice to the importance and prestige of this city. If this situation were allowed to drift it would permit Melbourne to wallow in the doldrums presided over by a municipal council which failed the ratepayers of the State despite the efforts of admirable individuals. That would be an act of dereliction.

The only sure guarantee the Government can give that the restructuring which is so badly needed in the view of the Government, although not in the view of the Opposition, can be effective, is to have a period of administration during which the complex problems which make up this situation can be analysed, and when detailed and objective opinions can be refined and presented to the Government. While this is going on, a long overdue shake-up and reform of the administration can take place.

I am not going to canvass the symptoms of the episodes that have been talked about tonight, which have been more the symptoms of the malaise than the malaise itself. I wish to give lie to one or two accusations. Firstly, that I have been inconsistent. When I made the statement on December 10—

The PRESIDENT (the Hon. F. S. Grilwade)—Order! The Minister will have an opportunity during the Committee stage to reply to the second-reading debate. At this moment he should be speaking to the reasoned amendment to his motion that the Bill be read a second time. I suggest that the Minister continues to deal with that matter and expands his remarks in the Committee stage, if he wishes to reply to items put forward on the second-reading.

The Hon. D. G. CROZIER—I am inclined to respond to your first suggestion rather than the second. Let me simply say that the Opposition, supported by the National Party in moving this amendment, has clearly indicated that this option is one which it will not favour. The Government understands that.

If the House accepts the amendment it will mean that the Government’s proposal is totally frustrated, that there
is no opportunity of effective reform of the city council, that the Government will be committed to an inquiry which will be unnecessary, firstly, in terms of expense and time, and, secondly, that it will impose on this city and State a continuance of a demoralized and indeed discredited administration that can only deteriorate further. That course of action is totally unacceptable to the Government.

I remind the House that we are talking about the unique position of the City of Melbourne which is of importance far beyond the needs and aspirations of the ratepayers and citizens. We are talking about the health and restoration of the vigour of the central city of the metropolis of the State and, of course, of a ranking city not only in this country but also internationally. It has a much greater and wider responsibility than that of any other municipality. So, the logic of the argument that equates the City of Melbourne with any other municipality is patently defective.

If this process is such an unacceptable and undemocratic one, how is it that Victoria is the only State with a procedure that requires an Act of Parliament? How is it that when this was written into section 74D of the Constitution Act by the Constitution (Local Government) Act in 1979, Victoria was the only State to do so? How is it that in the other States—for instance New South Wales—the Governor in Council, simply by administrative fiat can determine that a council can go out of office?

To hear Mr Butler and others speak one would think that the Melbourne city area was for ever denied a return to local government. The word used was “eliminate”, the assumption being that administrators would be there for ever. That is patently not the case. It is clearly the intention of the Government, as spelt out in clause 3(5) of the Bill, that there will be—

The President (the Hon. F. S. Grimwade)—Order! I have already drawn the attention of the Minister to the fact that he should be debating the amendment and not the motion. He has already spoken to the motion and has no right to speak a second time. He has a right to speak to the amendment and I suggest that he does just that.

The Hon. D. G. Crozier—Thank you, Mr President. The amendment will totally rule out the effective translation of the Government’s intention and, for that reason, obviously the Government cannot accept it.

The House divided on the question that the words proposed by Mr Landeryou to be omitted stand part of the motion (the Hon. F. S. Grimwade in the chair).

Ayes . . . . . . . 20
Noes . . . . . . . 14

Majority against the amendment . . . . . . 6

AYES
Mrs Baylor Mr Knowles
Mr Bubb Mr Long
Mr Campbell Mr Radford
Mr Chamberlain Mr Reid
Mr Crozier Mr Stacey
Mr Granter Mr Taylor
Mr Guest Mr Ward
Mr Hayward
Mr Houghton Tellers:
Mr Hunt Dr Howard
Mr Jenkins Mr Lawson

NOES
Mr Baxter Mr Sgro
Mr Dunn Mr Thomas
Mr Eddy Mr White
Mr Evans Mr Wright
Mr Kennedy
Mr Kent Tellers:
Mr Landeryou Mr Butler
Mr Mackenzie Mrs Coxsedge

PAIRS
Mr Hamilton Mr Trayling
Mr Hauser Mr Walker
Mr Storey Mr Walton

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

Ayes . . . . . . . 20
Noes . . . . . . . 14

Majority for the motion 6
The Bill was read a second time.

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

That the Bill be now committed.

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

AYES

Mrs Baylor  Mr Jenkins
Mr Bubb  Mr Knowles
Mr Campbell  Mr Lawson
Mr Chamberlain  Mr Reid
Mr Crozier  Mr Stacey
Mr Granter  Mr Taylor
Mr Guest  Mr Ward
Mr Hayward
Mr Houghton  Tellers:
Dr Howard  Mr Long
Mr Hunt  Mr Radford

NOES

Mr Baxter  Mr Sgro
Mr Butler  Mr Thomas
Mrs Coxedge  Mr White
Mr Dunn  Mr Wright
Mr Eddy
Mr Evans  Tellers:
Mr Landeryou  Mr Kennedy
Mr Mackenzie  Mr Kent

PAIRS

Mr Hamilton  Mr Trayling
Mr Hauser  Mr Walker
Mr Storey  Mr Walton

The Bill was committed.

Clauses 1 to 7 were agreed to.

Clause 8 (Meetings)

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

Clause 8, sub-clause (2), after this sub-clause insert:

“( ) All such meetings shall be open to the public and any person may make application to inspect any files, minutes, documents, records or similar materials relevant to any decision made by the Commissioners and following any such application the Chairman shall make available such files, minutes, documents, records or similar material within seven days.”

It follows from the earlier debate that the philosophy behind this amendment will be rejected by the Government, having regard to its undemocratic approach to the matter. As the commissioners are to be paid by the rate-payers and as they are to be charged with the responsibilities of the council, it follows that their meetings should be open to the public and that interested persons should be able to make application to see or have access to material which the commissioners employ in making decisions which will affect the lives of the citizens of the City of Melbourne.

The Hon. A. J. Hunt—Your amendment goes further than that. It says, “relevant to any decision made by the Commissioners”. That includes documents, whether they see them or not.

The Hon. W. A. LANDERYOU—It is open to the Minister to move an amendment to tighten up my loose drafting, and it is up to him to do so if he believes that to be necessary. I am simply suggesting, by way of amendment, that meetings of the commissioners should be open. That is in line with my party’s approach to council matters. The matter should not be handled just on the basis of keeping the pessimists amused; they should also be informed. As the Bill stands, there will be three dictators sitting around the table in secret. The Labor Party suggests that meetings should be open
to public scrutiny and that people ought to have a right to make application to inspect files and documents that are relevant to any decision the commissioners may wish to make.

That follows as an elementary right of those who are not only paying the commissioners but who will also have to pay for the result of their decisions; that is, if the community is silly enough to allow the Government to get away with this high-handed action.

The Hon. D. G. CROZIER (Minister for Local Government)—The committee has just passed clause 7. Clause 7(1) provides that upon the appointment of the commissioners under section 3:

(b) subject to this section, the Commissioners during their term of office shall be deemed to be councillors and shall be deemed to constitute the Council of the City of Melbourne and in the name and on behalf of the Corporation, shall in respect of the City of Melbourne, have, exercise and discharge the responsibilities, liabilities, rights, powers, authorities, duties and functions conferred or imposed—

That is, the responsibilities, liabilities and so on conferred or imposed by virtue of this Bill.

It is inconsistent with that part of the Bill which the Committee has already accepted. It would also single out this administration from any other. It is not a constraint which is imposed on the City of Sunshine, nor should it be; it is not a constraint or a condition which would assist the effective functioning during the period of interregnum which is foreshadowed by this measure. It is a transparent attempt to make the operations of the administration almost unworkable, in my opinion, and it is unacceptable to the Government.

The Hon. K. I. M. WRIGHT (North Western Province)—The National Party cannot support the amendment as it is too wide. The National Party believes that most meetings should be open to the public but cannot support the proposal that all should be. It also accepts that some files, minutes, documents, and the like should be made available to individual ratepayers, but not all. The National Party believes some should be, but my Party opposes the amendment.

The Hon. D. R. WHITE (Doutta Galla Province)—This is a fundamental issue that the ratepayers of the Melbourne City Council are entitled to know about, that is the circumstances under which the administrators are going to meet. The first proposition is, will they meet in open, in the council chamber? Will the meetings be conducted with a set agenda? Will the agenda be made available, as it is now, three days before the meeting? Will members of the public and the press have access to that agenda? Will the people who pay the rates have access to that agenda prior to it being considered by the administrators? Will the administrators sit in an open public meeting and deliberate on the matters on the agenda in a forum in which the public can see them at work? Will the administrators meet regularly at a time that is known to the community and to the ratepayers generally?

They are assurances that the public is entitled to have, and they ought to be part of the Bill. The Minister ought to give those assurances to the House and to the ratepayers during the course of the Bill going through the House.

The Committee divided on Mr Landeryou’s amendment (the Hon. W. M. Campbell in the chair).

Ayes . . . . . . 9
Noes . . . . 23

Majority against the amendment . . 14

AYES
Mr Butler
Mr Kent
Mr Landeryou
Mr Mackenzie
Mr Sgro

Tellers:
Mr Thomas
Mr White

NOES
Mr Baxter
Mrs Baylor
Mr Bubb
Mr Chamberlain
Mr Crozier
Mr Dunn
Mr Evans
Mr Granter
Mr Guest
Mr Hayward
Mr Houghton
Dr Howard

Tellers:
Mr Hunt
Mr Jenkins
Mr Knowles
Mr Lawson
Mr Long
Mr Radford
Mr Reid
Mr Taylor
Mr Wright
Mr Stacey
Mr Ward
Clause 9 empowers the commissioners to take such measures as appear necessary or desirable to improve the administration, organization, staffing and procedures of the corporation. The clause imposes duties on the commissioners during their term of office to ensure that the functions of the City of Melbourne are undertaken in the most efficient and economic manner possible and, for that purpose, the commissioners may take such measures as appear necessary or desirable to improve the administration, organization, staffing and procedures of the corporation. Hitler had no greater power than that.

It is extraordinary that the Government would push on blindly against all the opposition it has met on this proposal and, nevertheless, still envisage that the implementation of the legislation can be met with or without the co-operation of the employees of the Melbourne City Council and their representatives. The Government will be able to do no such thing. Unless there is the sort of consultation that is necessary under a modern approach to industrial relations and management, I forecast that the Minister for Local Government and the rest of the rural rump will be hopelessly frustrated in trying to achieve the aspirations contained in the Bill.

I again put it to the Committee that, if the commissioners are to have this dictatorial power that clause 9 gives them, before they proceed in either an economic or in a so-called efficient manner to take whatever measures they believe are necessary to improve the so-called administration, organization, staffing and procedures of the corporation, those steps should be taken only after there has been adequate consultation with the employees of the Melbourne City Council and their representatives. I urge all honourable members to support the amendment.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I support the amendment. It must be patently obvious to even the most authoritarian person that it is not possible for the efficient func-
tioning of the City of Melbourne to occur without consultation with those people who have been engaged to maintain the functions of the council. It is absurd that the commissioners appointed—probably because of their loyalty to the objectives of the Government—will be competent enough to be acquainted with the intricacies of the administration of such a large corporation as the Melbourne City Council without having to rely heavily upon consultation with the Town Clerk and with the many other employees of the council at various levels. The amendment seeks to at least help realize the doubtful objectives of the Government.

The Hon. K. I. M. WRIGHT (North Western Province)—The National Party is of the opinion that the amendment will place an onerous burden on the commissioners and is too far reaching. If the commissioners wish to consult with the employees and their representatives, they will do so.

The Hon. G. A. S. BUTLER (Thomastown Province)—I do not know what onerous burden the amendment will place upon the commissioners. The Government is embarking upon a dismembering of the Melbourne City Council, which employs a considerable number of people. I appeal to the Minister for Local Government to adopt the amendment so that it will be the duty of the commissioners to consult with the employees of the Melbourne City Council and their representatives. That would not be a world-shattering decision for the Minister to take.

If the amendment is negatived, there will have to be a lot of consultation with the employees and their representatives. If the commissioners are given directions to hive off the duties performed by the employees in the Ascot Vale area to Essendon City Council and the duties performed by the employees in the Carlton council to the Fitzroy City Council, all sorts of adjustments will have to be made for long service leave, superannuation, sick leave and continuation of employment for those employees.

I ask the Minister to consider that because it may be a means of facilitating a free flow, as distinct from what I consider may become a massive industrial dispute. The workers will not accept this situation. The Parliament may make decisions about carving up one council or another but the people must have rights and opportunities for the future. My Leader has suggested that when the commissioners make determinations or take attitudes, they should at least extend to the people who are affected the courtesy of consultation. This does not mean that commissioners must accept the views of those people, but merely that consultation should take place. Otherwise, after the commissioners have made decisions, the Municipal Officers' Association, the Municipal Employees' Union and other unions involved will tell them that the decisions are not acceptable. The Minister should accept this amendment which is not major or final. After all, the Government has won the day. It will go ahead with what it has planned. It should now try to circumvent some possible future problems.

The Hon. D. G. CROZIER (Minister for Local Government)—It is absurd of Mr Landeryou to compare the power in clause 9 with the powers exercised by the dictator of Nazi Germany, even at 3 o'clock in the morning. That Parliamentary rhetoric is beyond the pale.

Mr Butler has apparently confused the intention of his Leader by drawing the attention of the House to his concern about the consequences to some members of the present labour force who would be affected in the event of any boundary change. As Mr Stacey has pointed out by interjection, that aspect is covered in clause 10 (3). The intention of Mr Landeryou's amendment is quite plain—to restrict the normal exercise of proper managerial functions by the commissioners. In other words, the addition of the words "in consultation with employees and their representatives" once inserted into line 32 on page 4, could obviously be used as a lever whenever required for all sorts of delaying tactics and disputation. Any competent and experi-
enced administrators will consult with representatives of employees in the normal course of their inquiries.

The Hon. D. R. White—Who are those faceless men?

The CHAIRMAN (the Hon. W. M. Campbell)—Order! If Mr White wishes to contribute to the debate, he may do so after the Minister has finished.

The Hon. D. G. CROZIER—The Government does not accept the amendment proposed by Mr Landeryou.

The Hon. D. R. WHITE (Doutta Galla Province)—This Bill is designed to appoint three administrators to carry out the functions of the Melbourne City Council. They will be three faceless unnamed men who presumably happen to be card-carrying members of the Liberal Party.

The Hon. D. G. Crozier—Should they be named before the Bill is proclaimed?

The Hon. D. R. WHITE—The ratepayers of Melbourne would like to know whom the Government has in mind.

The CHAIRMAN (the Hon. W. M. Campbell)—Order! That matter should not be argued. It falls within clause 8 which has already been argued.

The Hon. D. R. WHITE—It is customary practice for consultation to take place with employees in respect of matters of administrative change, and it is incorrect for the honourable member for Chelsea to say that the amendment moved by my Leader is covered by clause 10(3) which deals with only one aspect—situations where there may be changes in the internal or external boundaries which may mean hiving off part of the municipalities. The Labor Party is talking about day-to-day operations of the council in the administrative and organizational changes that may arise and the expectation that these three faceless men may be involved in consulting with the employees who would be affected by those decisions. It is reasonable that the 2800 employees of the council who face the prospect of an uncertain future, should be given some assurance that the representatives of their unions, particularly the Municipal Officers Association and the Municipal Employees Association will have the opportunity of being informed about and involved in decisions that the administrators are contemplating making.'

It is clear that the ratepayers of Melbourne will have to pay the salaries of the commissioners without knowing who they are, because the matter will have been presented as a fait accompli without legislative approval.

The Hon. D. G. Crozier—They had little to say about the money spent on the media campaign.

The Hon. D. R. WHITE—The genuine, bona fide elected members of the council made that decision.

The CHAIRMAN (the Hon. W. M. Campbell)—For the last time, the Committee is dealing with amendment No. 2 proposed by Mr Landeryou, and nothing else.

The Hon. D. R. WHITE—Members of the Labor Party are concerned that in the day-to-day decision-making processes of the council, whether they affect a huge bulk of employees such as in the garbage collection of the council which is currently undertaken twice weekly as a day labour function that ought to be maintained because it is a reliable, efficient and effective service, or whether it is in a recreational function where the council has taken the initiative to employ a number of recreation officers in community centres throughout the municipality, some consultation should occur before the future of the employees is decided. These unknown, faceless men will more than likely, given the experience in decision-making of this Government, have had little experience with the day-to-day activities of the council and will not know of the contributions employees are making. As the Committee is probably aware, a number of functions within the Melbourne City Council carried out by heads of various departments may be the subject of significant administrative and organizational change. It is already contemplated that the sale-yards might be sold. A stock agents group is seeking the sale of the abattoirs and sale-yards, and...
the future of a number of employees may be affected by a decision of the administrators. The Bill contemplates that those employees will not be consulted in the process if a change occurs, and the amendment seeks to remedy that defect.

There is a planning department which, as the Minister for Local Government and the Government have indicated, may be taken over by the Board of Works, and the planning decisions will not be made by the Melbourne City Council. There are a number of employees, from the head of the department, Mr Williams, to the last-appointed employees who do the day-to-day work activities and whose employment may be affected by decisions made by the administrators without prior consultation with employees in that group.

Then there are the wide-ranging health and social welfare services carried out by the Melbourne City Council, not just infant welfare or social welfare but services tied in with the whole community health services programme within the municipality. Employees within those sections may be affected by decisions made by the administrators without prior consultation with the employees.

Equally there is the finance section of the council which is responsible for ensuring that the rate burden of the council is kept to a minimum, and the most able people are employed in that section. There is no assurance that their livelihood will not be affected.

It is rumoured that the electric supply department of the Melbourne City Council could be taken over by the State Electricity Commission and people who have been employed for a number of years within that department may have their jobs put on the line without consultation.

The Opposition is concerned that the activities and livelihoods of these council employees could be affected by these faceless men. In addition to the questions of boundaries, the commissioners will be required to advise the Government on:

- The manner of apportionment, settlement, adjustment and resolution of all questions relating to the control and disposition of all assets, property (including parks and gardens), business undertakings, responsibilities, rights and liabilities in consequence of any recommendations made; and
- The arrangements which should be made to make positions available to officers and employees of the corporation who will be surplus to requirements in consequence of any recommendations made.

It is clear that the 2800 employees currently employed by the Melbourne City Council face a traumatic uncertainty and unstable future.

I take as an example the functions of the parks and gardens department. As a result of the boundaries being changed, it may be that the functions of the parks and gardens department are significantly altered. It should be remembered that that area of activity could be hived off to other municipalities and the employees in the parks and gardens department may have their livelihood and future significantly disrupted. It should be remembered that the Melbourne City Council is given the responsibility for the parks and gardens functions in relation to the eastern and western markets, but of course the arrangements that were entered into with the National Mutual group of companies and Southern Cross Hotel respectively in respect of the western and eastern markets have never been sufficient to finance the operations of the parks and gardens department and the employees within that department may be adversely affected by a decision of the administrators, especially if that decision does not involve prior and effective consultation with the employees and their representatives.

There is no reason why this procedure should not be carried out as a normal and effective personnel practice. What the Minister for Local Government is maintaining is that it would cause unnecessary disruption if consultations with the employees was involved.

The Opposition is claiming that if this requirement is not built into the legislation the reaction, insecurity and uncertainty that will undoubtedly occur will cause even greater disruption, and
every decision made by the faceless men that adversely affects the interests of the ratepayers and the employees—in the normal course of events, at present the council makes 100 decisions at its three-weekly meetings—will be sheeted home to this Government over the next twelve to fifteen months.

The Minister for Local Government will have to bear the brunt of every one of those decisions. What will happen is because of the failure of the Government to provide for necessary consultation, there will regrettably be unnecessary disruption and confrontation. This will be caused by uncertainty in the minds of the employees. This could be so easily avoided if the employees were guaranteed the rights that the amendment moved by the Opposition would entitle them to have.

The Hon. G. A. S. BUTLER (Thornstow Province)—As you correctly pointed out, Mr Chairman, the amendment moved by the Opposition fits in on the fourth line of the clause. The clause clearly states that it shall be the duty of the commissioners during their terms of office to ensure that the functions of the corporation are carried out in the most efficient and economic manner possible and for that purpose the commissioners where necessary, in consultation with the employees and their representatives—then the key word is “may”—may take such measures as appear to them to be necessary or desirable to improve the administration, organization, staffing and procedures of the corporation.

In fact, one honourable member alluded to clause 10(3) which in effect deals with an examination by the purposes of the commissioners. Clause 10(3) provides:

In carrying out their examination under this section, the commissioners shall, where necessary, consult with the councils of adjoining municipalities, ratepayers, employees associations and other persons and bodies concerned.

Under that provisions any disruption that occurs relates to the role and duties of the commissioners, whose duty is to ensure the proper functioning of the corporation. I am not referring to the airy fairy bit at the end of the provisions, but I am referring to the duty of the commissioners to ensure the proper functioning of the corporation. I suggest that the commissioners should consult with the employees and their representatives, and if the provision is left wide open, the commissioners may or may not decide to do something.

I do not think there is anything unreasonable about that, if I have an understanding of the rights and procedures, not only of this Parliament but also of the trade union movement.

I understand the difference between the words “shall” and “may” and I suggest to the Minister for Local Government that there is nothing untoward in the amendment proposed by the Opposition. I further suggest to the honourable gentleman that probably an acceptance of the amendment will go a long way in assisting him to carry out the action that he is proposing under this measure.

The Committee divided on Mr Landeryou's amendment (the Hon. W. M. Campbell in the chair).

Ayes .. . . . . 9
Noes .. . . . . 23

Majority against the amendment .. . . 14

AYES
Mr Butler Mr Mackenzie
Mr Eddy Mr Thomas
Mr Kennedy Tellers:
Mr Kent Mr Sgro
Mr Landeryou Mr White

NOES
Mr Baxter Mr Hunt
Mrs Baylor Mr Jenkins
Mr Bubb Mr Knowles
Mr Chamberlain Mr Radford
Mr Crozier Mr Reid
Mr Dunn Mr Stacey
Mr Evans Mr Taylor
Mr Grant Mr Ward
Mr Guest Mr Wright
Mr Hayward Tellers:
Mr Houghton Mr Lawson
Dr Howard Mr Long

PAIRS
Mrs Coxedge Mr Hamilton
Mr Trayling Mr Hauser
Mr Walker Mr Storey
Mr Walton Mr Saltmarsh
The Committee divided on the clause
(the Hon. W. M. Campbell in the chair).

Ayes .. 19
Noes .. 13

Majority for the clause .. 6

AYES
Mrs Baylor  Mr Lawson
Mr Bubb    Mr Long
Mr Chamberlain Mr Radford
Mr Crozier  Mr Reid
Mr Granter  Mr Stacey
Mr Guest   Mr Taylor
Mr Houghton Mr Ward
Dr Howard  Tellers:
Mr Hunt    Mr Hayward
Mr Jenkins Mr Knowles

NOES
Mr Baxter  Mr Sgro
Mr Dunn    Mr Thomas
Mr Eddy    Mr White
Mr Evans   Mr Wright
Mr Kennedy Tellers:
Mr Landeryou Mr Butler
Mr Mackenzie Mr Kent

PAIRS
Mr Hamilton Mrs Coxedge
Mr Hauser  Mr Trayling
Mr Saltmarsh Mr Walton
Mr Storey  Mr Walker

Clause 10 (Additional duties of Commissioners)

The Hon. W. A. LANDERYOU—This clause seeks to include a sunset provision in the proposed legislation. The Minister has not been able to assure the public, this House or the Committee of the Government’s intention. The words “as soon as practicable” have been defined by the Minister’s colleague in various conversations and could mean anything from twelve months to two years or five years. The Committee should insert the expression, “twelve months”. If it is necessary after twelve months to continue the arrangements—I think they are outrageous, but nevertheless this Committee has agreed to beyond the twelve months—it will be up to the Minister to bring forward amending legislation.

An Honourable Member—And go through all this again?

The Hon. W. A. LANDERYOU—It may be well worth while having this matter argued more than twice so that even the honourable member who interjects will understand some of the fundamental issues that have been involved in the debate.

The Hon. D. E. Kent—He does not want to go through any of the formalities of a Parliament.

The Hon. W. A. LANDERYOU—There are those difficulties. The only time some honourable members of the back-bench of the Liberal Party want this place to exist is on pay day. What the Minister is proposing to the House in the Draconian form of the Bill is almost absolute power to three “supremos” within the City of Melbourne. The Opposition is suggesting that instead of having the words “as soon as practicable” the words “within twelve months” should be inserted.

There is a provision for sunset clauses and that policy was asserted by the Premier during the last election campaign, which suggested that this course should be taken with respect to other instrumentalities. In the case of a controversial proposal such as this, which has divided the community, there ought to be a time limit. There should be an opportunity for this House and the Parliament to discuss at some time in the future whether the proposed legislation should be re-enacted and extended or whether it should go out of operation. The Public Bodies Review Committee has been empowered by the Parliament to make recommendations with respect to organizations so that they may go out of existence. If there is a positive response to the Government within twelve months, in terms of the law, that body goes out of existence. The Opposition is putting that proposition the other way round. It is suggesting that twelve months should be allowed for the commissioners to complete their task. Accordingly, I move:

Clause 10, page 6, lines 16 and 17, omit “as soon as practicable” and insert “within twelve months”.

Clause 10 (Additional duties of Commissioners)
It seems to me to be fairly elementary and I guess we will be just as far apart philosophically on this particular principle—the question of time—as we have been on some of the more fundamental questions that have been discussed earlier tonight.

The Hon. D. G. CROZIER (Minister for Local Government)—The logic behind this proposal is fairly elementary. It is quite naïve to predicate the time that is required for a task as complex and onerous as this. The commissioners really face a formidable task. If this were not so there would hardly be justification for their appointment. I do not want to canvass the full purport of this particular measure. I am sure the Chairman would not encourage me to do so at this stage of the debate.

One of the principal ingredients has to be a measure of flexibility. It was not possible to predict with any certainty how long it would take Commissioner Holland to put the City of Keilor on the rails again, which he did with the help of the administration and many citizens very successfully. It was not possible to predict nor attempt to predict when the sunshine legislation was passed by this Parliament how long it would take the Commissioner there to do the same job in Sunshine. Commissioner Gillon with the help of other officers and citizens is also affecting action.

The amendment is clearly designed to limit the term of office to twelve months. It is quite impossible to predict even how long the inquiry is to take. It is naïve to expect that the commissioners of the City of Melbourne could complete their task or should be enjoined to complete their task in twelve months. The commissioners must have flexibility. It is clear and the intention of the clause is that they should complete their task as soon as practicable. To impose an arbitrary time limit would certainly not be conducive to the effective execution of their role.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—It seems to me extraordinary—despite the fact that this Bill, which was first announced late last year, and has been significantly altered between the Houses since the first production—that the Minister still does not understand, in an elementary sense, the nature of the proposed legislation.

The particular amendment amends clause 10 which begins with the words “as soon as practicable after their appointment”. Indeed, clause 3, which one of the back-benchers on the Government side of the House interjected about, talks about an examination. Clause 4 is also amended. I can understand that the Minister has probably not seen any more drafts of the proposed legislation than any other members of the House.

It is extraordinary. When the Labor Party proposed the insertion of the words “within twelve months” instead of “as soon as practicable” it is talking of the examination this whole clause imposes on the commissioners. That is an examination with respect to their boundaries and the criteria which the Bill imposes on that examination.

It seems incredible that the Minister can say there is an expectation that quite apparently it will take in excess of twelve months to examine the question of boundaries. That seems to be leading to the point of absurdity.

The Hon. D. G. Crozier—If you read the clause, it is to complete their examination in other words.
The Hon. W. A. LANDERYOU—Yes, that is what the clause says.

The Hon. D. G. Crozier—Complete their examination. Clause 10 defines the matters to be examined.

The Hon. W. A. LANDERYOU—Perhaps the Minister could help me by telling me the point he is trying to make.

The Hon. D. G. Crozier—Carry on!

The Hon. W. A. LANDERYOU—I am not anxious to carry on. In the Bill, the Minister is asserting that an examination needs to be made and listed over the next page of the Bill are some of the details. The Minister, in the Bill, is asserting that the commissioners will be charged with these responsibilities and it is an additional duty. Certain qualifications are added to the examination and certain grounds upon which they are supposed to be inquiring into.

The Hon. D. G. Crozier—It should all be wrapped up in twelve months.

The Hon. W. A. LANDERYOU—So far as I am concerned it should have been wrapped up in twelve weeks and could have been if the task were undertaken by a competent person who knew what he was doing. Obviously that description does not fit the Minister. In that context the amendment proposed by the Labor Party is that instead of the words “as soon as practicable”, the commissioners shall in fact forward their final report and final recommendations within “twelve months”.

It is a fairly simple proposition. I would have preferred, if in fact the principle of appointing commissioners is to be embraced, that the commissioners should report within twelve months. The Opposition cannot accept the provision that the commissioners should complete their examination as soon as practicable without any stipulation on when because, in certain circumstances, that could mean waiting five years for a report.

I am uncertain whether the provision is a fault in drafting, but the amendment makes it definite that the commissioners should complete their examination within twelve months. What bunch of cretins is the Minister for Local Government considering appointing to the job who will be incapable of sizing up their responsibilities and making recommendations within twelve months? Even if the task is beyond three reasonably competent men and women, the report should be brought to Parliament and the onus placed on the Minister and the appointees to justify their existence. That was the song and dance engaged in by the Minister and the Government at the last State elections on a platform of sunset legislation. Of course, since then, there has not been one syllable on sunset legislation uttered by either the Minister for Local Government or any other Minister.

The amendment will insert a sunset provision of a sort. If the Minister for Local Government considers the wording of the amendment offensive and unacceptable within the philosophy and policy of the Premier, he should report progress on the Bill and come back to the Committee with suggestions that are in line with the promises made by the Liberal Party at the last State election.

The Hon. K. I. M. WRIGHT (North Western Province)—The National Party understands the anxiety of Mr Landeryou but considers that it is impracticable to place the restriction contained in the amendment. I imagine the period could be from three to five years. The National Party opposes the amendment.

The Committee divided on the question that the words proposed by Mr Landeryou to be omitted stand part of the clause (the Hon. W. M. Campbell in the chair).

Ayes . . . . . . 23
Noes . . . . . . 9

Majority against the amendment . . . 14
AYES
Mr Baxter  Mr Knowles
Mrs Baylor  Mr Lawson
Mr Bubb  Mr Long
Mr Crozier  Mr Radford
Mr Dunn  Mr Reid
Mr Evans  Mr Stacey
Mr Granter  Mr Taylor
Mr Hayward  Mr Ward
Mr Houston  Mr Wright
Dr Howard  Tellers:
Mr Hunt  Mr Chamberlain
Mr Jenkins  Mr Guest

NOES
Mr Butler  Mr Thomas
Mr Kent  Mr White
Mr Landeryou  Tellers:
Mr Mackenzie  Mr Eddy
Mr Sgro  Mr Kennedy

PAIRS
Mr Hamilton  Mrs Coxsedge
Mr Hauser  Mr Trayling
Mr Saltmarsh  Mr Walton
Mr Storey  Mr Walker

The Hon. W. A. LANDERYOU (Doutta Galla Province) - I move:
Clause 10, page 6, line 18, omit "Minister" and insert "Parliament".
The amendment is self-explanatory—rather than reports going to the Minister they should go to Parliament. The Bill provides for all sorts of communication. As usual, the Parliament is being neglected and it seems clear to the Labor Party that in fact the progress reports of these commissioners should be forwarded to Parliament rather than to the Minister. I suppose it also goes without saying—it is notorious in the Victorian Parliament—that we have so many organizations which supposedly report to Ministers.

In recent years, it has been demonstrated that that does not normally happen as a matter of course. I am not suggesting that would be the case in respect of these commissioners but it is clear that if the ratepayers are denied access and the council is sacked that those appointed by the Minister, under an authority given to him by this Parliament, should at least report to Parliament. Those are my reasons for moving the amendment.

The Hon. D. G. CROZIER (Minister for Local Government) - I oppose the amendment. It is unacceptable to the Government. It is illogical because the commissioners are required to report recommendations to the Minister and if the Committee were to accept the amendment the final recommendations would be reported to Parliament.

The mechanics of this procedure are that when the commissioners complete their task and present their final report the Cabinet of the day has to consider those recommendations. It is probable that as a result of that consideration legislation will be required.

Obviously at that stage the fruits of the labours of the commissioners will be before the Parliament. In any case, any recommendations adopted as a consequence of the far-ranging inquiry which the commissioners will be enjoined to undertake as a result of this measure, will be public knowledge. Therefore, I submit no useful purpose will be served by accepting the amendment moved by the Leader of the Opposition.

The Hon. K. I. M. WRIGHT (North Western Province) - The National Party sees some merit in this amendment and supports it. It cannot see it creating the difficulties envisaged by the Minister.

The Hon. D. E. KENT (Chelsea Province) - It seems obvious, even at this late hour, that the Minister for Local Government is determined to persist with his massacre of democracy. One of the points made in the second-reading debate, particularly by Mrs Baylor in her distorted reasoning, was that because the Bill was being brought before the Parliament, the Parliament rather than the Government was making the decision. I point out—because obviously the honourable member cannot count—that as the Government has the numbers there is no question about the decision being made before it ever comes to Parliament. But this is a different matter. In this instance three Government hacks, called commissioners, are supposed to submit a report.

The Hon. D. G. Crozier—Was Commissioner Holland a Government hack?
The Hon. D. E. KENT—I am talking about this Bill. If this pretence that the Bill belongs to Parliament has any validity, it is important that the report be made to Parliament so that members of Parliament know what it contains. That does not preclude the Cabinet and the Government from acting on that report. Otherwise we have every reason to believe they will present to us a version of the report which may be correct but most likely will not be correct. Surely we can at least make one plea that the Government gives some recognition to the rights of Parliament.

The Committee divided on the question that the word proposed by Mr Landeryou to be omitted stand part of the clause (the Hon. W. M. Campbell in the chair).

Ayes . . . . . . 19
Noes . . . . . . 13

Majority against the amendment . . 6

AYES
Mrs Baylor Mr Knowles
Mr Bubb Mr Lawson
Mr Chamberlain Mr Long
Mr Crozier Mr Radford
Mr Grant Mr Reid
Mr Guest Mr Stacey
Mr Hayward
Mr Houghton Tellers:
Mr Hunt Dr Howard
Mr Jenkins Mr Taylor

NOES
Mr Baxter Mr Mackenzie
Mr Butler Mr Sgro
Mr Dunn Mr Thomas
Mr Eddy Mr White
Mr Kennedy Tellers:
Mr Kent Mr Evans
Mr Landeryou Mr Wright

PAIRS
Mr Hamilton Mrs Coxedge
Mr Hauser Mr Trayling
Mr Saltmarsh Mr Walton
Mr Storey Mr Walker

The clause was agreed to.

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

The Hon. D. G. CROZIER (Minister for Local Government)—I move:
That this Bill be now read a third time.

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

Ayes . . . . . . 20
Noes . . . . . . 12

Majority for the motion . . 8

AYES
Mrs Baylor Mr Jenkins
Mr Bubb Mr Knowles
Mr Campbell Mr Lawson
Mr Chamberlain Mr Long
Mr Crozier Mr Radford
Mr Grant Mr Reid
Mr Guest Mr Ward
Mr Hayward
Mr Houghton Tellers:
Dr Howard Mr Stacey
Mr Hunt Mr Taylor

NOES
Mr Baxter Mr Mackenzie
Mr Butler Mr Sgro
Mr Dunn Mr Wright
Mr Evans
Mr Kennedy Tellers:
Mr Kent Mr Eddy
Mr Landeryou Mr White

PAIRS
Mr Hamilton Mrs Coxedge
Mr Hauser Mr Trayling
Mr Saltmarsh Mr Walton
Mr Storey Mr Walker

The Bill was read a third time.

CHIROPRACTORS AND
OSTEOPATHS (REGISTRATION)
BILL

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

ADJOURNMENT

Hours of sitting—School repair costs—
Rental on unused roads

The Hon. A. J. HUNT (Minister of Education)—I move:
That the Council, at its rising, adjourn until this day at a quarter to twelve o'clock.

The motion was agreed to.
The Hon. A. J. HUNT (Minister of Education)—I move:

That the House do now adjourn.

The Hon. B. P. DUNN (North Western Province)—I raise a matter dealing with the sitting of the House tonight. The situation in which honourable members are debating a Bill, as we have just done, at 4 a.m. is an abuse of the democratic process and a straight-out abuse of the Parliamentary process.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! Mr Dunn is not raising a matter of Government administration. It is a matter for the House to decide when it sits.

The Hon. B. P. DUNN—I am raising the matter with the Leader of the House as Leader of the Government in this place who designs the legislative programme that is to be put before the Parliament.

The point I make—and most honourable members are reasonable about the hours that the House sits—is that in debating the Bill to dismiss the Melbourne City Council the House has been sitting until 4.10 a.m. Many honourable members have been on duty for almost 24 hours straight.

This situation should be avoided, in the interests of good legislation and of this State. We make a laughing stock of ourselves by sitting these hours. It indicates that we cannot manage our own affairs, let alone the responsibilities of State. Members of the National Party restricted their contributions to the debate, as did other members, because of the hour. We could easily have sat for another two hours, if we had spoken to the extent that we wished to speak on the clauses of the Bill. Therefore, the process of Parliament has been restricted by this programme.

I raise that matter with the Leader of the Government after much consideration. I believe amicable agreements can be reached on the sitting hours of the House. There are few occasions when there is serious disagreement; there is give and take on each side, and I hope that will continue, but sitting to this hour on a Bill of this nature is overdoing matters. I ask the Leader of the Government to take steps to ensure that honourable members will not find themselves in the same position in the future.

The Hon. C. J. KENNEDY (Waverley Province)—I raise with the Minister of Education, representing the Minister of Educational Services, a matter of extreme urgency relating to a directive sent out by the Regional Director of Education for the Knox Region on 20 February 1981 in which he said that schools would in future themselves be responsible for the cost of repairs of damage and essential minor works. In another place on 25 March, the Minister of Educational Services said that the director was acting off his own bat and that that was not the case.

The PRESIDENT (the Hon. F. S. Grimwade)—Order! The honourable member is raising a matter which has already been dealt with in this House during this sessional period.

The Hon. C. J. KENNEDY—Mr President, I wish to raise a point of order.

The PRESIDENT—There is no point of order.

The Hon. D. M. EVANS (North Eastern Province)—I raise a matter with the Minister of Lands in reference to an answer to a question on notice which I received last week indicating that some $260,000 is raised each year in rent on unused roads which is paid by adjoining landowners to the Department of Crown Lands and then paid direct to the Consolidated Fund. As that money is raised directly from the landowners, it seems reasonable that that fund should be paid back to the benefit of the owners of adjoining land.

I ask the Minister to consider using those funds for dealing with noxious weeds on the adjacent roadsides in Victoria. The funds are available and I ask that they be used for that purpose.

The Hon. A. J. HUNT (Minister of Education)—I agree with Mr Dunn’s view that sitting until 4 a.m. ought to be avoided if that course is practicable. I also agree with the view that mem-
members are not at their best at that difficult hour.

The Hon. B. P. Dunn—And what about the staff?

The Hon. A. J. Hunt—I have consulted with you, Mr President, with the Deputy President and with other officers of the interested staff, and that is why the commencing time tomorrow has been deferred from 11 a.m. until effectively noon. All honourable members were aware that it was the intention to debate and finish the Local Government (City of Melbourne) Bill this evening. It was in the hands of the House and of honourable members themselves as to how long that would take.

Some members spoke at considerable length. In this House we preserve the right of honourable members to speak without limitation as to time. The only restraint is that imposed by honourable members upon themselves. When, as occurred this evening, numerous members speak and cover the same ground as has been covered by other members and do so at the same length as has been done by other members, or even longer, and on elaborating the same points, the House pays the penalty by sitting later.

The alternative is to impose time limits on speeches and on debates. That has never been thought to be the best alternative in this House. I uphold the traditions and the rights of this House and the right of members to speak if they choose to do so and to speak for the length of time which they choose. However, like Mr Dunn, I wish some members would choose to speak less frequently and at less length. If that alternative were adopted, the House may be able to rise at a reasonable hour. It is not the wish of the Government to force undue hours upon this House. The Government seeks only to ensure that a reasonable amount of business is conducted on every occasion.

It is, however, unreasonable that one Bill, with a comparatively limited ambit, should be debated over 1, 2, 3, 4, 5, 6 or 7 days. One day’s debate consisting of something like eight hours ought to be sufficient for the determination of a Bill that has already been debated in another place.

The Hon. W. V. Houghton (Minister for Conservation) —The matter of revenue in the Consolidated Fund relates to the monetary policy of the Government, which I support. The matter raised by Mr Evans is really one for the Treasurer.

The Vermin and Noxious Weeds Destruction Board is allocated millions of dollars a year with which to do the job expected of it. If the money raised as rental on unused roads were directed towards the Vermin and Noxious Weeds Destruction Board, the funds that are currently directed to it would be reduced by a like amount, so nothing would be gained by adopting Mr Evans’s proposal.

The motion was agreed to.

The House adjourned at 4.18 a.m. (Wednesday).

CHARGES AGAINST PRISONERS AT PENTRIDGE

(Question No. 132)

The Hon. R. J. Eddy (Thomastown Province) asked the Minister for Conservation, for the Minister for Community Welfare Services:

What are the offences for which charges have been laid against Pentridge prisoners in the remand section and the maximum security division, respectively, in each of the past two years, giving the number of offences of each type in each instance?

The Hon. W. V. Houghton (Minister for Conservation) —The answer supplied by the Minister for Community Welfare Services is lengthy and statistical and I seek leave to have it incorporated in Hansard without being read.

Leave was granted, and the answer was as follows:

The following tables indicate the number and detail of charges laid against prisoners held in the remand section, which is taken to mean the entire Southern Prison and includes data for both convicted and unconvicted prisoners in “D”, “F”, and “G” Divisions and the maximum security division (“H” Division):
Furthermore, charges have been laid against prisoners by members of the Victoria Police, but my Department has no record of the actual number of charges laid.
VICTORIA POLICE SPECIAL OPERATIONS GROUP (Question No. 138)
The Hon. JOAN COXSEDGE (Melbourne West Province) asked the Attorney-General, for the Minister for Police and Emergency Services:

(a) On what date in 1978 was the Victoria Police Special Operations Group formed?

(b) In what situations (if any) has the group been called upon to exercise its functions?

(c) What occupies members of the group when they are not engaged in dealing with terrorists, assassins and saboteurs?

(d) What is the annual total for salaries of members of this group?

The Hon. HADDON STOREY (Attorney-General)—The answer supplied by the Minister for Police and Emergency Services is:

(a) 12th January, 1978.

(b) The Group's functions include searching for bombs or explosive devices, apprehension of armed offenders in siege situations, effecting high risk arrests and the provision of V.I.P. security. All these functions have been performed by the Group at various times since its establishment.

(c) The Special Operations Group forms part of the Protective Security Group of the Police Force which encompasses Court security and the activities of the Independent Patrol Group. Members provide assistance to these other sections within the Group and on other Police operational duties when required.

(d) $633,623.

PRISON DORMITORIES (Question No. 163)
The Hon. R. J. EDDY (Thomastown Province) asked the Minister for Conservation, for the Minister for Community Welfare Services:

(a) How many dormitories are in each prison in Victoria giving, in respect of each dormitory, the number of prisoners housed, the size of the dormitory and the number of single and double bunks, respectively?

(b) Is it the Government's policy to abolish dormitories in prisons?

(c) Is there any evidence which suggests that dormitories in prisons may be a factor in homosexual attacks on prisoners?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The answer supplied by the Minister for Community Welfare Services in lieu of the answer given on 11 March is:

<table>
<thead>
<tr>
<th>Prison</th>
<th>Maximum Number of Prisoners Housed</th>
<th>Size of Dormitories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ararat</td>
<td>190</td>
<td>1 holds 2 prisoners</td>
</tr>
<tr>
<td>Beechworth</td>
<td>47</td>
<td>1 holds 4 prisoners each</td>
</tr>
<tr>
<td>Bendigo</td>
<td>10</td>
<td>2 holds 3 prisoners each</td>
</tr>
<tr>
<td>Morwell River</td>
<td>80</td>
<td>3 holds 3 prisoners each</td>
</tr>
<tr>
<td>Won Wron</td>
<td>90</td>
<td>4 holds 4 prisoners each</td>
</tr>
</tbody>
</table>

FIRE FIGHTING SERVICES (Question No. 229)
The Hon. K. I. M. WRIGHT (North Western Province) asked the Attorney-General, for the Minister for Police and Emergency Services:

Has the working party established a report on the implementation of an alternative method of funding the operational expenditures of the Metropolitan Fire Brigades Board and the Country Fire Authority made any recommendation to the Government, if so, when will details be released; if not, will steps be taken to expedite this matter?

The Hon. HADDON STOREY (Attorney-General)—The answer supplied by the Minister for Police and Emergency Services is:

The working party has completed its examination of the various alternative systems of funding the fire brigades and presented a majority report to the Government. A minority report, which is in the course of preparation, is awaited.

VICTORIA POLICE SPECIAL OPERATIONS GROUP (Question No. 238)
The Hon. JOAN COXSEDGE (Melbourne West Province) asked the Attorney-General, for the Minister for Police and Emergency Services:

When will the Minister for Police and Emergency Services answer Question on Notice No. 138?

The Hon. HADDON STOREY (Attorney-General)—The answer supplied by the Minister for Police and Emergency Services is:

The reply to question on notice No. 138 has now been provided to the House.
FRUIT FLY OUTBREAKS
(Question No. 264)

The Hon. W. R. BAXTER (North Eastern Province) asked the Minister for Conservation, for the Minister of Agriculture:

How many outbreaks of fruit fly have been detected in Victoria since 1 July 1980 specifying, in each case, the location and date of detection and whether the outbreak has been eradicated?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The answer supplied by the Minister of Agriculture is statistical and I seek leave of the House to have it incorporated in Hansard without my reading it.

Leave was granted, and the answer was as follows:

There have been fifteen outbreaks of fruit fly detected in Victoria since 1 July 1980, excluding the endemic area of East Gippsland. The locations and dates of detection are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Dates of Detection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carnegie</td>
<td>7th January 1981</td>
</tr>
<tr>
<td>Wangaratta</td>
<td>22nd January 1981</td>
</tr>
<tr>
<td>Wodonga</td>
<td>28th January 1981</td>
</tr>
<tr>
<td>Yackandandah</td>
<td>3rd February 1981</td>
</tr>
<tr>
<td>Nathalia</td>
<td>5th February 1981</td>
</tr>
<tr>
<td>Chiltern</td>
<td>16th February 1981</td>
</tr>
<tr>
<td>Tangambalanga</td>
<td>17th February 1981</td>
</tr>
<tr>
<td>Nunawading</td>
<td>18th February 1981</td>
</tr>
<tr>
<td>Sale</td>
<td>24th February 1981</td>
</tr>
<tr>
<td>Carrajung Lower</td>
<td>25th February 1981</td>
</tr>
<tr>
<td>Greta South</td>
<td>2nd March 1981</td>
</tr>
<tr>
<td>Dederang</td>
<td>3rd March 1981</td>
</tr>
<tr>
<td>Woodside</td>
<td>4th March 1981</td>
</tr>
<tr>
<td>Won Wron</td>
<td>5th March 1981</td>
</tr>
<tr>
<td>South Yarra</td>
<td>10th March 1981</td>
</tr>
</tbody>
</table>

Eradication of outbreaks is not attempted during the summer and autumn months, but is carried out after winter conditions have minimized the fruit fly population. Therefore none of these outbreaks has been eradicated as yet, but are being contained by street baiting until eradication procedures commence in September.
The SPEAKER (the Hon. S. J. Plowman) took the chair at 4.5 p.m. and read the prayer.

ABSENCE OF MINISTER

The SPEAKER (the Hon. S. J. Plowman)—I have to announce that the Minister of Housing will be absent from question time today and tomorrow. I understand that he is in New Zealand at a conference.

QUESTIONS WITHOUT NOTICE

CONVERSION OF GOVERNMENT VEHICLES TO LIQUEFIED PETROLEUM GAS

Mr WILKES (Leader of the Opposition)—I remind the Premier of his press statement committing the Victorian Government to a policy of converting at least a substantial proportion of Government departmental and authority motor vehicles from petrol to liquefied petroleum gas. Will the honourable gentleman make available the directive that was issued to Government departments and authorities following his press statement, presuming there was such a directive, and what is the explanation for the failure of those departments and authorities to respond to the Premier's press statement and/or his directive?

Mr HAMER (Premier)—I have made it plain on several occasions that it is the policy of the Victorian Government to encourage the use of liquefied petroleum gas in vehicles as far as it possibly can. It is also the policy of the Federal Government, and it is for that reason in part that liquefied petroleum gas prices have been fixed at approximately half the price of petrol. However, the actual conversion is obviously better adapted to those vehicles which have high mileages, and to fleet operations, including taxis and large transports, because for them it is more economical to stand the cost of conversion and to recover their money that much quicker.

The Leader of the Opposition asked a question by interjection. I am now answering it, if he would kindly listen. The question on the departmental vehicles is this: The high cost of conversion is not recovered in the normal running of departmental vehicles, and they are being converted as rapidly as possible, but having regard in each case to the economics of the conversion.

I do not know whether the Leader of the Opposition is of the opinion that every vehicle ought to be converted to liquefied petroleum gas regardless of cost or regardless of the rate of recovery.

The SPEAKER (the Hon. S. J. Plowman)—If the Deputy Leader of the Opposition wishes to ask a further question, I will give him the call. I ask him not to do so by interjection.

Mr HAMER—The rate of conversion would be a lot faster if there were a greater differential between the price of petrol and the price of liquefied petroleum gas. It is my view, and I have expressed it to the Commonwealth Government, that if it is really concerned and serious about its policy of encouraging people to move to liquefied petroleum gas, the price of liquefied petroleum gas would need to be one-third of the price of petrol. The rate of recovery would then be that much faster and the rate of conversion would be that much faster also.

However, many vehicles in the Gas and Fuel Corporation have been converted and a number have been in the departmental fleet also. I intend to investigate how much quicker the Government can get a number of other vehicles converted and at a reasonable cost. I am not going to direct that every vehicle be converted to liquefied petroleum gas regardless of the cost to the department.

FLAG-RAISING AT SCHOOLS

Mr ROSS-EDWARDS (Leader of the National Party)—Is the Minister of Educational Services aware that the traditional flag-raising ceremonies that
are supposed to be carried out at schools in Victoria on Monday Mornings are not being carried out at many schools? Because of that distressing state of affairs will the Government enforce the relevant provisions of the Education Act and ensure that those ceremonies are conducted?

Mr LACY (Minister of Educational Services)—The Education Act is undergoing substantial review in views of the White Paper. The matter raised by the Leader of the National Party will be drawn to the attention of the Minister of Education in respect of the review of the Act.

DIRECTOR OF CONSUMER AFFAIRS

Mr BROWN (Westernport)—I ask the Minister of Consumer Affairs whether the incoming Director of Consumer Affairs has commenced his duties? Have investigations by the Fraud Squad into a company, which, it was claimed, this gentleman was associated with, been completed and, if so, what was the outcome of those investigations?

Mr RAMSAY (Minister of Consumer Affairs)—Yes, Mr John Miller assumed duties as the Director of Consumer Affairs today, 14 April. That was the intended commencement date at the time of his appointment. The House will recall that Mr Miller has been the Dean of Business Studies at the Caulfield Institute of Technology for the past six years and it was necessary for him to complete certain work there before assuming duties as the Director of Consumer Affairs.

Soon after the announcement of his appointment some allegations were made in another place by the Leader of the Opposition, who suggested that Mr Miller was an unsuitable person for this appointment because of claims that he was the subject of an investigation by the Fraud Squad.

A Fraud Squad inquiry was being conducted into a company on the basis of a complaint that had been lodged by another citizen and Mr Miller did have a temporary association with that company. The result of that Fraud Squad investigation has ascertained that the complaint was completely without foundation and no further action is to be taken on the subject of this complaint.

For the matter to have been raised publicly in the Parliament in a way that could only denigrate and injure the character of an innocent person, such as Mr Miller, is indeed a great shame and a reflection on our tactics and our behaviour in this place and I hope that this House and, including honourable members opposite, will join the Government in condemning that sort of action by a person in another place who is prepared to put the reputation of an innocent person at risk for political motive rather than using the proper forms of this Parliament.

Mr WILKES (Leader of the Opposition)—On a point of order, Mr Speaker, the Minister has answered the question that was asked by the honourable member for Westernport and he is now debating the issue; it is as clear as that.

The SPEAKER (the Hon. S. J. Plowman)—Order! I uphold the point of order. The Minister is now debating the question.

Mr RAMSAY (Minister of Consumer Affairs)—I must not and will not debate the matter further. I have made the position clear and I hope that the Leader of the Opposition will join me in doing the right thing.

REPAYMENT OF COMMONWEALTH LOANS

Mr CATHIE (Carrum)—I remind the Premier of a statement made by the Minister of Housing, who indicated that he is considering suspending repayment of Federal Government loans due by the State of Victoria. In view of the repeated statements by the Premier regarding the sanctity of contractual obligations and, in view of the potential damage to Federal-State relations by such action, will the Premier repudiate the Minister's statement and obtain a categorical assurance that Victoria will honour its loan repayment obligations?

Mr HAMER (Premier)—I know of no such statement. Certainly, the Government will always carry out all its obligations on loans.
EMERGENCY TEACHERS

Mr WHITING (Mildura)—Is the Minister of Educational Services aware of the serious difficulties faced by small schools as a result of the reduction in emergency teachers for those schools? If so, is he also aware that the Minister of Education announced that an additional three teacher school days have been made available to those small schools and will he inform the House when the announcement was made and what is the intent of the interim measures to which the Minister of Education referred?

Mr LACY (Minister of Educational Services)—The emergency teacher allowance of 1.5 emergency teacher days a teacher a year has had a substantial effect on small schools. I am aware of representations made by many honourable members representing country electorates, including Government supporters, members of the National Party and others.

I understand that the Minister of Education has been prepared to make available to small schools an additional three emergency teacher days to meet the particular need that was having a substantial impact on the provision of emergency teachers for in-service training, excursions, camps and other approved activities.

The cost of emergency teacher days has increased by 40 per cent in each of the past two years and last year it reached $12 million. It is essential that the Education Department should live within its budget and, on instruction from the Treasurer and Treasury, the department took measures to ensure that that was done. The department will live within its budget and measures will be taken to ensure that it does.

RATE EXEMPTIONS

Mr RICHARDSON (Forest Hill)—I direct a question to the Minister for Minerals and Energy who is the representative in this place for the Minister for Local Government. Will the honourable gentleman inform the House whether certain classes of property are exempt from the payment of rates and, if so, which classes of properties are so exempted and whether the Government intends to alter this arrangement?

Mr LIEBERMAN (Minister for Minerals and Energy)—The honourable member refers to a long-standing policy of the Government that, under certain circumstances, properties are exempt from payment of rates in accordance with section 251 of the Local Government Act. Crown land is exempt, as is land used exclusively for charitable purposes, certain religious purposes and educational training. Any change in that policy will have a very serious effect on the well-being and viability of certain charities and church groups, including the Society of St Vincent de Paul, the City Mission and the Returned Services League, and I must declare my interest as a member of the League.

I take the opportunity of saying that the reported change in policy of the Labor Party in removing these exemptions for charities and churches will have a serious effect.

Mr WILTON (Broadmeadows)—On a point of order, the Minister for Minerals and Energy was asked whether the Government intended to make any changes to existing Government policy for certain properties being exempt from the payment of council rates. The honourable gentleman is engaging in speculation and merely expressing his personal opinion on the alleged policy statements of another political party, which is in no way related to the question asked.

The SPEAKER (the Hon. S. J. Plowman)—Order! I ask the Deputy Leader of the Opposition, to cease interjecting and to follow the courtesies of the House towards the Chair. The question asked was two-fold: Whether certain classes of property were exempt from rates, and whether the Government intended to alter the situation. It does not concern whether the Minister is considering the Labor Party's proposition or alternatives. I ask the Minister to answer the two parts of the question.
MR LIEBERMAN (Minister for Planning)—The responsibility of the Government is regularly to review its policies and to have regard to stated intentions of any alternative Government. On behalf of my colleague, the Minister for Local Government, I am glad to say that, unlike the alternative Government of the State, the Government has no intention of changing its policy.

MELBOURNE CITY COUNCILLORS

MR MATHEWS (Oakleigh)—I refer the Premier to a statement made by the Minister for Local Government in December that a judicial inquiry would be required to clear the characters of Melbourne city councillors and of Melbourne City Council employees accused of corruption in the Lentin report, which the Minister himself leaked and publicized. Why has no such inquiry been undertaken to clear the names of those people who have been seriously damaged by the private detective concerned and the Minister and in the light of the Minister’s strong recommendation what action does the Premier propose to take?

MR HAMER (Premier)—The Minister for Local Government made it plain that on receipt of the report, which he did not leak—and the Leader of the Opposition should know that because he had a copy—he immediately handed the matter over to the police, which in his view was the proper thing to do. That investigation is still proceeding.

COMMONWEALTH TAX-SHARING ARRANGEMENTS

MR MACARTHUR (Ringwood)—My question to the Treasurer concerns the recent predictable outbursts by the Premiers of Queensland and Western Australia against any change in the tax-sharing arrangements to the States. Despite this predictable opposition, would the Treasurer reiterate his determination to seek a better tax-sharing arrangement for Victoria?

MR THOMPSON (Treasurer)—The answer is a most definite, “Yes”. Victoria’s case is well known. I asked Treasury officers the other day to provide further information on how much more Victoria would have received over the past decade, had Victoria been reimbursed according to contributions made. The answer was around the $2 billion mark, which is a tremendous sum of money. The mind boggles at how that money could have been used in reducing taxation for Victorians and in providing the types of concessions that Western Australia and Queensland have been offering in recent times.

As I may have indicated on another occasion, Victoria receives approximately 30 cents back for every dollar paid in income tax and Queensland, Western Australia and South Australia all receive back between 50 cents and 54 cents in the dollar. Tasmania receives 69 cents back. Those facts speak for themselves and the Government would welcome any response on this matter by the Opposition.

TAX AVOIDANCE

MR EDMUNDS (Ascot Vale)—Further to a question asked of the Treasurer on finance, will the honourable gentleman inform the House what progress has been made in the investigation by police into tax avoidance and evasion of stamp duty on tobacco products within his department and what has been the result of the investigation to date? Could he inform the House whether the preliminary report has shown that millions of dollars in tax have been avoided?

MR THOMPSON (Treasurer)—In each section of the Treasury the Government is concentrating on closing tax avoidance loopholes and some three or four legislative measures have been taken by the Government over the past twelve months. In the particular case referred to by the honourable member for Ascot Vale, charges are in the process of being laid and I would prefer not to comment on them at this stage, but I believe the action taken will, in the future, save millions of dollars for the taxpayers of Victoria.
FISHING VESSEL "SHARK"

Mr B. J. EVANS (Gippsland East)—I ask the Minister of Public Works whether he recalls a conversation which took place in Bairnsdale on 20 March, during which he promised to obtain copies of soundings taken by the Public Works Department of the bar at Lakes Entrance, which soundings, it is alleged, were taken on days different from those which were sworn to in evidence before the court of marine inquiry? Further, I refer to the undertaking of the honourable gentleman to obtain copies of tender documents which indicate that tenders were received for the removal of the wreck of the fishing vessel Shark for an amount of $20 000 instead of the ultimate price of $167 000. If the honourable gentleman has obtained those documents, what action has he taken with regard to them, and what action does he propose to take in the future?

Mr WOOD (Minister of Public Works)—I have obtained the charts. I have looked at the quotations and I am looking at all aspects of the sinking of the fishing vessel Shark. I am looking into allegations that have been made to me by certain residents of Lakes Entrance. When I have the final information to hand on all those questions, I will make a decision on what further steps ought to be taken.

TAXATION DEDUCTIONS FOR RAIL USERS

Mr SKEEGGS (Ivanhoe)—Having regard to the budgetary problems of VicRail and with a view to promoting the greater use of railways in this State, will the Treasurer give consideration to asking the Commonwealth Government to examine the possibility of making periodical railway tickets eligible as taxation deductions?

Mr THOMPSON (Treasurer)—The honourable member for Ivanhoe has made a constructive and positive suggestion which I will be pleased to take up with the Federal Treasurer.

PUBLIC HOSPITAL FINANCES

Mr ROPER (Brunswick)—In view of the Government's belated acceptance of the fact that the State's public hospitals are in considerable financial trouble, a situation pointed out by the Labor Party some time ago, will the Treasurer assure the House that Treasury will make up the deficits in public hospitals so they do not have to close down wards or sack staff over the next few months? Can the honourable gentleman indicate how much additional money will be made available and when the hospitals will be able to receive it?

Mr THOMPSON (Treasurer)—At this stage it is not possible to tell just what amount the State will be able to provide. Discussions are taking place with the Minister of Health to reduce to the minimum, any hardship to be suffered by the hospitals.

BALLARAT-GEELONG RAIL SERVICE

Mrs CHAMBERS (Ballarat South)—Is the Minister of Transport aware of a statement which appeared in the Ballarat Courier from a group calling itself, "People for Public Transport" announcing a proposed time-table for rail services between Ballarat and Geelong which could replace the present VicRail bus service? If the Minister is aware of that statement, can he inform the House whether it would be possible to implement this service?

Mr MACLELLAN (Minister of Transport)—The proposal made by the group called "People for Public Transport" involved the introduction of a "T" class locomotive on that rail service with two guard's vans to enable quicker turnaround of the train. It should, I think, have involved about $2 million of capital expenditure if a "T" class locomotive and rail coaches were bought, or it could have been reduced, perhaps, to $800 000 if a rail motor had been bought.

The subsidy payment would not have been reduced by the $137 000 per annum which will be achieved as a result of the introduction of the bus. The savings of fuel by using the bus...
will be 66,700 litres a year. Fuel usage would be increased if a rail motor were used, and increased additionally to that again if a "T" class locomotive were used.

One bus is used because, on average, twenty passengers use that service. Those passengers now get a faster trip than they did by train. They get the service at railway fares and have the opportunity of having more pick-ups and set-downs along the route, as the bus stops on demand.

PUBLIC HOSPITAL FINANCES

Mrs TONER (Greensborough)—The Minister of Health will recall that on a number of occasions he has denied claims by the Opposition spokesman on health that public hospitals are in a serious deficit situation, has he now discovered that the claims by the Opposition in this matter were correct and that the hospital deficits will be in excess of $17 million and perhaps $22 million? If so, what action is he proposing to take to enable the hospitals to balance their budgets?

Mr BORTHWICK (Minister of Health)—I have always claimed that the Opposition's figures were exaggerated—not that there were not overdrafts—and I still claim that they are exaggerated, for the simple reason that the Federal Minister for Health at the conference in Perth clearly indicated that the cost-sharing adjusting of accounts as at November following each financial year would again take place in this financial year. I can take the Minister only at what he stated, and he stated it to all Ministers present. If that is the case, the $17 million would not fall against the State of Victoria; a substantial proportion of that would be met in cost-sharing.

Mr Remington—How much?

Mr BORTHWICK—That is difficult to estimate. The major area of difference would be on the additional cost of what we call barrier nursing, due to golden staph being prevalent in many metropolitan hospitals and the additional nursing costs that that has brought about. That figure is somewhere between $3 million and $4 million.

Traditionally, and under the agreement, those costs that have escalated outside expansion of services have been cost-shared. Although the Opposition talks in terms—and did so last November—of $20 million as though none of that would be picked up automatically, that is not true as yet.

Mrs TONER (Greensborough)—On a point of order, the Minister is not answering the question, which was about balancing the budget. He has not addressed himself to that subject.

The SPEAKER (the Hon. S. J. Plowman)—Order! The Minister in answering the question. He is also answering interjections, and I suggest to members of the Opposition, if they object to the Minister broadening his answer, that they should cease interjecting.

Mr BORTHWICK (Minister of Health)—The lack of knowledge on this subject of members of the Opposition is highlighted by that point of order, because every year there is a carry-over at the end of the financial year, which is then discussed in November and finally determined as to what will be picked up under cost-sharing and what will not, and that has invariably meant overdrafts going over the financial year.

AIR-CONDITIONING FOR POLICE VEHICLES

Mr JASPER (Murray Valley)—I direct a question to the Minister for Police and Emergency Services and refer to his statement late last year that all police Traffic Operations Group motor vehicles north of the Great Dividing Range would be fitted with air-conditioning. Have those air-conditioning units been installed in the motor vehicles operated by the Traffic Operations Group north of the Great Dividing Range, and, if that has been done, can the honourable gentleman indicate what progress will be made in installing air conditioning in other police vehicles used north of the range, particularly divisional vans?
Mr THOMPSON (Minister for Police and Emergency Services)—The policy was to install air-conditioning units in traffic control vehicles and divisional vans north of the Great Dividing Range. At that time the estimate was that some 46 vehicles would be involved and $23,000 has been set aside to achieve that aim. The vehicles will have the units installed as the old ones are replaced progressively.

FEMALE APPRENTICES

Mrs PATRICK (Brighton)—I note with pleasure that the first woman plumbing apprentice has qualified in Victoria and is now carrying out her practical one year's training. I ask the Minister of Labour and Industry what encouragement is being given by the Department of Labour and Industry, and also by the Government in general, to young women to take up trades that are traditionally male?

Mr RAMSAY (Minister of Labour and Industry)—The Industrial Training Commission, which now comes within the Ministerial responsibility of my colleague, the Minister of Employment and Training, for a number of years has been doing all it can to encourage the maximum number of apprenticeship opportunities within Victorian industry, both for boys and girls. I am quite sure this policy will be continued. I am interested that the honourable member for Brighton addresses this question to me because that, too, is an indication to the House that the Ministry of Employment and Training and the Department of Labour and Industry will be working very closely together to ensure that maximum opportunities for industrial training will continue to be given to the young people of Victoria.

ELECTRICITY TARIFF STRUCTURES

Dr VAUGHAN (Glenhuntly)—Is the Minister for Minerals and Energy aware of sworn evidence by the State Electricity Commission that the cost of power from Driffield power station is 26 cents per kilowatt hours at current prices? To use a biological analogy, Driffield is a clone of the Loy Yang power station except for the required river diversion. As this means the cost of power to Loy Yang at current prices is 2.4 cents per kilowatt hour, that is 0.6 cents per kilowatt hour more than the cost of power to Alcoa at Portland, what arrangements is the Minister intending to make to share this large subsidy to Alcoa at Portland amongst the commercial and industrial and, more particularly, the domestic users of power in this State?

Mr LIEBERMAN (Minister for Minerals and Energy)—The honourable member for Glenhuntly shows that he, like the Leader of the Opposition and other members of the Opposition, is totally confused with the position of the structure of tariffs. The evidence given by the officer of the State Electricity Commission, I presume to the all-party Public Works Committee inquiry into Driffield, of course, is an estimate that on the estimated cost of constructing Driffield the cost of generation will represent 2.6 cents per kilowatt hour. To show the Opposition's dilemma and, I suppose, the rather alarming ignorance of the Opposition, I point out that to compare that estimate with future costs of building Driffield with the current cost of supplying Alcoa if Alcoa was drawing power today is, of course, total nonsense.

Honourable members know, and the honourable member for Glenhuntly ought to know, that Alcoa, in any event, will not be supplied solely from Driffield, if Driffield is built. Power in Victoria, including to Alcoa, is supplied from a number of power sources, hydro-electric, gas fired and, of course, coal based. The honourable member for Glenhuntly is trying to suggest that the cost of supplying power from all these power stations, some of which are already operating, is 2.6 cents a kilowatt hour. He is totally wrong.

In conclusion, honourable members know that the tariff to be charged to Alcoa of Australia Ltd is based on the
published schedule M tariff, and they also should know, although they refuse to admit this—

Dr VAUGHAN (Glenhuntly)—On a point of order, does the Minister wish me to repeat the question?

The SPEAKER (the Hon. S. J. Plowman)—There is no point of order.

Mr LIEBERMAN (Minister for Minerals and Energy)—Honourable members also know, and I will repeat it, that the published tariff which applies to Alcoa of Australia Ltd and other users of electricity in Victoria, both domestic and industrial, is regularly reviewed in the light of the actual cost incurred in the generation of power, and the tariffs are regularly reviewed and increased. The actual costs of generation, of course, are passed on to the users, as they will be in the case of Alcoa of Australia Ltd.

I invite the Leader of the Opposition to have a briefing session, which I will arrange with the State Electricity Commission, in connection with tariffs. I am making the reply to him now and I will be writing to him further on this matter.

The shadow spokesman for Minerals and Energy, who unfortunately is not in the House because of ill-health—and we hope he will recover soon—was briefed last year.

Mr FORDHAM (Footscray)—On a point of order, Mr Speaker, I am amazed that you are allowing the Minister to answer in the way that he is. He has already answered the question. He has clearly stated to you and to the House that he is answering another matter altogether. This is an invitation to the Leader of the Opposition and other members of Parliament to have a briefing on State Electricity Commission tariffs, I suggest that it has nothing whatsoever to do with the question asked.

The SPEAKER (the Hon. S. J. Plowman)—Order! I do not uphold the point of order. The Minister went to some length to explain the difference in tariffs and where the question was mis-

sing the point, and in his answer he was offering to give a briefing to the Opposition to make the matter clear.

Mr LIEBERMAN (Minister for Minerals and Energy)—I conclude my answer by saying that if the result of the Government making arrangements for members of the Opposition to have briefings with the State Electricity Commission continues to mean that members of the Opposition will distort and misrepresent the facts given by the commission, they can forget the briefing.

COUNTRY FIRE AUTHORITY UNITS

Mr McINNES (Gippsland South)—In view of the long, dry summer that has just been experienced, can the Minister for Police and Emergency Services inform the House whether there was a greater than usual call out of Country Fire Authority units and whether there was a sufficient number of tanker units to service the fires?

Mr THOMPSON (Minister for Police and Emergency Services)—There were sufficient tanker units. There were 19,000 calls; 3,700-odd were false alarms, and 93,000 men attended fires this summer at a rate of 2,700 calls a month, compared with 2,400 a month in the last fire season. It was a very busy fire season and the thanks of the community and the Government of Victoria are due to the Country Fire Authority for the most efficient, enthusiastic and effective way in which its volunteers have controlled fires during a dangerous summer fire season.

NATIONAL EMERGENCY ADVISORY COMMITTEE

Mr FORDHAM (Footscray)—Is the Premier aware of the statement by the Federal Minister for National Development and Energy, Senator Carrick, on 2 February, that the National Energy Advisory Committee was more cautious and more pessimistic about coal liquefaction than it was about the Rundle shale oil project. If the Premier's attention has been drawn to this very important statement by the National Energy Advisory Committee, has the honourable gentleman studied the details of that report
and does he still believe that the apparently failed Rundle project still enhances liquefaction proposals for Victoria and, if so, how has the honourable gentleman come to that remarkable conclusion?

Mr HAMER (Premier)—It is not a remarkable conclusion at all. If one particular source or projected source of liquefaction is ruled out, other current sources must, of course, assume a greater importance. Quite apart from that, since February there have been a number of improvements and increases in the tempo of investigation. Several groups have now entered the field in a really meaningful way and I would invite the Deputy Leader of the Opposition to study the facts and, if he does so, he will come to the same conclusion as I have.

CONSUMER PROTECTION FOR FARMERS

Mr McGrath (Lowan)—Is the Minister of Agriculture aware of legislation in Queensland that gives consumer protection to farmers who buy expensive farm machinery? I believe that legislation was drawn up by the Department of Agriculture in Queensland. Is the Minister prepared to implement similar legislation in Victoria for the same purposes?

Mr Austin (Minister of Agriculture)—I am prepared to examine the legislation that has been introduced in Queensland and the action that has been taken in that State to ascertain if it is relative to the situation in Victoria.

DISABLED YOUNG PEOPLE

Mr Crellin (Sandringham)—In view of the Government's continuing concern with the problem of youth unemployment, can the Minister for Employment and Training inform the House if the report entitled "Opportunities for the Handicapped" addresses itself to ways of improving employment prospects and training opportunities for disabled young people?

Mr Dixon (Minister for Employment and Training)—The report referred to by the honourable member for Sand-
Commonwealth Employment Service and the modification of Commonwealth Employment Service premises so that disabled young people are able to more easily avail themselves of the resources of the Commonwealth Employment Service.

The ramifications of the report extend wider than simply the Government and it requires co-operation between employers, trade unions and groups who are interested in the well-being of disabled young people.

UNEMPLOYMENT RATE

Mr JOLLY (Dandenong)—Is the Minister for Employment and Training aware that the figures recently released by the Australian Statistician on unemployment show that the Victorian unemployment rate is above the national average and stands at 6·2 per cent? Is he also aware that the Victorian unemployment rate amongst part-time workers is 7·8 per cent, the highest in Australia? In view of this exceptionally high level of unemployment amongst part-time workers, what action is the Minister taking to improve these rates?

Mr DIXON (Minister for Employment and Training)—The honourable member fails to recognize that the employment and unemployment figures that he has quoted have remained more or less on a similar level over the past three years, and if he continues to come into this place and quote particular percentage points, instead of addressing the problem, he will not get very far.

The Ministry of Employment and Training has been set up to ensure that employment opportunities in Victoria are increased and that training is the best that will be available anywhere in Australia, if not in the world. The whole thrust of the Ministry is designed to ensure that Victoria becomes a truly entrepreneurial State and in the training and experience field it will become the human powerhouse of Australia. Honourable members opposite are laughing, which indicates that they do not understand the importance of positive attitudes and entrepreneurial attitudes that are significant in solving these problems. Opposition members treat the whole matter as a joke. I shall be interested to see the thrusts of their much flouted economic policies, which are to come before the State of Victoria shortly.

PETITIONS

Northcote High School

Mr WILKES (Leader of the Opposition) presented a petition from certain members of the Northcote High School Parent-Teacher Association and certain citizens praying that a teacher of modern Greek be appointed to the school to cater for the special needs of the 63 per cent of students of Greek origin. He stated that the petition was respectfully worded, in order, and bore 394 signatures.

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

Upfield railway line

Mr GAVIN (Coburg) presented a petition from certain citizens praying that action be taken to reverse the decision to close the Upfield railway passenger service and to provide funds for the service to be improved. He stated that the petition was respectfully worded, in order, and bore 343 signatures.

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

Melbourne City Council

Mr REMINGTON (Melbourne) presented a petition from certain citizens praying that a public inquiry be instituted prior to any decision being taken regarding restructuring of the City Council of Melbourne. He stated that the petition was respectfully worded, in order, and bore 328 signatures.

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

DRUG PROBLEM IN VICTORIA

Mr HAMER (Premier) (By leave)—Pursuant to the Order of the House dated 21 October 1980 to present to the House a copy of the report of the Interdepartmental Working Party on the Drug Problem in Victoria, Vol. 1, 1
hereby present an amended copy of vol. 1 of the said report in lieu of the vol. 1 of the report tabled that day.

The SPEAKER (the Hon. S. J. Plowman)—The question is:

That the report do lie on the table and be printed.

Mr FORDHAM (Footscray)—Before the question is put, Mr Speaker, could the Premier give a brief outline of what the amendments are rather than requiring honourable members to read the full volume. If the amendments are only minor, perhaps the Premier could outline those and the matter could be solved.

Mr HAMER (Premier) (By leave)—There are four amendments which have been made to the text on pages 23 and 24. They are:

On page 23, paragraph 1, line 3, "64 per cent" becomes "27 per cent".

On page 23, paragraph 1, line 5, "eight fold" becomes "six fold".

On page 24, paragraph 2, line 3, "14 per cent" becomes "10'4 per cent" and "157 per cent" becomes "139 per cent".

The question was agreed to, and it was ordered that the report be laid on the table and be printed in lieu of report ordered to be printed on 21 October 1980.

PAPERS

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

Health Commission—Report for the year 1979–80.—Ordered to be printed.

Statutory Rules under the following Acts:

Boilers and Pressure Vessels Act 1970—No. 94.

Country Fire Authority Act 1958—No. 87.

Industrial Training Act 1975—Nos. 70 to 72.

Public Service Act 1974—PSD Nos. 52, 53.

Racing Act 1958—No. 79.

Teaching Service Act 1958:

Teaching Service—Primary Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 541).

Teaching Service—Secondary Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 543).

Teaching Service—Technical Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 542).

Town and Country Planning Act 1961:

Cranbourne—Shire of Cranbourne (Westernport) Planning Scheme, Amendment No. 15 (1980).

Eppalock Planning Scheme—Shire of Strathfieldsaye), Amendment No. 3.

Horsham—City of Horsham Planning Scheme, Amendment No. 57 (1980).

Lake Tyers to Cape Howe Coastal Planning Scheme, Amendment No. 5.

Melbourne Metropolitan Planning Scheme, Amendment No. 120 (Parts 3A and 5) (two papers).

Woorayl—Shire of Woorayl Planning Scheme, Amendment No. 46 (1980).

LOTTERIES GAMING AND BETTING (AMENDMENT) BILL

Mr MACLELLAN (Minister of Transport) pursuant to Standing Order No. 169 (b), moved for leave to bring in a Bill to amend the Lotteries Gaming and Betting Act 1966 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

RURAL FINANCE (LOANS) BILL

Mr WOOD (Minister of Public Works)—I move:

That the following Order of the Day, Government Business, be read and discharged:

Rural Finance (Loans) Bill—Second reading.

and that the Bill be withdrawn.

The motion was agreed to, and the Bill was withdrawn.

APPROPRIATION MESSAGES

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

Stamps (Miscellaneous Amendment) Bill.

Government Employee Housing Authority Bill.

FLEMINGTON LAND BILL

The SPEAKER (the Hon. S. J. Plowman)—Following my ruling on 24 March that the Flemington Land Bill was a private Bill, and as required by Standing Order No. 168 (b), I advertised the general detail of the Bill on Saturday 28 March in the Sun News-Pictorial.
I now wish to inform the House that no objections to the Bill have been received.

Mr WOOD (Minister of Public Works)—In view of the fact that the Flemington Land Bill is the type of Bill where the House does not usually charge fees, I now move:

That payment of fees be dispensed with.

The motion was agreed to.

LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL

Mr LIEBERMAN (Minister for Minerals and Energy)—I move:

That this Bill be now read a second time.

This is the annual Bill to make general amendments to the Local Government Act 1958.

In order to provide the customary opportunity for councils and other interested parties to examine and comment on the various proposals, the Bill was submitted to Parliament at the spring sitting by my colleague, the Minister for Local Government, and held over for further consideration.

It has since been reviewed by a working party appointed by the Minister for Local Government. The working party comprised representatives of the Municipal Association of Victoria, the Institute of Municipal Administration, the Local Government Engineers' Association and the Local Government Department, and it recommended some changes to the provisions of the Bill.

Amendments which have been made in another place include the omission of one proposal and the addition of two new proposals.

The clause omitted provided for a new Tenth Schedule to the principal Act. This is the form on which candidates for the office of councillor are nominated. The board of review recommendation for the adoption of a universal franchise at municipal elections has been accepted by the Government and it is therefore more appropriate to include the revised Tenth Schedule in the legislation proposed to give effect to various recommendations of the board.

The first of the new clauses included in the Bill will amend section 266(7) of the principal Act. Under this section when property which has been classified as urban farm land or residential use land for the purpose of receiving a rate concession ceases to be urban farm land or residential use land, the difference between the total amount paid as rates in the preceding five years and the amount which would have been payable if the concession had not been allowed becomes payable. This is not always justified as, for example, when an urban farm land classification is revoked even though there has been no change in the use of the property.

The amendment proposed will give councils discretion in any instance to decide whether or not to require payment of the amount.

The second new clause has been included because of a request by Rodney Shire Council for special legislation to enable it to finance the relocation of a water supply channel through the township of Mooroopna. This open channel is inhibiting the growth of the township but its relocation is not an authorized work or undertaking for a municipal council. Instead of special legislation it is now proposed to amend section 277 of the principal Act to add to the works for which a separate rate may be levied any works or undertakings for the special benefit of a particular portion of a municipal district which are authorized by Order of the Governor in Council published in the Government Gazette. This will provide a general power for the Governor in Council to approve the use by a council of a separate rate to finance a project for the benefit of a particular area even though the project is not specifically authorized by the Local Government Act.

Notes on all the clauses have been printed with the Bill and I do not propose to enlarge on them at this stage. I commend the Bill to the House.

On the motion of Mr KIRKWOOD (Preston), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 21.
CROWN LAND (RESERVES) (AMENDMENT) BILL

Mr WOOD (Minister of Public Works)—I move:

That this Bill be now read a second time. Its purpose is to make five amendments to the Crown Land (Reserves) Act 1978, which is the principal Act. They relate to Crown reserves for the management of wildlife, mining under miner's right on Crown reserves, the incorporation of certain committees of management, the keeping of accounting records by public statutory bodies and the preparation of coastal management plans.

First, in respect of wildlife, section 4 of the principal Act provides for the reservation of Crown land for the "preservation or management of wildlife or the preservation of wildlife habitat". The Wildlife Act 1975 provides, however, that the Director of Fisheries and Wildlife shall have the management of reserves set aside for the "propagation or management of wildlife or the preservation of wildlife habitat". The amendment in clause 2 of the Bill will bring the wording of those Acts into line.

Secondly, in regard to mining, clause 3 amends section 7 of the principal Act which provides that Crown reserves may be excepted from occupation for mining purposes under any miner's right. The existing provision was enacted in 1869 and most reserves have been so excepted. However, opinion now to hand suggests that "occupation" for mining purposes does not include "prospecting", that is searching for minerals, on the land. The amendment therefore widens the exception to embrace prospecting on excepted lands. It also provides that any past exception shall be deemed to have also included exception from prospecting, and for the expressions "prospecting" and "mining purposes" to have the meanings respectively assigned in the Mines Act 1958.

It is expressly pointed out that prospecting under miner's right will remain a legitimate use of public land and as such will not be unduly restricted. There are, of course, certain reserves, which, by their very nature or purpose, ought to be excepted from such use but where the recommendations of the Land Conservation Council permit such use on any proposed reserve, the exception will not be applied. If the land in question is already reserved, any existing exception will be revoked. This will particularly apply in the north-central study area.

The third and most important measure is contained in clause 4 which inserts new sections 14A, 14B, 14C, 14D and 14E in the principal Act in connection with the incorporation of committees of management of Crown reserves in certain circumstances.

It is in no way intended that all committees of management be given corporate status, far from it, but the provision would be used in respect of such committees as the Olympic Park Committee of Management and others, particularly in the metropolitan area, which need to raise finance to develop and maintain their reserves to satisfy the public demand. That is those whose operations ought to be put on a proper business footing. At present these committees comprise an unincorporated group of persons. In some instances committees have already found it necessary to borrow large sums of money and the case for incorporation is certainly a strong one.

It is important that the incorporation of such a committee be effected by the principal Act in order to avoid anything that might change the personality of the committee or endanger arrangements already entered into. New section 14A empowers the declaration of a committee of management as a corporation by the Governor in Council where such action is in the public interest. The Governor in Council is also empowered to assign a corporate name to the new corporation and to dissolve a corporation.

It is provided further that, on publication of the declaration in the Government Gazette—

1. The members of the committee of management which is specified in
the declaration and their successors in office shall be a corporation under the corporate name assigned; and

2. the powers duties and functions of the committee of management shall be conferred or imposed on the corporation alone.

Provision is also made for the use of a corporation's common seal and for judicial notice of its common seal.

New section 14B contains provisions relating to the membership of a corporation, the appointment of a chairman, the removal and resignation of members and the conduct of meetings.

Proposed section 14c makes provision for corporations to borrow moneys by way of loans or overdrafts on such terms and conditions as are approved by the Treasurer, and power is given to the Treasurer to execute Government guarantees in respect of any borrowings.

Proposed section 14d empowers a corporation, with the consent of the Governor in Council, to grant leases for periods not exceeding 21 years for the purpose of providing facilities and services for the public over any part of the reserved Crown land which it controls. This is considered essential in view of the extent of the public use of the reserves in question.

Fourthly, clause 5 affects section 15 (8) of the principal Act. The amendment provides for municipalities, statutory authorities and bodies established under any Act for any public purpose as committees of management to be exempt from keeping separate accounts and furnishing statements of receipts and expenditure to the Secretary for Lands, unless the Minister of Lands directs otherwise.

It is considered that the legislation respectively constituting or governing such bodies provides adequate safeguards for the keeping of proper records and the audit thereof. In practice the Secretary for Lands has not required such committees of management as public statutory authorities, or hospitals or other institutions incorporated under the Hospitals and Charities Act, to submit separate financial statements to him.

In respect of municipalities, municipal auditors are required to exercise supervision over Crown reserves controlled by those bodies. Municipal councils do not, therefore, see why they should incur extra expense in keeping separate accounts. An inbuilt safeguard is provided in case some unincorporated board, committee or trust ought to comply with the provisions of the sub-section.

Finally, clause 6 amends section 26 (b) of the principal Act which requires the Coastal Management and Co-ordination Committee to prepare management plans of reserved land. In respect of such preparation the committee is required to consult with the committee of management of the land or, where there is no committee of management, with the municipal council. It is proposed that the committee shall consult with the municipal council in all cases. This is already being done by administrative action but at the request of the Municipal Association of Victoria, it is being made a statutory requirement. I commend the Bill to the House.

On the motion of Mr KING (Springvale), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 21.

NATIONAL PARKS (AMENDMENT) BILL

Mr WOOD (Minister of Public Works)—I move:

That this Bill be now read a second time.

It provides for the declaration of three new national parks and for substantial increases in the size of three existing national parks. These provisions arise from recommendations of the Land Conservation Council for the alpine area and the Corangamite area. The Bill also provides for declaration of two other parks under the National Parks Act and for minor extensions to a number of parks. Finally, the Bill provides for several changes, mainly of a technical nature, in the provisions of the National Parks Act.
The total area of land reserved under the National Parks Act is to be increased from 774,000 hectares to 1.125 million hectares, although under arrangements set out in the Bill this increase will take place over several years. Arising from recommendations of the Land Conservation Council for the alpine area, provision is made for:

Bogong National Park, with an area of 81,000 hectares, to be declared from 1 October 1981;

Wonnangatta-Moroka National Park with an area of 107,000 hectares to be declared from 1 July 1982;

Snowy River National Park addition of 15,300 hectares to the existing 26,000 hectares as from a date to be proclaimed;

Cobberas-Tingaringy National Park addition of 127,000 hectares to the existing 18,000 hectares from a date to be proclaimed;

Wabonga Plateau State Park addition of 3,600 hectares to the existing 17,600 hectares from 1 July 1982.

Arising from recommendations of the Land Conservation Council for the Corangamite study area, provision is made for:

Otway National Park with an area of 12,750 hectares to be declared from 1 July 1981, and

Port Campbell National Park addition of 1050 hectares to the existing 700 hectares from 1 July 1981.

Two new parks are to be declared under Schedule Three of the National Parks Act—Gellibrand Hill of 265 hectares, and Lysterfield of 1,150 hectares, both to be declared on the date that the Bill is enacted.

To help honourable members appreciate the significance of the Bill, I shall briefly outline the history of national park legislation in this State. The first National Parks Act of 1956 established thirteen national parks with a total area of 127,000 hectares under the control of a National Parks Authority. Over the years, the national park system gradually grew until in 1970 the number of national parks had reached 23. In that year the National Parks Authority was abolished and the National Parks Service established. In December 1972 the National Parks Service became part of the Ministry for Conservation and the Government commenced a programme of strengthening and expanding the National Parks Service through the provision of additional staff and funds.

Another significant step was taken in 1975 when legislation was enacted which allowed the National Parks Service to manage parks other than national parks, while still retaining the concept of the traditional national park. Two Acts passed in 1978 established a number of new parks and increased the area under the National Parks Act to approximately 774,000 hectares. The last stage of this legislation came into effect last year.

Overall, the areas proposed in this Bill for inclusion under the National Parks Act will greatly increase the representativeness of our park system. The community will benefit greatly because the parks will be managed for a wide range of recreational activities, but in such a way as to protect their natural and cultural values for future generations.

BOGONG NATIONAL PARK

This very important area of 81,000 hectares contains the most extensive and spectacular alpine scenery in the State. It encompasses nine of Victoria's ten highest peaks, including Mount Bogong and Mount Feathertop, and the Bogong High Plains. The park provides outstanding opportunities for many forms of outdoor recreation, particularly cross-country skiing, bushwalking and motor touring.

Nature conservation values are very high. The various alpine plant communities are well represented. The high plains support many botanically significant and showy plants, including the Bogong Daisy-Bush and Silky Daisy-Bush—both recorded only in the alpine area. Sub-alpine woodlands, alpine ash forests, and foothill forests are also included. The rare mountain pigmy possum has been found in the park. This is Victoria's first alpine national park. It is an outstanding addi-
tion to the national park system in Victoria and one of the most important national parks in Australia.

WONNANGATTA-MOROKA NATIONAL PARK

Located in the headwaters of the Howqua, King, Catherine, Wonnangatta, Moroka, Caledonia and Macalister rivers, this park of 107,000 hectares contains the alpine summit of Mount Howitt and the distinctive peaks of mounts Cobbler, Speculation and Kent. Other outstanding features include rocky cliffs and escarpments on the Viking, the Razor, and the Crosscut Saw, at Bryces Gorge, and around Snowy Bluff and Mount Reynard.

Nature conservation values are very high. Vegetation communities range from alpine herbfields on Mount Howitt to snow gum woodlands and grasslands on the Howitt and Bennison plains to alpine ash and riverine forests. Rare plant species include the willow-herb and alpine finger-fern at Conglomerate Creek falls and the maidenhair sple­nwort at Bryces Gorge. Access to parts of the proposed park is available from north-eastern Victoria, from the La­treve Valley, and from Mansfield.

Recreational activities in this area include cross-country skiing on the Howitt and Bennison Plains, four-wheel-drive touring, deer-hunting, horse-riding, and camping. Other outdoor pursuits include bushwalking and wilderness recreation—the Catherine river-Viking area and the Mount Darling-Snowy Bluff area contain large unroaded tracts which are recognized as some of Australia's most rugged landscape. Spectacular scenic views are obtained from the alpine walking track which passes through the park. This is a magnificent addition to Victoria's system of national parks.

COBBERAS-TINGARINGY NATIONAL PARK

This park of 145,000 hectares incorporates Tingaringy National Park on the eastern side of the Snowy River, which was declared on 26 April 1979. It abuts the Kosciusko National Park along the Victoria-New South Wales border, and extends on both sides of the Snowy River south to McKillop Bridge. The park is important for nature conservation, as it contains a wide range of geological formations and vegetation types.

Cypress pine and white box woodlands, which provide habitat for animals typical of warm dry environments, contrast markedly with snow gum woodlands and stands of alpine ash forest at the higher elevations. Unusual vegetation patterns of heathland and mallee shrubland occur on silurian sediments. The habitats of the rare brush-tailed rock wallaby and, on the Davies Plain Ridge, the only recorded Victorian occurrence of the alpine water skink are of particular importance.

The park is valuable for camping, canoeing, motor touring, fishing, and walking. Its most important recrea­tional features include the Cobberas Range, Limestone Creek, Suggan Buggan and Snowy River valleys, Davies Plain Ridge, and the Reedy Creek Chasm.

Cobberas-Tingaringy will be Victoria's largest national park. With its spectacular landscapes and its very important conservation values, it will be one of the most important national parks in Australia.

SNOWY RIVER NATIONAL PARK

This park of 41,300 hectares includes an area of 26,000 hectares east of the Snowy River which was declared as a national park on 26 April 1979.

The additional 15,300 hectares west of the Snowy River has outstanding attributes of scenic grandeur, and pro­vides opportunities for activities that include white-water canoeing, bushwalking and rock climbing. The Snowy River, a favourite among white-water canoeists with its gorge and rapids, is of course the feature of this park.

Other features include occurrences of mountain ash, "Jungle" gullies, several rare plants, attractive limestone formations, and the spectacular Little River Gorge. Nature conservation values are high. The vegetation ranges
from white box woodland to mountain ash open forest and lowland closed forest.

The rare brush-tailed rock wallaby has been sighted in the park, and the caves at New Guinea are significant for their bat colonies and Aboriginal engravings. The park also offers excellent opportunities for canoeing and bushwalking. Motorists and their families can enjoy a camp by the Snowy at McKillop Bridge on the Buchan to Delegate Road.

WABONGA PLATEAU STATE PARK

The addition of 3600 hectares to the State park declared on 26 April 1980 will bring the total area to 21 200 hectares. The dominant vegetation is an open forest of broad-leaf and narrow-leaf peppermint and their associated species. Small pockets of alpine ash forests add diversity.

OTWAY AND PORT CAMPBELL NATIONAL PARKS

The Land Conservation Council recommended national park reservations along the coast of the Corangamite area, stretching from Peterborough—on Curdies Inlet—in the west to the Elliott River in the east. Along the coast, only the Commonwealth land at Cape Otway was excluded.

The coast from Cape Otway to Peterborough offers some of the most spectacular coastal scenery in Australia and is of a national significance. This was recognized in 1964 when the section from Gibsons Beach to Curdies Inlet was reserved as Port Campbell National Park. Numerous sites of archaeological importance are located within the narrow strip of public land abutting the sea, as well as relics and landmarks of the many shipwrecks that occurred during early settlement.

Although its historical, floral and faunal values are very high, the main attraction for visitors to the area is its spectacular scenery. Diverse coastal land types provide a variety of flora, fauna, scenic and recreation values. Extensive outcrops of soft tertiary limestones, which are actively eroding, produce the rugged rock stacks, caves, arches and tunnels between Curdies Inlet and Moonlight Head. The inclusion of the former Sherbrook River plantation provides a suitable area for the development of facilities for environmental education.

The Government has determined, having regard to local representations, to make the Gellibrand River the boundary between Port Campbell National Park and Otway National Park.

PORT CAMPBELL NATIONAL PARK

The new Port Campbell National Park, of 1750 hectares, incorporates the park of 700 hectares declared in 1964, and will include the coastline from Peterborough in the west to the western bank of the Gellibrand River at Princetown. Famous features such as London Bridge, the Sherbrook River, Mutton Bird Island, the Loch Ard Gorge and Cemetery, Gibson Steps and Point Ronald will be in this park.

OTWAY NATIONAL PARK

The wet mountain forests of the Otway Ranges are quite distinctive. Both native plants and animals show affinities with eastern Victoria and Tasmania, and differ from the other plant associations of the western part of the State.

The Otway National Park of 12 750 hectares is representative of this wet mountain forest. It contains the Calder, Parker, and Elliott River catchments—as well as foothill forest, coastal vegetation, and heathy to shrubby woodland, with their associated fauna. Geological diversity and several uncommon plant and animal species enhance nature conservation values.

Scenic features include magnificent examples of myrtle beech gullies, cascading streams, and dramatic undeveloped coastlines. The park includes the coastline from Princetown to the Elliott River, but excludes the Cape Otway Lightstation Reserve, an area of Commonwealth land which contains Cape Otway itself. Special provision is made for gemstone collection to continue in the vicinity of Moonlight Head.
GELLIBRAND HILL PARK
The first stage of the park is the "Woodlands" property of 265 hectares located close to the Melbourne Airport, at Oaklands Junction. The land was acquired by the Government and is currently managed by the National Parks Service under the Crown Lands (Reserves) Act pending its declaration under the National Parks Act.

The "Woodlands" homestead is listed on the State Register of Historic Buildings. Much of the structure and outbuildings date from the 1840s. It is of very great historical value. Gellibrand Hill is located on a second property. Contracts have been exchanged for the purchase of this second property.

After the final payment has been made, it will be possible to present legislation to include the second property in the park. This project was initiated by the Shire of Bulla in 1972, and supported by National Parks Service reports in 1973.

Active participants in the project have also included the Federal Department of Urban and Regional Development, the Western Area improvement programme, the Ministry for Conservation, the Department of Youth, Sport and Recreation, the Melbourne and Metropolitan Board of Works, and the North Western Melbourne Regional Organization of Councils has maintained a continuing support.

Federal funds and Shire of Bulla funds were made available to assist with the initial purchase. The State Government is financing purchase of the second stage. This will be an extremely important park, particularly for people living in the north-western suburbs.

LYSTERFIELD PARK
The Lysterfield reservoir was completed in 1933 to supplement the State Rivers and Water Supply Commission's Mornington Peninsula water supply system. In 1955 a Public Works Committee inquiry investigated the problem of increasing demand in the State Rivers and Water Supply Commission supply area. It recommended that responsibility for supplying part of the Mornington Peninsula be transferred to the Melbourne and Metropolitan Board of Works as soon as possible. This change-over continued progressively until 1978 when the Lysterfield reservoir was no longer required for domestic water supply purposes.

At the direction of the Premier, the Minister of Water Supply, through the auspices of the Water Resources Council, established an inter-departmental committee to examine and report on the best arrangements for the future use and management of the Lysterfield reservoir and surrounding lands.

In order to determine the best future use of the Lysterfield reservoir catchment, the committee invited, by way of public advertisements, written submissions from authorities and persons having an interest in the future use of the area.

The Government reviewed the committee's report and generally approved it, and directed that management of the reservoir be under the control of the National Parks Service. An advisory committee has been formed and has met on a number of occasions, and has already provided advice on the planning of recreation facilities for the park.

For the present, the area is being maintained as a closed catchment, and is not open to the public, except with the written permission of the Director of National Parks. However, there is significant public pressure to have the area opened for recreation use.

This Bill provides for the reservation of the reservoir and catchment area under the National Parks Act, and for the closing of internal roads in the catchment. Roads to be closed are those that the State Rivers and Water Supply Commission did not close at the time the lands in the catchment were originally purchased. However, they have not been open to the public for many years, and their closure has the approval of the relevant municipalities. The roads passing through the catchment, namely Wellington Road, Logan Road, Reservoir Road, and Horswood Road remain open.
The National Parks Service has already undertaken significant work on
the preparation of management plans for recreation facilities in the park.
This work has revealed the area to be one with many potential erosion prob-
lems. The advice of expert consultants in the areas of water levels manage-
ment, soil capability, water quality, and landscaping, have already been sought.
This work has provided a basic understand-
ing of the park required for de-
velopment planning in the sensitive
environment of the catchment.

The recreation uses to be made of the
park are now receiving detailed con-
sideration. In the first instance, picnick-
ing, barbecuing, walking, and nature
study will be permitted, together with
sailing and canoeing on the lake. The
use of the area for fishing, horse-riding
and other activities will require detailed
consideration of their environmental
impacts.

I am convinced that Lysterfield will
become one of the most important
recreation parks in the Melbourne
metropolitan area. Significant funding
for the development of facilities in the
sensitive environment of the park will
be required, but the funds invested
should reap a handsome return in terms
of the recreation opportunities pro-
vided in the park. The development will
be one requiring major input of man-
power in an area of relatively high
unemployment.

OTHER LAND RESERVATIONS

The Bill provides for adjustments to
the boundaries of another eighteen
parks, mainly to include purchased
land, in some cases to include Crown
land, and in other cases to correct or
more precisely define the boundaries.

The largest of these variations are:

An increase of 562 hectares of land
in Mount Worth State Park. This in-
cludes purchased land, land obtained
by exchange from A.P.M. Forests Pty
Ltd following proviso. made in the
National Parks Act 1978, and Crown
lands abutting the Tarwin River. The
additional land has very significant
park values, and includes a substantial
area of uncleared forest which will
form the heart of the park.

The inclusion of 500 hectares of
purchased land in Gippsland Lakes
Coastal Park.

The inclusion in Warby Range State
Park of 499 hectares, mainly purchased
land.

The addition of Crown land to War-
randyte State Park, and deletion of a
small area to be included in the Yarra
Valley Metropolitan Park, a net increase
of 166 hectares to a total of 384
hectares.

The inclusion of 143 hectares in Mor-
well National Park, being land ob-
tained by exchange with A.P.M. Forests
Pty Ltd.

Land is excluded from existing parks
under this Bill at Warrandyte—as re-
ferred to earlier—and at Warby Range
and Brisbane Ranges parks—existing
roads. The boundaries of Lower Glen-
elg National Park and Discovery Bay
Coastal Park are more clearly defined
where they abut the township of Nel-
son.

The Bill includes provision for timber
cutting to continue in several parks,
largely in accordance with recommenda-
tions of the Land Conservation
Council. In all cases a time limit is
specified in the schedule to the Act.

In addition to the recommendations
of the Land Conservation Council the
Government has approved once-only
logging in some parts of the Alpine
area. These are listed in a news release
which is a joint press statement by the
Premier, the Minister for Conservation
and the Minister of Forests on 10 Janu-
ary 1980. The areas include Diamantina
River catchment, Mount Reynard, Dry
River, Peters Creek and the Shannon-
vale area, and affect Bogong National
Park and Wonnangatta-Moroka National
Park.

In addition the Government has de-
cided that, subject to stream calibration
and experimental logging demonstrat-
ning that logging operations will not
cause stream sedimentation at a level
unacceptable to the State Electricity
Commission, the Soil Conservation

Mr Wood
Authority and the Forests Commission, further logging be permitted in two areas, including Little Arthur Creek in the proposed Bogong National Park under prescriptions determined after the results of the experimental logging are known. In the case of Little Arthur Creek, because of the time which will be taken in stream calibration and experimental logging, the Government has extended the period in which once-only logging may take place until 31 December 1994 instead of the 1988 cut-off date recommended by the Land Conservation Council for the other areas.

Grazing in the Alpine area has been the subject of a great deal of study. The conclusions of the Land Conservation Council are set out in the final recommendations tabled in Parliament in 1979. These recommended that grazing be permitted in Bogong, Wonangatta-Moroka and Cobberas-Tingaringy national parks, in the extension to Snowy River National Park and in the extension to Wabonga Plateau State Park.

In accordance with the Land Conservation Council recommendations, grazing will be phased out in parts of Bogong and Wonangatta-Moroka national parks, in the extension to Snowy River National Park and in the extension to Wabonga Plateau State Park. The Government has determined that the phase-out period will be ten years after the proclamation of the Act. This gives a standard period for phase-out of grazing throughout the Alpine area, rather than the varying periods recommended by the council.

It is stressed that it is only a limited area of the Alps in which grazing will be phased out. The phase-out will affect only eleven of the 140 grazing licenses. Of these, five will be wholly affected and six will be partly affected.

Grazing is not mentioned in the Bill because, where it is recommended by the Land Conservation Council, it may be provided for under the existing sections 25A and 26A of the National Parks Act 1975.

The Land Conservation Council has recommended that deer-hunting by stalking be permitted to continue seasonally in Wonangatta-Moroka National Park. Previously hunting has not been allowed in any national park in Victoria, and the Government's acceptance of the Land Conservation Council's recommendation on this occasion should not be seen as a precedent for the future. The Government has accepted this recommendation as being for an important continuing use and involving an introduced species of animal.

The Rover Scout Chalet on the Bogong High Plains is a substantial building, in a remote location. It has been in regular use since the first stage was completed in 1940. This enterprise has resulted in the provision of facilities for rover scouts and other groups and has made a valuable contribution to the character development of the young men of Victoria. The Government has determined that continued control by the scouts is the most suitable management for this enterprise, on the basis that other groups are also able to make use of the facility.

The schedules to the Bill refer to park boundary plans lodged in the central plan office. Copies of the relevant plans have been laid on the table of the Library.

I do not at this stage intend to canvass in detail the many aspects of the changes proposed to the Act. Explanatory notes on the clauses have been printed with the Bill. These notes include a table which summarizes the affect of the Bill on the schedules to the National Parks Act.

Upon completion of all stages and actions provided for in the Bill:

National parks reserved under the National Parks Act will increase in number from 27 to 30, and the area reserved will increase from 483 623 hectares to 827 909 hectares, an increase of 344 286 hectares.

Other parks reserved under the National Parks Act will increase in number from 25 to 27, and the area
National Parks (Amendment) Bill

The total area of all parks reserved under the Act will increase to 1,125,609 hectares, an increase of 351,327 hectares.

These additional areas greatly improve the representativeness of the system of conservation areas in this State. Through the activities of the Land Conservation Council, this State leads the world in its systematic approach to identification and selection of areas to be reserved for conservation. This Bill further demonstrates that the Government supports the Land Conservation Council's approach.

Inevitably, there will be those who criticize the setting aside of areas for park purposes. I would remind these people that, even with the dramatic growth of park areas in recent times, they are still only a small percentage of the total area of the State.

I also remind those persons that these areas will be benchmarks for future land use. They are resource banks for which future generations can make their own land-use decisions. One must leave some options open for future generations and not commit every hectare of precious public land to commercial uses.

Nevertheless, it is important to recognize that there is a growing use of national parks and other parks—this is the use by the community of these areas for recreation, education, inspiration and enjoyment. This is demonstrated by the fact that more than 4.4 million visitor days were recorded in areas managed by the National Parks Service during the year ended June 1980.

There is no doubt that parks benefit the community by providing a variety of opportunities for people to enjoy Victoria's natural heritage and magnificent countryside and also stimulate the tourist industry, which greatly benefits local and rural economies.

The Government already has a creditable record in developing and maintaining Victoria's national parks system. The Bill is not only a landmark in the Government's conservation programme for Victoria but also again demonstrates its continuing commitment to establishing a strong park system in the State. Concurrent with this, the Government will continue to further strengthen the National Parks Service so that these very special areas receive the high standard of management which is required.

It is very important that a great deal of attention be given to management of exotic plants and animals, to management of fire and to management of park visitors and recreational uses if these parks are to be passed on to future generations in sound condition. This will be done. The National Parks Service has proved that it is a good land manager and, in conjunction with other State Government agencies which have particular responsibilities relevant to Crown lands, including the Lands Department, the Forests Commission, the Soil Conservation Authority and the Fisheries and Wildlife Division, these parks will be managed for the benefit of all people, today and in the future. I commend the Bill to the House.

On the motion of Dr VAUGHAN (Glenhuntly), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 28.

PORT OF MELBOURNE AUTHORITY (LANDS) BILL

The debate (adjourned from March 26) on the motion of Mr Wood (Minister of Public Works) for the second reading of this Bill was resumed.

Mr STIRLING (Williamstown)—The Bill will amend Part IV. of the Second Schedule to the Port of Melbourne Authority Act 1958. It is a small and simple measure to extend the present port boundary that currently ceases 3 miles south of Point Gellibrand in the vicinity of the Fawknner beacon. The Bill increases the channel by approximately 1.8 miles and will enable the Port of Melbourne Authority to undertake dredging in that area.
In his second-reading speech, the Minister of Public Works referred to changes to the Melbourne Harbor Trust Act 1918 when the boundary of the Port of Melbourne commenced at a line at the peninsula of Williamstown and went across to a point at St Kilda. The boundary was further extended by 3 miles south in length and approximately three quarters of a mile in width because of problems with dredging.

At Williamstown, the then depth of the water meant that ships partly loaded at Williamstown went across to the other side of the bay at Port Melbourne to top up their loads. The reasons for extending the channel again are much the same as they were in 1918. The Port of Melbourne Authority, as it is now known, dredges in its port areas to its wharves and approach channels to a depth of 14 metres at low water and this is necessary because of the size and draft of vessels now using the port, particularly big container vessels, to ensure safe access to the port.

It is commendable to ensure safe approaches to the port of Melbourne. In passing, I refer the Minister to the need to keep small boats out of those channels. I raised this subject with the Minister last week during debate on the motion for the adjournment of the sitting of the House when I referred to the very costly exercise of refloating a vessel that was grounded when it was forced out of the channel by small boats anchored in the channel.

I refer the Minister also to safe access for container ships berthing at Swanson Dock. The river channel is kept dredged to the stipulations of the Port of Melbourne Authority but, as the Minister is aware, a hazard exists where these vessels are required to swing in the narrow neck south of Swanson Dock at a berth that is not used very much, 32 South Wharf. That has been a bone of contention of pilots from the Port Phillip Sea Pilots, who are responsible for taking these ships up the river and berthing them at Swanson Dock. The subject has been raised many times previously and I again draw the attention of the Minister to the hazards and ask the honourable gentleman once more to examine it.

The Bill also provides for a simple amendment to Part IV of the Second Schedule to convert Imperial measures to metric. The Opposition does not oppose the Bill and I request the Minister of Public Works to investigate the matters I have missed.

Mr McGrath (Lowan)—The National Party supports the Bill. The honourable member for Williamstown has referred to the history of the Melbourne Harbor Trust Act, as it was known then, of 1918 but I shall relate my remarks more to the present time.

In his second-reading speech, the Minister stated that, when dredging is completed, additional lateral port and starboard marker beacons and a channel entrance marker beacon will be provided for navigation purposes. I hope that the further entrance markers on the channel will overcome some of the problems to which the honourable member for Williamstown referred in his remarks on the recent grounding of a ship that occurred when it was making way for smaller craft. This could be one way of overcoming that problem.

Undoubtedly the containerization of import and export products is on the increase. The size of vessels coming to and going from the port of Melbourne is also increasing. It is necessary, as prescribed in the Bill, to deepen and widen the channel that services the port of Melbourne.

Mr Deputy Speaker, with your indulgence, I draw to the attention of the House a matter which was drawn to my attention last week concerning an exporter in the Nhill area who is having trouble getting containers transported to the township of Nhill where he loads bailed hay and bulk peas into the containers and ships them to the port of Melbourne on route to Japan. He drew to my attention the serious problem that he has not been able to get the railways and the shipping companies to work together to take those containers to Nhill, load them and then take them
back to the ships so that those commodities can be exported. It is a very real problem.

I wrote a letter to the Minister of Transport in the hope that he will be able to solve this problem so that the shipping and railway business can be incorporated to make the maximum use of those two transport modes. At present the exporter has to transport the goods by road from Nhill to Melbourne to be placed in containers. It would be better if the containers could be shipped by rail to the mill siding and then carried back to the port of Melbourne.

Another matter is that we have to spend time and money cleaning, deepening and widening these channels when we have a natural deepwater port at Portland. Perhaps we should make more use of that port. The on-shore container facilities at the port of Portland are not as good as or as up to date as those at the port of Melbourne. The port of Portland should be used as often as possible for the import and export of goods from the western half of Victoria, rather than transporting them through heavy traffic rail lines to the port of Melbourne. Perhaps something could be done to maximize containerization facilities at the port of Portland.

As I said at the beginning of my speech, the National Party supports this measure and hopes it will provide better access to the port of Melbourne for ships coming in because continuity of shipping through that port is needed so that imports and exports can flow from this State with the maximum of ease.

Mr WOOD (Minister of Public Works)—The honourable member for Williamstown referred to the grounding of the Australian Venture. I think he is truly aware of my concern about small craft being within the channel entrances to the port of Melbourne. He also mentioned the swing basin and the necessity to enlarge it. The Port of Melbourne Authority is looking at this question. I do not know whether it has finally determined what action should be taken. I will raise the matter of the 32 South Wharf demolition with the authority.

The honourable member for Lowan mentioned the need for marker beacons. The Port of Melbourne Authority wants marker beacons put in position as soon as possible. This may help identification of the channel by small craft in that area. I thank honourable members for their contributions.

The motion was agreed to.

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

**PENALTIES AND SENTENCES BILL**

The debate (adjourned from March 26) on the motion of Mr Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr MILLER (Prahran)—This Bill is probably one of the most important Bills that the Government has introduced in terms of the amendments that it proposes to penalties and sentence procedures in our court system. It is the first step towards a major consolidation of the law with respect to penalties and sentences.

I am pleased to say that the Labor Party will support the measure. It has a number of criticisms of the Bill. Indeed, there are some provisions which lend themselves to fairly sharp and caustic criticism. Nevertheless, it is a little like the curate's egg—good in parts and not so good in other parts.

One of the most interesting provisions of the Bill is that it abolishes, almost by stealth, the penalty of whipping. Section 477 of the Crimes Act is repealed in this Bill and the reference to the pillory which, of course, has not been used for many years in Victoria, is also repealed in section 499 of the Crimes Act. It is rather remarkable that that very fundamental and I believe highly desirable, change in the law in the penalty options which are open and available to the courts in Victoria is done away with by this provision and tucked away almost as if the Government is afraid to stand up and be counted on this issue.

I am sure the Minister of Transport, whose views closely conform with mine on this provision, are different from some of his back-benchers. I imagine it
is for that reason that the amendment of section 477 of the Crimes Act is one included in a schedule to the Bill.

This most important legislative measure is designed to start the process of consolidation into one Act of all statutory provisions relating to penalties and sentences. It is only the first step as many of the provisions in the Crimes Act and other statutes are not covered, although more than 100 Acts and 362 amendments are contemplated by the Bill. An enormous amount of work has obviously gone into it by the Departments of Community Welfare Services and the Attorney-General's Department, and they should be complimented on their contributions to it.

Another matter that may be stated at the outset is that sentencing is, by definition, an extraordinarily complex process and procedure. When a Victorian court imposes sentences, not only are Victorian statutes involved in the process, but also many Commonwealth statutes may be relevant. In an excellent work produced by Richard Fox of Monash University entitled *Material on Sentencing*, the author usefully catalogues the Commonwealth and State legislation, providing a convenient starting point as to the sentencing options which are available and some Commonwealth and State statutes which are available to a sentencing court.

For instance, in Commonwealth legislation, death is provided as a sentencing option by the Crimes Act. Imprisonment is provided under both the Commonwealth Crimes Act and the Commonwealth Prisoners Act. Also provided for are imprisonment with hard labour and imprisonment with light labour, and solitary confinement is provided for in the Crimes Act. A second sentence while completing a first is covered by the Commonwealth Crimes Act as well as by the Commonwealth Prisoners Act. In addition, there are a whole lot of items covered under sentencing options, such as the release by licence to be at large, parole, probation, conditional and unconditional release, fines, disqualification, deportation, forfeiture, damages, costs, criminal bankruptcy, mental hospital orders and all combinations and permutations prescribed by the Commonwealth Crimes Act. Those are just a few of the sentencing options covered by provisions in Commonwealth legislation.

Turning to State legislation, one finds that the old Imperial Acts Application Act of 1922 applies. Under the Crimes Act, the death penalty is prescribed, although that has now been amended to a penalty of life imprisonment. Fortunately, by this Bill, section 477 covering the provision of whipping will be repealed. A whole host of custodial sentences may be imposed under the Crimes Act, the Magistrates Courts Act, the Imprisonment of Fraudulent Debtors Act and many others. Preventive detention is provided for in the Social Welfare Act. Consecutive sentences are provided for, along with cumulative sentences and parole; attendance centres have recently been established, although not everywhere, and I expect that many members representing country electorates are concerned about that. I am sure that a number of members of the National Party will raise that matter when some of the clauses of the Bill are debated and will press to have attendance centres established in rural areas. Week-end imprisonment is provided for; youth training centres are covered, as are supervisory orders, probation and provision for mentally disordered persons and alcoholic and drug-dependent persons, although that sad and sorry chapter in the legislative history of Victoria is a matter to which I will advert later. Fines are canvassed in an enormous number of statutes, as are provisions for disqualification, forfeiture and destruction of certain goods; compensation concerning restitution and costs are also provided for in many statutes. Provision is made for conditional and unconditional discharge; suspended sentences are provided for, as are binding over to keep the peace, commutation, mitigation and remission.

That is just a small catalogue of some of the Victorian and Commonwealth statutes and options open and available to sentencing courts in Victoria. It is obviously a complicated pro-
procedure. The number of statutes that canvass penalties and sentences are legion, and this move to consolidate in one Act many statutory provisions relevant to the imposition by the courts of penalties and sentences is welcomed. It should be welcomed by all members of the practising profession who specialize in the criminal area. My discussions with members of the bar and members of the judiciary indicate that they welcome this. It is only a first step. As I indicated, all provisions in the Crimes Act are clearly not covered, but it is a most useful provision.

In addition, some measures are contained in English legislation that still applies and perpetuates our colonial status. One important provision not adverted to is the basis of one most important new change introduced by this Bill, that is, the provision relating to the establishment of penalty units whereby monetary penalties are converted into penalty units. That is simply not adverted to in the Minister’s second-reading speech notes, nor is the principle upon which those penalty units have been determined. I searched in vain for some rationale on which to determine the principles upon which the penalties were upgraded by the proposed legislation, and I foreshadow that I will move a number of amendments when the House considers this most important amendment, the penalty unit, which is introduced for the first time by this Bill.

Schedule Two is probably one of the most important schedules in any statute in Victoria. Its first objective is to convert monetary penalties into penalty units. Its second objective is to review upwards the level of monetary penalties provided for in those Acts that are referred to in the second schedule. It lists 100 statutes and 362 provisions in various statutes, and it is obvious that a substantial upgrading of some outmoded fines has been undertaken. In some cases, the Opposition offers no objection to them.

If one examines the new penalty units, one finds that the provision establishing the penalty unit is prescribed in clause 5. Penalty units are the functional equivalent of a $100 fine. On its face, $100 may appear to be far too much for any specific offence, but reference should also be made to clause 3 which provides:

Where a pecuniary or other penalty is set out—

(a) at the foot of a section of an Act; or

(b) at the foot of a sub-section of an Act, but not at the foot of the section—

the penalty shall be construed as indicating that any contravention, whether by act or omission, of the section or of the sub-section (as the case may be) shall be an offence against the Act, punishable upon conviction by a penalty not exceeding that set out, but where the penalty is expressed to apply to a part only of the section or sub-section, it shall apply to that part only.

Clause 4 provides that, if a penalty is prescribed in terms of a penalty unit, the penalty unit is the maximum. That is an important principle.

Why was the sum of $100 chosen? Was it chosen merely for mathematical convenience, because it is easier to upgrade penalty units in multiples of $100, or is it just a nice round figure upon which everybody can agree as being appropriate? When one considers how significantly the Bill increases many of the fines which can now be imposed, one wonders about its appropriateness.

I refer specifically to the Summary Offences Act. At page 41 of the Bill, one finds that section 13 of that Act is to be amended in the following manner:

In section 13 for the expression “$1; For a second offence within a period of 12 months—$2; For a third offence within a period of 12 months—$10” there shall be substituted the expression “1 penalty unit”

If the Bill is passed in its present form, a sentencing court with two justices of the peace or a stipendiary magistrate will have a tariff of between $1 and $100, an increase of 100 times in the amount which he may fine a person for a first offence, an increase of 50 times in the case of a second offence within 12 months and an increase of 10 times in the case of a third offence within 12 months. These are massive increases in the fines which may be levied as a result of introducing this $100 base unit as the method by which fines shall be calculated.
It is not difficult to find many other instances in Schedule Two where penalties have been increased from $10 to one penalty unit. I direct the attention of honourable members to section 74(a) of the Lotteries Gaming and Betting Act 1966. Similarly, in section 144 of the Marriage Act, the $10 penalty will increase to five penalty units from $10 to $500. In the case of the Money Lenders Act the expression $10 referred to in section 15 will be increased to one penalty unit or the equivalent of $100—again, a ten-fold increase. There are many references to $10 being increased to one penalty unit.

Many of the early statutes imposed low sums of money by way of fines. However, I foreshadow that the Labor Party will be moving two amendments to clause 5 of the Bill; one amendment will be to omit reference to the $100 penalty unit and insert in lieu thereof $200.

The SPEAKER (the Hon. S. J. Plowman)—Order! Perhaps the honourable member should wait until the Committee stage to provide details of his foreshadowed amendments.

Mr MILLER—Some of the old statutes provide for very small penalties and in the case of companies and certain organizations fines of $10, $20 and $50, with maximum fines of $200, are clearly out of line with today's incomes and profits, which certain companies are making. I have already averted to the provisions in the Summary Offences Act.

In addition, there is a rationalization upon which monetary penalties with custodial alternatives have been included and, in many cases, an alternative penalty to a fine is a custodial sentence. Obviously a jail sentence of one month, two months or six months is provided as an alternative penalty to fines and, in addition to increasing the amounts that a person may be fined, a person may also be sentenced to additional periods in prison by the introduction of clause 9.

Because of the increase in the basic sum, the penalty unit will send additional people to prison as a result of the operation of clause 9. For instance, clause 9 (1) (a), where the maximum term of imprisonment which may be imposed does not exceed one week, the equivalent is one penalty unit or, where the maximum term of imprisonment which may be imposed exceeds one week but does not exceed one month, the equivalent of five penalty units is imposed and on it goes. There is nothing in that provision that would allow any Magistrates Court or justices of the peace to impose by fine more than 50 penalty units on one person.

One of the other useful provisions of the Bill is to bring about a rationalization of custodial alternatives because there are many inconsistent default periods in certain Acts. If one examines the Magistrates (Summary Proceedings) Act, the Lotteries Gaming and Betting Act and the Marine Stores and Old Metals Act, one discovers that the provisions for imprisonment for default in the payment of a fine are inconsistent and this Bill will bring about a much needed uniformity.

Under each of those three Acts the courts will be able to provide a maximum jail term of one week or one penalty unit for a person in default of payment of a fine.

The idea of penalty units is supported by the Opposition. It is a useful provision that will enable monetary penalties to keep abreast of changes in the value of the dollar. Of course, inflation affects everyone. However, the inflation factor will be recognized by the foreshadowed amendments to clause 5. A penalty unit, which is defined as an equivalent to $100, can be modified.

The sitting was suspended at 6.15 p.m. until 7.5 p.m.

Mr MILLER—Before the suspension of the sitting I was analyzing some of the problems inherent in any sentencing system. A great deal of emotional debate has taken place about sentencing and that the system should be simple. Obviously that is impossible in a society as complex as ours where there has to be a variety of sentencing options. When one considers
the historic development of sentencing one sees a history of punishment which by and large is sordid. This record of our slow progress in finding effective means of reducing criminality by punishment, violence, brutality, torture and indifference to human suffering at the same time has a certain ironic element running through it. There is an element of charity, compassion and an honest search for methods of correctional treatment that salvage rather than destroy. One must consider the sorts of improvements and objectives of a deterrent system but they have not been clearly articulated in this particular Bill whether they are to be for treatment, deterrent, retribution or simply designed to incapacitate the offenders.

When one considers the sorts of offences which are canvassed and covered by this particular Bill, one is reminded of some Shakespearian views in Titus Andronicus. In Act IV, Scene 4, Aaron states:

For I must talk of murders, rapes, and massacres—acts of black night, abominable deeds, complots of mischief, treason, villainies ruthless to hear, yet piteously performed:

Mr Collins—Are you talking about the legal profession?

Mr Miller—Perhaps I am talking about the Liberal Party! I am really talking about the sentencing of people who have performed acts whether piteously or otherwise. When we examine that today, in this Bill there is an emphasis on correction rather than punishment. That emphasis is of comparatively recent origin. This punishment is almost as bad as going to a State conference. That, in the view of many people is a form of penance! Any attempt to assess early positions on sentencing policy can only result in the conclusion that early sentencing policy was vindictive, retributive at best and invariably negative.

I will go back in history as far as honoured members like. Both the quality and quantity of the sentence was supposed to reflect the seriousness of the offence. There was a wide variety of punishments. The Bible at a number of points mentions people being put to the sword, stoned, decapitated, rendered asunder, crucified, strangled and burned to death. Drowning was also an ancient form of punishment.

The Romans executed parricides by putting the murderer in a bag with a dog, a cock, an ape or a viper and throwing the whole menagerie into the Tiber. In mediaeval Europe male felons were often broken on the wheel, and the seriousness of the offence was relative rather than absolute in early days. This was reflected by the divergent conduct for which various penalties were applied.

An extremely useful historical analysis is contained in the Canadian Committee of Corrections report towards unity and it is published in Criminal Justice and Correction, Queen's Printer, Ottawa 1969 at pages 186 to 189. Reference is made to the Mosaic Code, which listed no fewer than 33 capital crimes, including witchcraft and failure to keep the Passover. During certain periods of the Roman republic one could suffer death for publishing a libel and singing insolent songs.

In mediaeval England consorting with gypsies as well as clipping coins carried the penalty of death. In 1972 the Waltham or so-called “Black Act” was passed by Parliament and it brought to 350 the number of existing capital crimes, including such offences as stealing rabbits, fish or maiming or wounding cattle. If the honourable member for Sandringham, who is interjecting, were responsible, it would probably still be a capital offence! Some sections of that Act remained in existence for more than 110 years until as late as 1833.

The American experience is also instructive in this regard. In the Massachusetts Bay Colony, for instance, idolatry, witchcraft, and a child’s cursing or hitting his parents; and in the Newhaven Colony, profaning the Lord’s day by work or sport and doing it “proudly, presumptuously and with a high head” were capital offences.

In Virginia, any Englishman found north of the York River or any Indian found south of the James River was guilty of a capital offence.
Punishment was self-justifying; crime demanded punishment. Such protection as was achieved was by elimination of the offender and the possible deterrent effects of his elimination upon others tempted to commit similar crimes. Prisons, so far as they existed, were used to hold people awaiting trials rather than as punishment devices in themselves.

The prison has an interesting history. Essentially prisons were concerned with the notion of penitence. With the construction of prisons a penitential theory appeared. For example, in the New World two philosophies based on this common purpose were translated into action by the construction of two penitentiaries; one, the “Cherry Hill” institution, or Eastern Pennsylvania penitentiary, the other one the Auburn Prison in New York State. Fortunately we have come a long way from those grim, horrible times.

Mrs PATRICK (Brighton)—On a point of order, this is a very interesting expose of legal history, but I fail to see how it is directly related to the Bill.

The ACTING SPEAKER (Mr Skeggs)—There is no point of order.

Mr MILLER (Prahran)—I am glad that at least the honourable member for Brighton is enjoying this exposition of legal history, because it sets the historical context for this Bill.

When one examines the default procedure which has emerged over a long period and considers that fines or imprisonment are two of the most important sanctions that the criminal justice system now imposes on people, one can examine in that context the default procedure which our law still applies. If a person is convicted, a fine is often imposed at the time of sentencing. In this case two problems arise: Firstly, where the person is present at the time of sentencing, and secondly, if he is not present. If the person is present at the time of sentencing, invariably the court provides a period of imprisonment in default of payment of the fine, and invariably the person will indicate to the court his means to pay and say that he has the funds, but due to circumstances often beyond his control he is unable to pay the fine and automatically, if he defaults on that order of the court, he is sentenced to prison.

I urge on the Minister of Transport, who has just left the table, the view that this is an area that should be considered by the Attorney-General and the Sentencing Alternatives Committee, which was set up some years ago under the chairmanship of former Mr Justice Nelson. It should consider not allowing automatic imprisonment on default of payment of fines in these cases.

A person who is unable to pay a fine should be able to return to the court, as he can do if he was not present in court at the time of sentencing as if a warrant of commitment is served on him pursuant to the provisions of section 106 of the Magistrates (Summary Proceedings) Act. Under that Act notice of a warrant of commitment must be served on a person, and he may apply to the court for variation of the original order if he was not present at the time of sentencing. However, if he was present in court at that time, he is faced with the difficult situation of going to prison for a specific time. Why should we imprison somebody who is in default? A number of interesting questions arise when one considers this proposition.

Firstly, it is obvious that imprisonment for default contravenes the very basic assertion that the original conviction did not warrant a custodial sentence; secondly, it is aimed at coercing payment. The court will sentence a person to be fined a certain amount of money or in default so many days in prison, and that is aimed at putting pressure on the person to pay. It is essentially a coercive means of extracting payment, and in many cases it is aimed at impecunious defendants. It amounts to a discriminatorily harsher penalty against those who are impecunious. The poor and indigent are affected much more adversely than those who can easily afford to pay.
An alternative is the community service order, which is a useful idea in principle, and we support the idea in principle. The court will now permit community service orders to be used as an alternative to imprisonment. I shall come to the community service order in a moment, but it does raise problems, for instance, what if there are not sufficient places available; will sufficient staff be made available by the department of Community Welfare Services and will the community service orders be accompanied by clear administrative guidelines.

There is a very real paradox in gaoling somebody for defaulting in the payment of a fine. If persons are imprisoned because they are too poor to pay their fines, that is equivalent to a debtor boarding at the house of his creditor if he is too poor to pay the debt.

If one examines the present situation and looks at what happens to defaulters, one finds that defaulters in the prison system receive far worse treatment than ordinary offenders, as they are not eligible for parole. They do not receive normal prison classification or work allocation. They simply hang around in prison filling in time as best they can. They are invariably located in the least pleasant parts of the prison; for instance, they are not sent to the cook-house or printing shop. Fine defaulters may receive remissions, but invariably they are allocated to the most unsatisfactory part of the prison with little work to do and are obliged simply to fill in time.

Another problem which is inherent in the imprisonment of defaulters is that which occurs with defaulters who clearly can afford to pay their fines yet determine not to do so. Often fined offenders decide to go to prison to highlight a cause. They say, “We will go to prison because of a principle”. Such people insist on going to gaol although they have the means to pay the fine.

A matter that the Minister may wish to consider is that of giving the court jurisdiction to compel payment. At the moment the court cannot demand payment. It cannot examine a person’s assets and cannot determine what assets he has at his disposal. A period of imprisonment may expunge the penalty, but the Minister for Community Welfare Services indicated that it costs $13,000 or $14,000 a year to house a prisoner, yet the State obviously has to pay an enormous cost to house people who clearly have the means to pay.

I turn to the community service order, because it is a radical scheme. It is interesting to examine its antecedents. It owes its origin in Victoria to the Sentencing Alternatives Committee which was set up under the chairmanship of Mr Justice Nelson—Mr Frank Nelson, Q.C., a retired judge of the Supreme Court, who commenced work on this problem in 1978 and produced a report which is largely the result of the work of the committee.

It has drawn heavily on the experience of the United Kingdom where community work orders have been used for some time. They have been used in Tasmania since 1972, more recently in New South Wales, and in Western Australia since 1977, so the system is not radical or new in the sense that it has not been tested or tried elsewhere. Clearly, community service or work orders have a number of obvious advantages. For example, families are not broken up. The system will be costly to maintain, but certainly less costly than custodial sentencing. If it costs $13,000 or $14,000 a year to house a person in prison, a person who has been convicted for non-payment of a debt may make reparation by carrying out some form of community service. The family unit would be maintained intact and the offender can remain independent. His dependent wife, children or family will not be financially handicapped as they would be as a result of the custodial sentence.

In addition, the stigma of being sentenced to prison does not apply, and the offender may be encouraged or motivated to work in the community and to establish some constructive and worth-while social interest as a result of that order.

Mr Miller
The difference between a community service order, which is proposed in the Bill, and an attendance centre order, is that attendance centre schemes only apply to persons sentenced to a term of imprisonment. It is one of the more useful and interesting options which are available to a court, which is, that a community service order may be imposed as a sentence in its own right, thus opening up an additional option to a sentencing court in lieu of imprisonment.

I am delighted that some criticisms that I made publicly of the Bill with respect to murder have been picked up by the Minister. I have discussed this with the Minister for Community Welfare Services, and clause 6 of the Bill has been amended to provide that community service orders may be provided for any crimes other than murder or treason. I will return to that particular provision later.

One of the problems that always befits a new scheme, and it is a problem with all forms of penal form, is whether it should be run as an experiment in the short term, or set up as a pilot programme in one part of Victoria initially so that it can be evaluated, assessed and tested properly so that adequate staff can be applied to it, and so that a trial period, irrespective of the sort of sanction, can be tested by trial and error over a period? It is my positive suggestion to the Minister to set it up at Hawthorn, Prahran or Mildura, or somewhere like that, for a period to test it out. At present it looks as if it is going to be Victoria— all or nothing. Why not do it as they did in the United Kingdom—set it up on a limited basis first, with a number of controlled experiments so that it can be properly evaluated? A number of agencies also should be properly staffed to implement the scheme.

Given the staff ceilings and the problems that the Department of Community Welfare Services faces in terms of staff numbers, it is highly unlikely that the scheme will get off the ground on a Victoria-wide basis, and it certainly could not be properly evaluated. It will not be known how it works, whether it is effective or ineffective, if details are not provided.

In addition, any radical new scheme like this should involve the Government in preparing and presenting its aims and goals of the scheme. It is not known what they are. I have searched in vain in the second-reading speech, and in all of the other opinions and papers put out by the Attorney-General and the departments concerned, to find what are the goals. Is it to lower the rate of recidivism? Is it to keep the peace? Is it to keep people off the street? This is not known. If the goals are not known how can it be tested through any acceptable anthropological, sociological method?

Obviously there is a need for assessment staff to know if the goals are to be realized, and there is a need to know what class of offenders are most likely to be assigned to community service work. The Government has to be responsible; it has to be able to check, evaluate, and test this particular scheme through research, and through programmes, to assess its efficacy.

It would appear that the community service orders are to be administered by the Department of Community Welfare Services. That department is in very real administrative difficulties at present; morale is low, staff turnover is high, and if one assesses the administrative difficulties it has solely with parole and probation, one will find that that system is in a virtual state of collapse. Magistrates do not regard probation as a realistic, sensible option, and when one considers the workload that welfare workers have in the Department of Community Welfare Services, one can understand it. Some have a case load of up to 120 persons.

The United Nations handbook on probation and related measures recommends a case load of only 50. In the United States of America, the American Correctional Association's manual recommends that there be a case load of no more than 50. In Victoria there are case loads of up to 120. Admittedly, in the case of some people who have
a history of violence, the case load may be 50 or 60, but that is the exception.

There are very real problems and concerns about the operation and efficacy of this particular system. I will listen with interest to the response of the Minister for Community Welfare Services to this. What agencies have agreed to assist or to co-operate in the implementation of this excellent idea? Who will be responsible for the day-to-day administration of the scheme? Who will be responsible in the eventuality of an injury to one of the people who volunteer, and who has been given a community service order to go and work in one of the designated institutions listed in clause 26 of the Bill, which must be at a hospital, educational or charitable institution; at the home of any old, infirm or handicapped person or at any institution for such persons; or upon any Crown land or land occupied by the Crown or owned, leased or occupied by any person or body under any Act for a public purpose?

What if a person goes out on to Crown land and injures somebody else in the course of his community service work? Will the injured person be able to obtain workers compensation? Can he be sued for negligence? If he can, is he in the employ of the State? Can the State be sued for his negligence? Will the injured person, as I suggested, obtain workers compensation or will he be denied that? A host of problems arise in respect of community service orders that the various departments should think out.

In addition, what hospitals, what educational and charity institutions have been approached? What is the reaction from the Alfred Hospital or the Royal Melbourne Hospital to the suggestion that people go into their out-patients department on a Saturday night and watch the mangled bodies of traffic accident victims come into the out-patients department, or is it expected that they will simply sit around and roll bandages? A lot more information is needed from the institutions concerned as to their acceptability of this proposal and whether they wish to be involved in it.

On can also look at the fiasco—and that is the only way to describe it—of the Alcoholics and Drug-dependent Persons Act. The Opposition does not want a replication of that legislation. A duplication of that would be disastrous for Victoria. It was introduced in 1968; it was not proclaimed until 1975, and then only half of the Act was proclaimed. It has been the subject of a great deal of criticism. Recently, in the Supreme Court of Victoria, in the case of the Crown v. Robinson, a Supreme Court judge criticized the fact that the Government has proclaimed only half of that Act.

If this Bill is to be an effective piece of legislation, that sort of historical precedent should not be followed. Decision making by intuition seems to have been the hallmark of this Government in so many areas of penal reform that it is to be hoped it will not be perpetuated in this Bill when it is enacted.

Members of the Opposition are concerned that there should not be a half-baked scheme. Staff are required to assess the efficacy of this new Act. The staff of the Attorney-General are limited and the new staff to operate the scheme clearly cannot come from that department. The Department of Community Welfare Services has few spare staff members to develop, manage and assess the programme. Unlike the United Kingdom, which has a home office research unit to monitor such units in their community work orders, Victoria has no such unit. In New South Wales the Attorney-General's bureau of crime research assesses and tests new schemes. I suggest that a similar set-up should be established in Victoria.

Mr Maclellan—Are you in favour of the Bill?

Mr MILLER—we are, but members of the Opposition suggest that many things about the Bill should be examined and appraised.

When one compared the attendance centres with the community service order programme, one finds that the attendance centres have worked well. By and large, there are only a few in
Victoria, and many attempts have been made by Victorian country residents to have additional attendance centres opened. They cater, of course, for only a highly selective group of people but there is no evidence that more than three or four will be established and it may even be fewer, to operate the community services order scheme.

I should like to make a number of comments about the fundamental reforms that the Bill introduces for practitioners of the law. One of the basic problems for anybody who is involved in the criminal justice system is the ability to keep up with amendments, reforms and alterations that emerge from this Parliament. An enormous number of Bills will be amended, not only the Crimes Act, and one wonders how practitioners, judges, magistrates and all people involved in the sentencing process can keep up to date with these changes. Is it suggested that these changes that are brought about in a number of Bills will be readily available to practitioners? For instance, it costs about $5 for every copy of the Crimes Act. Will practitioners receive a reprint of that Act or of the amendments and those that have recently gone through this Parliament? If the Attorney-General had agreed to allow Butterworths and the other big publishers to put a computer scheme into effective locations Victoria's lawyers would have been able to obtain more legal information and information concerning amendments that have taken place within this Parliament than they could otherwise.

Real criticisms were expressed of this Parliament by Mr Justice Gillard prior to his retirement about the flood of legislation and how it is almost impossible for busy practitioners to keep up to date with legislative changes. When one considers the flood of changes that the Bill will bring about, one realizes that it highlights the problem. When will the reprints appear? When will they be introduced and what effect will the Attorney-General and the Minister of Transport give to the suggestion that computer terminals be introduced in all the major courts in Victoria to facilitate access to information and access to changes in legislation, such as this? I could make many more comments on this Bill, but I will reserve them for the Committee stage.

Mr WHITING (Mildura)—This Bill, as the honourable member for Prahran has stated, is basically a Committee Bill because it contains 49 clauses and a couple of massive schedules. Obviously it will amend many Acts of this Parliament, particularly in the area of penalties, and amendments to this proposed Act will henceforth apply to all of the Acts. The changes will bring all these penalties under one Act and increase the penalties to the point where they can be easily computerized. An increase in the maximum penalty will be brought about merely by the amendment of one small clause in the proposed Act to increase the penalty unit rate. The maximum penalties in all of the Acts will automatically increase.

Much argument has taken place about the provision relating to the right of magistrates and judges to use their discretion and impose a penalty anywhere between no monetary penalty and the maximum provided under the Act. There will always be argument about whether a penalty was sufficient or should have been the maximum allowable under the Act. Occasionally one hears about the maximum penalty being imposed. Once the system of penalty units and the method of their indexing is understood, it should be fairly simple to estimate what the maximum penalty will be, and then it will be up to the court to impose the penalty according to the circumstances of the case and according to the person on the bench at the time.

The National Party is not unhappy with the system of indexation that this Bill sets out to provide. It is somewhat curious about the rate of increase in some of these maximum sentences provided because they vary. In one case the increase is from $1000 to $5000. That kind of increase is fairly regular right through the provisions of the Bill,
except in the case of the Vital State Project Act, where most of the penalties are exactly the same as those contained in the present legislation. I suppose that because that Act was legislated in 1976 it is believed that the penalties are almost up to date and no increase is warranted except in one area where the present penalty is $50 and the new penalty will be $100.

All this is relative only to a particular case being heard in a court and, as has been argued in this Parliament many times, when the maximum penalty is fixed, it bears no relationship to the fine imposed in any court at any time. The National Party is not unhappy about the present move.

I was interested in the comments by the honourable member for Prahran about the availability of the various Acts of the Parliament in courts through computer terminals and the like. One could imagine the development of computerized courts in which information on the types of crimes committed and various other aspects would be fed into a computer. The penalties could be listed, and the appropriate penalty could be produced by pushing some buttons. In those circumstances, the courts would hardly need magistrates or judges. Heaven forbid that this State should reach that situation! However, the proposition lends itself to the development of such a system.

Mr Miller—It is good to have information readily available.

Mr Whiting—I agree, particularly in courts. One only needs to consider a judge flicking through the volumes of statutes that are before the House trying to keep up with amendments to agree with that remark. If courts were computerized so that current Acts of Parliament were available in only a few seconds, that would speed up their work and would help presiding magistrates or judges to make better informed decisions, as the honourable member for Prahran mentioned.

However, as other professions, such as the teaching profession, undertake considerable in-service programmes, perhaps it is time for clerks of courts and even magistrates and judges to engage in occasional in-service training so that they may be brought up to date on amendments to legislation. That would not be out of order or be too undignified for the learned judges of this State. There is room for an activity such as that to take place.

Community service orders and provisions relating to those types of penalties will be discussed later by the honourable member for Murray Valley, who has been keen to have centres for this purpose established in country areas and has done substantial work on that subject. As I said, the Bill contains provisions that need to be considered in detail in Committee. As the honourable member for Prahran suggested, there is possibly room for improvement in some clauses.

I am concerned about the provision of penalty units. If the basis for penalty units is set at $100, as suggested in the Bill, and a person convicted of a comparatively minor offence received one penalty unit, presumably the presiding judge could inflict a fine of anything up to $100. If the penalty were set at $200 I am not certain whether the judge would have the right to inflict a penalty of less than $100. If there is a threshold effect, once the amount exceeds one penalty unit, the judge will lose discretion in the first half of that penalty unit. That problem could be overcome in the Committee stage.

The other danger is that the penalty units will be increased in multiples of $100 and that that will be done rapidly. A situation could develop in which it might be difficult for a magistrate or judge to impose a penalty of less than $100, even when the penalty unit was based at $300. That may seem to be far out of line with the intentions of Parliament, and many magistrates and judges might consider that they had to inflict a penalty, even though circumstances might indicate that only a token fine should be imposed. They would then return to the situation of imposing a fine of $50 or $80 when the maximum fine set was $300.

Some areas of the Bill deserve more clarification. I hope the Minister will be able to indicate the Government’s view
on some of those points when he has the opportunity of replying later in the debate. The basic theory of the Bill is sound. It will alleviate problems in the future if the penalties are to be increased at any time. At least the penalties will be increased uniformly when they need to be increased, which certainly could not happen at present because of the number of amendments required to the vast number of Acts.

The National Party will support the Bill. A couple of points need clarification, but they will be explained in Committee. The Bill is a move in the right direction in seeking to clarify a difficult and clouded issue for the benefit of not only practitioners of the law, who have been referred to by the honourable member for Prahran, but also clerks of courts and presiding officers of courts.

Mrs TONER (Greensborough)—I shall concentrate on the section of the Bill that deals with community service orders. I commend the honourable member for Prahran for the lucid way in which he discussed the Bill. His contribution has highlighted the problems that could arise in its implementation.

I am disappointed that the Minister for Community Welfare Services did not take the opportunity of answering some of the questions that have been posed by the honourable member for Prahran on the responsibility for administering community service orders. I hope the Minister replies to these matters, although he may be reluctant to talk on the Bill because the question of who should be running the programme has not been settled. I believe there was a power struggle within the Minister's department between the Division of Regional Services and the Correctional Services Division over who should handle the programme. The regional consultative councils have not been consulted. They should have been the bodies to advise the Minister of what could occur in some areas with respect to work orders. Judge Nelson made it clear what community service orders are. He said that they are orders by the court with the consent of the offender for the performance of unpaid work as a punishment for criminal conduct.

He suggested that the scheme should be introduced on a regional basis and that the Government department charged with the administration of the scheme should be the Correctional Services Division of the Department of Community Welfare Services, but that matter has apparently not been resolved within the department. It is difficult to resolve this question because the department has quite inadequate resources and as a result the department has witnessed the collapse of probation and parole services during the past couple of years. The department has also seen the collapse of the work release programme at the few gaols at which those programmes were working. Although in 1978 the Government made a firm commitment to alternatives to imprisonment and still holds to those philosophical principles the Government simply has not provided the department with the resources to make those programmes work.

I hope the Minister for Community Welfare Services will be able to clarify whether Treasury intends to hand over substantial sums of money to the Minister in order to implement this particular scheme. First of all, I hope Treasury will provide sufficient money so that probation can be seen once more as an option by the courts. When a tried and proven programme and an alternative to prison such as probation collapses because of lack of resources, there seems little hope of a commitment of resources for work orders.

I concede that community service orders have a great potential to provide a service in association with the growth of attendance centres as a modern, economical and efficient process for the types of offenders who, until now, went to prison simply because there was no other option that the community could invoke. However, without resources and consultation the programme is doomed to failure.

From discussion I have had around the welfare scene, with local government and with people on the regional
consultative council I understand that nothing has been worked through about recommendations with respect to appropriate work schemes for offenders.

Tragically, the department is moving at its usual snail's pace. The commitment in 1978 to the introduction of community service orders has been very slow in coming in legislative terms. The proposed legislation is before the House but nothing has been done to seek advice as to the sort of work offenders can undertake, and nothing appears to have been done about substantial funding for this particular programme.

This is despite the fact that our prisons are jammed full and there are enormous management difficulties. Most recent figures indicate that 61 per cent of all crimes in Victoria are committed by persons under eighteen-years, and that includes various crimes. The honourable member for Prahran mentions that weekend imprisonment is to be abolished. That is another penalty under sentencing. This is another example of the Government's bad management when prisons are bursting at the seams.

The Government has moved slowly in the proclamation of the legislation and it could be years before community service orders are actually implemented. If the Minister wishes to reject that assertion, I should like him to take note of those sections of the Community Welfare Services Act which are still unproclaimed because of the lack of resources provided to his department by the Government. That should be clearly spelled out.

Attendance centres are another alternative option, and it is rather disappointing that the only way of extending the proposals for additional attendance centres at present is to increase the capacity of those centres that currently exist. Again, as the members of the National Party indicated, country people are left out. It is a clear case of discrimination in this regard. One would have hoped for several more centres because country gaols are overcrowded and the facilities and conditions are certainly not adequate to enable rehabilitation or modern penal methods to be used.

I hope the Minister can spell out quite clearly that he has been able to convince the Government of commitments to resources of staff and funds for these particular programmes. I should like the Minister to make some commitments as to when the department will decide which division will administer the programme. Further, I should like the Minister to make a clear commitment when he is going to order officers of his department to consult with regions and community groups about the relevant programmes by which people who are sentenced to community service orders can undertake appropriate work in the community.

Mr JASPER (Murray Valley)—I support the remarks of the Deputy Leader of the National Party who has already indicated the National Party's strong support for the proposed legislation. As has been indicated by previous speakers, the Bill establishes a single Act for all the statutory provisions relevant to the imposition of penalties and sentences by the courts. The proposed legislation will be welcomed by judges, magistrates and all people connected with the legal profession. People within the electorate that I represent have indicated strong support for the measure which will bring together a large number of Acts which relate to penalties and sentences.

The most significant change that is embodied in the Bill is the upgrading and rationalization of monetary penalties in all these Acts, which are administered by the Law Department. In the second-reading speech, the Minister for Community Welfare Services indicated that the proposed legislation covers 100 Acts.

It is interesting to note that Schedule 2 of the Bill converts the monetary penalties to penalty units, which will be a much simpler system in future and will provide the department with an easier method of raising or altering the penalties for the various offences. The second half of Schedule
2 of the Bill reviews the proposed increases in penalties, which are quite dramatic in some areas. As was indicated in the second-reading speech, the level of monetary penalties has not been reviewed for a long time.

I wish to speak particularly about the community service orders scheme, which is contained in Part II of the Bill and the attendance centres scheme which is referred to in Part III. The problems that were created with the development of attendance centres was first brought to my notice early in 1978 by a solicitor in the electorate that I represent, Mr Jim Curtis-Smith of Hargrave, Box and Co, Rutherglen. He saw marked differences in the administration of justice in Victoria. A person who committed an offence within metropolitan Melbourne could be sentenced to an attendance centre. Three attendance centres were operating at that time in Melbourne, they had been established since the legislation was passed in 1976.

However, magistrates in country Victoria did not have the ability to sentence an offender to an attendance centre. The magistrate could not impose a fine, and of course the person had to go to gaol without the option of being sentenced to an attendance centre. This was a great disadvantage to country law breakers. Since that time, five attendance centres have been established; four are located in the Melbourne metropolitan area and one in Geelong. I raised the matter in the House in March 1978 and had correspondence with the previous Minister for Social Welfare and the current Minister for Community Welfare Services. I have also raised the matter on a number of occasions.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I remind the honourable member for Dandenong that Standing Orders do not allow him to stand in passageways, nor do they allow him to lean across the Clerk's table.

Mr JASPER—As I indicated, we have seen the development of four attendance centres in the metropolitan area and one in Geelong, but none in country Victoria. During the Budget debate last year the Minister indicated that two additional attendance centres would be developed in the current financial year. To date, the Minister has not been able to indicate whether that will in fact take place or where those new attendance centres will be situated. I hope the Minister will be able to indicate to the House tonight that those two new attendance centres will be developed in country Victoria.

I hope the Minister for Community Welfare Services is listening to my comments and will respond at the appropriate time. Perhaps if I repeat what I said he may hear my remarks. When the Minister takes part in the debate this evening, I hope he will indicate where the two new attendance centres will be established. Those attendance centres should be strategically placed in country Victoria to allow country offenders to receive the same justice as offenders in metropolitan areas who can be sentenced to attend these attendance centres. I would like to think they will be developed in country centres.

I raised this matter in Parliament in March 1978—I have indicated I had correspondence with the Minister at that time—and I again raised the matter in Parliament on numerous occasions. It seems to me it has taken a long time for the Government to move to establish additional centres in country Victoria. The Report on the Future of Social Welfare in Victoria was presented in Parliament in November 1978. That report states at page 25:

The Government will also increase the range and extent of non-institutional penalties available to courts. The Attendance Centre programme will be widened by the provision of additional centres in the metropolitan area, and subsequently in rural regions as demand requires.

Mr Deputy Speaker, I suggest to you that the demand definitely exists. I hope those centres will be established as soon as possible.

I remind the House that I first raised the matter in March 1978. This excellent report was presented to Parliament by the Minister in November 1978 but
two and a half years later attendance centres are still not operating in country areas.

I quote another paragraph of the report at page 26:

The Community Service Order Scheme will be introduced as a further alternative to imprisonment. The Scheme will operate in all regions under the administration of regional corrections officers. The establishment of a Work-Fine Option programme is under consideration. If established, this programme would be operated conjointly with the Community Service Order Scheme.

Part III of the Bill deals with attendance centre orders. The National Party of course supports the development of attendance centres, particularly the establishment of these centres in country Victoria.

In his second-reading speech, the Minister referred to the development of attendance centres. The Bill also deals with the development of two attendance centres in 1976. The number of offenders registered at any one time at an attendance centre is limited to 60. At present, with five attendance centres operating in Victoria, the maximum number of offenders that can be dealt with by these centres is 300.

Honourable members should remember that the centres were initially developed as an alternative to a prison sentence. That is a vital point to remember. These centres should be developed wherever possible so that people can be sentenced to attend them instead of being sentenced to a prison term. It might change their life in future if they have to go to gaol rather than attending an attendance centre. I can see big advantages in the development of the attendance centre scheme.

It is interesting to note that in the 1979-80 financial year a total of 1134 offenders were referred to attendance centres. Of these, only 183, or approximately 16 per cent, were returned to the sentencing court for failing to abide by the conditions of the orders of the sentence. That proves that attendance centres are working.

Part III of the Bill embodies the legislation which was passed in 1976 in relation to attendance centre orders. Part II of the Bill refers to the community service order scheme. The National Party strongly supports the development of this scheme. Members of the National Party are disappointed that it has taken such a long time for the Ministry to become organized and to have this scheme embodied in the measure before us. It certainly will strengthen the alternatives to a prison sentence that will be available to judges and magistrates. This scheme has to be applauded.

It is interesting to note the difference in the application of the attendance centre scheme and the community service orders scheme. I hope the Minister may be able to provide more clarification to the House as to when a person would be sentenced to an attendance centre and when they would be sentenced to a community service orders scheme.

Clause 15 of the Bill provides that all people who come before the courts can be sentenced to a community service orders scheme, other than for an offence of treason or murder. That seems to be fairly wide in interpretation. In other words, under this measure, a person could have committed a fairly heinous type of crime and yet the magistrate could apparently sentence him to undertake a community service order. I would like to hear some clarification from the Minister for Community Welfare Services on how this scheme will operate through the courts and how the magistrates and judges will interpret that part of the proposed legislation.

The National Party certainly supports the development of the community service orders scheme but believes there should perhaps be some tightening of this operation for the people who have committed crimes of a heinous nature or crimes which could carry a gaol sentence, as the magistrate has the power to commit the offender to a community service order. That is one matter I should like the Minister to deal with and clarify.

The other matter I raise is the age at which a person can be committed under the community service order
scheme. That also needs further clarification. Clause 26 of the Bill mentions the areas in which people committed under community service orders may be utilized. It states:

(i) at a hospital or educational or charitable institution;
(ii) at the home of any old, infirm, or handicapped person or at any institution for such persons; or
(iii) upon any Crown land or land occupied by the Crown or owned leased or occupied by any person or body under any Act for a public purpose;

I should like to know what contact has taken place by the Department of Community Welfare Services to ensure that municipalities and other institutions mentioned can utilize people sentenced under the community service order scheme and whether those institutions are prepared to assist and operate within the provision of the proposed legislation. I also ask the Minister to explain what the staffing set-up will be. I assume that each regional office will need additional staff so that it can administer the provisions and ensure that people receiving sentences actually carry them out. The department will need to negotiate with the particular institutions that will be handling people sentenced under the community service order scheme. Those queries have come to my party and I raise them with the Minister.

The National Party supports the Bill. It is a move in the right direction that alternatives to gaol sentences are to be introduced. The introduction of attendance centres was a move in the right direction and that scheme should be further extended. It has taken too long for the Government to get the scheme operating. Now that the Bill has been introduced, I hope further development of attendance centres and of the community service order scheme will follow to the advantage of the whole community. It will advantage people who are able to receive sentences whereby they can stay within their own family environment, continue to work in their normal environment and not have placed upon them the stigma of serving a gaol sentence. It is probable that people who have that type of sentence imposed upon them can be rehabilitated much more easily than those who have served gaol sentences.

The figures to date appear to indicate that the attendance centre type of justice is working in Victoria and should be taken a step further, as envisaged by the Bill, to extend that sentencing option to the benefit of people who break the law.

Mr JONA (Minister for Community Welfare Services)—I support the Bill and I will restrict my remarks, relating them in the main to those provisions of the Bill which affect amendments to the Community Welfare Services Act, particularly those relating to the introduction for the first time in this State of community service orders and to the extension and expansion of the attendance centre programme. However, as said by previous speakers, honourable members must not lose sight of the fact that the Bill is significant in that it represents the first stage of a programme designed to consolidate in one Act all of the statutory provisions relevant to the imposition by the courts of penalties and sentence.

Mr Miller—Not all of them.

Mr JONA—The honourable member for Prahran is correct. As I said, it represents the first stage in bringing about the Government's ultimate objective of consolidating all of the relevant provisions.

I should like to comment upon some of the matters raised by preceding speakers in relation to attendance centres and community service orders, in particular, and to commend the honourable member for Prahran for his interesting historical background account of many matters contained in the Bill.

Before commenting specifically on matters raised by other honourable members, I should like to pay tribute to the work of the Sentencing Alternatives Committee which, as indicated in the second-reading speech, was established in March 1978 under the chairmanship of the Honourable F. R. Nelson, Q.C., formerly a judge of the Supreme Court of Vic-
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Victoria, and to the other members of the committee who worked tirelessly and vigorously towards the completion of a report which formed the basis of an important aspect of the Bill. The members of the committee were Mr David Biles, of the Australian Institute of Criminology, who has rightly earned international fame in his speciality; Mr B. D. Bodna, the Director-General of Community Welfare Services, whose experience as permanent head of the department was invaluable; Dame Phyllis Frost, who has had long experience in the area of correctional services and is currently the Vice-Chairman of the Correctional Services Council of Victoria and Convenor of the Fairlea Women’s Prison Council; Mr S. W. Johnston of the Criminology Department of the University of Melbourne; Superintendent E. A. Mudge of the Victoria Police; Mr M. Walsh, Deputy Under Secretary, and Mr J. C. Walker, barrister, all of whom made a significant contribution to the inquiry and ultimately to the recommendations contained in the report.

The provisions pertaining to community service orders follow extensive research of this programme by the Sentencing Alternatives Committee. It was recognized by that committee that a significant proportion of the prison population in Victoria were serving sentences of less than twelve months, and it was clearly established that imprisonment was not the best alternative for many of those shorter term prisoners.

The Bill strengthens the options available to courts. It follows upon the attendance centres legislation of 1976 and, as has been indicated in the second reading speech and reiterated by the honourable member for Murray Valley, that programme has been exceptionally successful. Unfortunately, as other honourable members have agreed, the programme has not been as extensive as one would wish and it cannot be said that, with the operation of the attendance centre programme in only four centres in Victoria at present, equal justice in terms of penalties can be dispensed in all regions of the State. This House recognizes as a fundamental principle of justice that every alleged offender charged before a court should, on being found guilty, rank equally with everyone else in terms of the sentencing options available to the court. Nevertheless, the operation of attendance centres in Victoria over the past four or five years has indicated tremendous success. Even with the introduction of community service orders, their continuance should be guaranteed. The Nelson committee had some doubts about that and many people in the community suggested that the community service order scheme ought ultimately to replace the attendance centre programme entirely. However, the Government sees a need for both of those programmes to be retained because each of them represents an entirely different area, although similar in nature, for different types of offenders. The honourable member for Murray Valley has asked me to elaborate on that point and I will do so in a few moments.

Mr Jasper—When will centres be built in country Victoria?

Mr JONA—The honourable member asks whether such centres will be built in country Victoria. It would be a travesty of justice if people in rural Victoria did not have available to them the same opportunities as people in the metropolitan area. At the present time, however, not even everyone in the metropolitan area has an equal opportunity of being sentenced to an attendance centre for the same offence if there is not an attendance centre within or related to the region in which the conviction is recorded or in which the offender resides.

The Government has a commitment to proceed with the establishment of two additional attendance centres during the current financial year. However, I cannot give any guarantee that they will be established as going concerns before 30 June 1981. The attendance centres will be established as soon as possible.

The Department of Community Welfare Services is in the process of negotiating for a suitable site for one of these centres in the outer eastern reg-
Mr JONA—I do not challenge the statement of the honourable member for Prahran. Those officers are overworked not because the offices are understaffed in terms of the expectations of the regions three or four years ago. Although those regional offices were staffed at the desired level at their inception, the volume of work and the additional demand has substantially increased at those centres as a result of the new areas of needs, which were discovered in those regions, and as a result of greater accessibility to the delivery of human services for those who needed them in each of the regions in which new regional centres were opened. Demand for services virtually doubled within the first 20 to 24 months of their establishment.

Due to the success of the human service delivery aspect of my department in those regions, the demand that is placed upon the department's resources has increased. It has become almost a Catch-22 situation.

The honourable member for Bundoora referred to the probation orders. The honourable member would be aware of the extensive volunteer programme that is presently under way in Victoria. Those who will be classified will be able to receive the type of professional advice that they need.

The community service orders offer many immense advantages in the alternative sentencing system. The community service orders are less costly than the current custodial arrangement, and, at the same time, the offender still makes reparation. On the question of cost, it is significant to note that the average cost to house a prisoner in prison containment in Victoria in the present financial year is approximately $280 a week compared with an estimated cost of about $11 a week for each offender who carries out community service orders. The cost in an attendance centre for each offender is about $45 a week. One should bear in mind the cost to the community and the cost in terms of family stress, strain and trauma, which cannot be
measured only in dollars and cents. That cost is very much less where the offender is not in prison, but is able to continue with his normal employment and his wife and dependants are not required to receive some sort of Government allowance for the period in which the bread-winner is in prison.

The honourable member for Greensborough referred to the present overcrowding of prisons. The honourable member is perfectly correct. I am concerned that, based on the figures available yesterday, there was almost 100 per cent occupancy. That is a serious matter. On the figures available today, there are two spare beds in the contained prison system in Victoria. Consequently, from the point of view of accommodation, there is an urgent need to expand the attendance centres and the community service orders so as to cream off those for whom prison bars are little good either to themselves, to the prison system or to the community.

Mr Miller—What about week-end prison?

Mr JONA—Week-end prison is an entirely different matter. As the honourable member for Prahran would be aware, the nature of the operation of the attendance centres does provide a situation where the offender is required to spend 9 hours a week performing some useful voluntary work and 3 hours a night 2 nights a week at the attendance centre.

The Bill makes it clear that those who will be placed on community service orders will be engaged in schemes involving voluntary unpaid work with hospitals, charitable institutions, homes for the aged and the like. However, there are also specific provisions in the Bill that preclude community service orders work being used for such purposes as strike breaking.

The Bill has the complete support of the trade union movement, of all the parties in the House and the employer organizations, with whom it will not be in conflict on the work to be done because the work that will be undertaken by the voluntary unpaid labour will be of such a nature that, if it were not carried out by unpaid labour, it would not be performed because the organization concerned would not be able to pay for it.

There is no conflict or dispute within my department between the Correctional Services Division, the Division of Regional Services or any other division. My department operates under a form of corporate planning and there is the maximum degree of liaison and understanding between the various areas of the department, which are brought together at director-general and deputy director-general level and the department is run as one unit with each of the divisions having its own degree of speciality and expertise.

The Division of Regional Services will accept responsibility for the administration of the community service orders programme.

Mrs Toner—What about the recommendations of Mr Nelson?

Mr JONA—The Honourable F. R. Nelson made recommendations in respect to a programme and not in respect to the detailed administration or departmental allocation of responsibilities within my department. The Division of Regional Services in the Department of Community Welfare has a particular structure and a facility for carrying out programmes of this nature, and it is certainly its intention and its job to play a primary role in the administration of these programmes.

I do not wish to speak any further on this measure other than to acknowledge the general over-all support that is forthcoming for the general concept, for its purpose, significance and objectives of the programme. I believe the concept will go a long way, if properly administered by the courts, in terms of the spirit of the Bill which is highly significant—I know the spirit of a Bill is never written into the law, but it is important for the people who practise the law—

Mr Miller—It could be done by preamble.
Mr JONA—I know there could be a long preamble on the spirit of the Bill and on matters that have often arisen out of a change in the law, which has been clearly indicated to the court.

Honourable members interjecting.

Mr JONA—It could be done perhaps not in terms of legislative direction, but in terms of judicial understanding. Perhaps I may be on dangerous ground when confronted by a couple of lawyers on this aspect, but it does seem to me that one does have to have sufficient confidence in the ability of the court to interpret the proposed legislation in the way in which the Parliament intended it to be interpreted. In that way there is a very distinct and separate role for community service orders and attendance centres side by side, as separate and distinct sentencing options.

I conclude on a note that was raised by the honourable member for Murray Valley, who expressed concern that a court might exercise the sentencing option of community service order for a very serious offence. The honourable member referred to the conviction of a person for a heinous crime for which the community might expect a sentence of 20 or 25 years imprisonment, and yet under this Bill the convicted person could be given a community service order.

The honourable member is perfectly correct except that the crimes of treason and murder are excluded. By the same token there is already power for a court, on the conviction of a person for a serious crime, to give that person a bond or a $5 fine or put that person on probation or sentence him or her to imprisonment for one week, even though the community may have believed the person should have received a longer term of imprisonment.

In their wisdom, courts do not do that as they exercise appropriate discretion based on the evidence placed before the court. The honourable member for Murray Valley should not be unduly perturbed over the possibility of the court abusing this sentencing option any more than he ought to be concerned about the possibility of the court abusing the other options that are currently available to them.

Parliament should have sufficient confidence, as the honourable member for Murray Valley has, in the ability of the court to observe and exercise discretion in respect of its option to use community service orders, just as it has over a wide range of legislation which provides a maximum penalty but no minimum penalty. With those few words I strongly commend the measure to the House.

Mr CAIN (Bundoora)—The Bill seeks to lay down the principles and formulae to be applied by courts in imposing sentences and fixing monetary penalties. I share the general approbation with which this measure has been received by the House.

However, I wish to make one comment upon a serious omission in the Bill. It seeks to lay down a code. It seems to me and to the Labor Party that there is an omission when no attempt is made in the Bill to ensure that in the fixing of monetary penalties, the court shall pay regard to the capacity of the convicted person to pay that penalty.

I will enunciate a few principles in support of that proposition. Firstly, the penalty to be imposed is left to the court. As the Minister for Community Welfare Services indicated a short while ago, subject to a range of penalties under Acts fixed by Parliament, the courts must be left to determine what penalty is fixed in each case and, as the Minister stated, generally no minimum penalty is fixed.

What the Parliament does is to offer general guidance to the courts on penalties to be imposed. Every case that comes before the court is different. The court must hear all the evidence and consider the material put before it before it can attempt to make any findings of any consequence about the penalty that should be imposed. The corollary of that is that the only person who can properly fix penalties is the judge or the magistrate who hears all the evidence. That is the position concerning the fixing of penalties.
Secondly, the classic notion that lies behind the fixing of a penalty is that there is some value or reason for imposing the penalty. That is, the penalty acts as a punishment and a deterrent to the offender and to a lesser extent perhaps it will deter others from committing a like offence in the future. That is to say, it is a deterrent to the offender, and a deterrent to others in the community at large.

In the case of a penalty by way of a fine, one must have regard to all the aspects of the deterrence, and to the aspect of penalty and punishment. In other words, a fine is a deterrent to that offender.

In this regard, what also must be taken into account is the capacity of the individual to pay the monetary penalty inflicted upon him. We need to measure the extent of the deterrence of a penalty fixed by the court or the extent of the punishment that is imposed upon the offender.

What I am suggesting is that a Bill of this kind ought to include a requirement obligating courts to seek that sort of information and take it into account when fixing penalties, and not leave it to what has become the custom in most of our courts.

What happens today as a matter of course is that the magistrate or the judge, the jury having decided to convict the accused person, has to decide the penalty. The judge or the magistrate asks the accused person—who is convicted—or some other person acting for him whether he is in work, what wages he receives, what weekly commitments he has and his financial position generally, before deciding the proper monetary penalty to impose.

What I am suggesting is that a Bill of this kind ought to include a requirement obligating courts to seek that sort of information and take it into account when fixing penalties, and not leave it to what has become the custom in most of our courts.

I should like to illustrate the logic of what I have just put by mentioning four different cases and the effect of, say, a fine of $500 on four different people. First of all, take a 25-year-old bachelor who has a good job and receives a wage of $300 a week and who has only himself to be concerned with and support.

Compare this situation with a 40-year-old man with perhaps a wife and four dependent children making payments on a house or paying rent for a house. He may also have hire-purchase commitments and may have ill health in the family and has to pay for private health insurance. Assume that that person earns a wage of less than $190 a week.

Now let me take another case of a nineteen-year-old unemployed youth who has no assets and has no income save and except for unemployment benefits which, if he was under eighteen years of age, would be $36 a week and if he were over 21 years of age, it would $55.50 a week.

Honourable members should compare the situations of those three persons and then take the last example of a 60 or 65-year-old pensioner who has no income other than the age pension. It is interesting to compare the different situations of those people and their capacity to pay a fine of $500, as I mentioned. The courts ought to be required by legislation to have regard to relative capacities of the person before them to pay a fine or meet a monetary penalty imposed upon them.

In measuring that capacity one is measuring the consequences of the fine imposed upon them both as a deterrent and as a punishment. There are variations in the capacity to pay, and the consequence of the effect of the monetary penalty imposed is as broad and as wide as life itself. A code of this kind ought to make it mandatory upon the court to take account of those factors and the capacity to pay in fixing a monetary penalty. As the honourable member for Prahran indicated, in his learned contribution, that intention will be dealt with by the Opposition during the later stages of the Bill.

Mrs PATRICK (Brighton)—I support the Bill, which represents the first stage in the programme of bringing together under one Act all the statutory provisions regarding penalties and sentences. I also pay tribute to the Nelson committee under the chairmanship of Mr F. R. Nelson and I am delighted that the committee included one woman member. I refer to Dame Phyllis Frost, who is personally known to me and who I know has done wonderful work
in looking after women prisoners over the years. Dame Phyllis Frost has a great depth of experience and I am pleased that she was on the committee and that the committee came up with this first consolidation. I also congratulate the Attorney-General because he and his department have done a great deal of work in consolidating much of the legislation, in this instance the provisions dealing with penalties and sentences.

As a practising solicitor—I do not do much of that these days—it is difficult if somebody comes into the office to ascertain quickly what the penalty or sentence is for a crime, especially a monetary penalty. One has to say, "Excuse me a moment as I do not know it all and I shall have to look through the statutes". That happened to me the year before last when a young man came into the office with a problem concerning what he might have considered a minor offence—being unlawfully on premises. I thought to myself, "Shall I waste his time by sitting here and going through the statutes or shall I ring him back". It was not a common matter in a suburb such as Brighton and I took the easy way out and rang the Clerk of Courts at the Melbourne City Court. He informed me of the penalty and that a gaol sentence was an alternative. That young man, who came into the office asking how he was to behave in court, ended up briefing counsel. I add that the result was successful.

Mr Roper—For whom?

Mrs PATRICK—For the young man. That illustrates how important penalties and sentences are in the practical area of the law. I am pleased with this proposed legislation.

The table of offences set out in Schedule Two of the Bill gives honourable members some idea of the fines. I welcome the community service orders. The Minister for Community Welfare Services has made an excellent case for having alternatives other than prison containment. The honourable member for Prahran mentioned that terms of imprisonment were not always applicable and did not do much good. Where there is a loss of money to some person, and the offender can stay in normal employment he or she has a better chance of making reparation. Once they are in gaol they cannot help at all to repair the damage done.

The honourable member for Murray Valley showed considerable concern for people in the country, especially in the Murray Valley. I am glad that the Minister for Community Welfare Services gave the assurance that one attendance centre would be located in the country. However, I direct the attention of the honourable member for Murray Valley to clause 20 of the Bill, which states that a community service order can be supervised by a Magistrates Court in the particular area.

I was also interested to find when discussing the Bill with the Minister for Community Welfare Services that the history of this legislation had been examined. It transpires that, when he was a councillor of the City of Hamilton, Mr Chamberlain, a member of another place had a motion adopted at the annual session of the Municipal Association of Victoria on 13 October 1971. Mr Chamberlain moved that an amendment to be sought to the Summary Offences Act which provided that upon the apprehension and conviction of any person adult or juvenile found guilty of an act of vandalism or deliberate abuse of any property, equipment, trees, shrubs and so on, in addition to a fine the court have power to direct the culprit to carry out labour of a suitable nature.

The proposed legislation before the House represents a sophisticated upgrading of the motion of Mr Chamberlain—then Councillor Chamberlain—at that municipal conference.

The honourable member for Bundoora spent much time discussing the capacity to pay. Although I have a
certain sympathy with what he said, in some ways his remarks were inconsistent because he stated that penalties should be left to magistrates. If it is made mandatory for magistrates to discuss the capacity to pay, I envisage a lot more time being spent in the Magistrates Courts examining the ability to pay. Certainly in the local Magistrates Court in the electorate that I represent the magistrate does know the ability to pay and takes time to ascertain the financial situation from counsel.

Magistrates are fairly realistic and I suggest that the good sense of magistrates ought to be relied upon. In conclusion, the community service orders give the magistrates an alternative to imposing monetary penalties and I welcome that provision.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 (Division into Parts)

Mr MILLER (Prahran)—Clause 1 provides that clause 44 shall be deemed to operate on 26 September 1980. Clause 44 amends section 12 of the Community Welfare Services Act by the addition of one from "27" to "28". Can the Minister explain why that amendment is necessary?

Mr MACLELLAN (Minister of Transport)—I suggest that progress be reported.

Progress was reported.

ECONOMIC DEVELOPMENT BILL

Mr I. W. SMITH (Minister for Economic Development)—I move:

That this Bill be now read a second time.

The Bill gives the Government a direct and proper involvement in the implementation of the policies laid down in the recently released Victoria's Strategy for the Eighties. It provides for the declaration of certain projects or developments judged to be of special significance to the economic development of the State as "Special Projects".

Such declaration, which will include reference to the various Acts, regulations, departments and authorities administering them, will give power to the Minister for Economic Development, with the consent of the Ministers for Conservation and Planning, to request such authorities to carry out their functions within a specified time.

The Bill also provides that the Minister for Economic Development, subject to consultation with other Ministers, shall be able to formulate policies for the economic development of the State and for the Governor in Council on the advice of the Minister to approve such policies.

Where implementation of policy affects the responsibilities of authorities and departments, the Minister is able to confer and seek the co-operation of his colleagues responsible for those authorities and departments.

In the event of any dispute, section 12 (2) provides for its resolution finally and conclusively by the Governor in Council where, after all, it properly lies, which leads me to the fundamental principle embodied in the Bill. Responsibility must eventually rest with the Ministers of the Crown duly appointed and constituting the Government of the State. The quasi-autonomy of councils, and semi-Government authorities and to a lesser extent that of departments, has resulted in incomprehensible complexities and inexcusable delays. This must stop.

In addition to these major features several other initiatives are contained in the Bill. Section 4 provides for a Director-General for Economic Development. When incentives are necessary for the securing of a project, section 9 allows any rating authority to remit in whole or in part rates payable for a maximum of five years. The Treasurer is given similar discretion in respect of land taxes.

The power to declare a decentralized establishment is to be repealed from the Commercial Goods Vehicles Act 1958 consequent to the Transport (De-regulation) Act. To permit the benefits available to such establishments under the Decentralized Industry Incentive Payments Act 1972 to continue, appropriate amendments have been incorporated into section 13 of the Bill.
The Bill includes provision for the Development Fund and the Tourist Fund which are presently part of the State Development, Decentralization and Tourism Act. This Act is due to be repealed upon proclamation of the Victorian Economic Development Corporation Act.

The provisions relating to the purposes for which the Development Fund may be used have been widened to include assistance to special projects and reference to the port of Portland has been deleted as it is no longer necessary.

The provisions relating to the Tourist Fund remain unchanged. Powers for the Minister to delegate authority is included and an annual report is required to be prepared. There is also the power to make regulations.

The Bill establishes a means for the Government to actively assist development get off the ground in Victoria. Whether it is fact or fiction there is widespread community belief that development is stifled in this State. This Bill provides the opportunity to alter that belief and to demonstrate the Government's commitment to economic growth and the jobs for Victorians that growth creates. I commend the Bill to the House. Should any honourable member wish to consult with officers of my department, they will be made available.

On the motion of Mr JOLLY (Dandenong), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 28.

CHIROPRACTORS AND OSTEOPATHS (REGISTRATION) BILL

The debate (adjourned from March 31) on the motion of Mr Borthwick (Minister of Health) for the second reading of this Bill was resumed.

Mr ROPER (Brunswick)—This Bill although brief, is extremely important for many people practising as chiropractors and osteopaths in Victoria and also extremely important for their patients, who have discovered over the past two or three years that the people to whom they have been going for treatment—and in many cases receiving excellent treatment—have not been qualified under the Chiropractors and Osteopaths Act that Parliament passed in 1978.

Following the passage of the Act, the Labor Party received representations from both members of the public and people who for one reason or another had not received registration under the Act. This was discussed by members of the health Bill committee of the Labor Party with people who were knowledgeable in this area, and the committee came to the conclusion that an injustice had been perpetrated by the Government on chiropractors and osteopaths and their patients, and that this needed rectification.

I consulted with my colleague, the Minister for Health in New South Wales, the Honourable Kevin Stewart, as to what the New South Wales Government was doing about this problem. Following these discussions and discussions with relevant organizations in Victoria, the Labor Party proposed a private member's Bill, the Chiropractors and Osteopaths (Amendment) Bill. That measure was originally moved by me in the previous sessional period, and because Parliament was prorogued it was required that the second reading of the Bill be moved again this sessional period. It was first moved in the Legislative Council by the Honourable Rod Mackenzie, because it is somewhat easier to have private members' Bills read a second time in the Upper House than it is in this House.

The Deputy Leader of the National Party says by interjection that they do not have as much to do over there. That may well be the case, and we should all be looking at the role of the Upper House and how, if it is going to exist, it should be made to work, especially as things like flogging and other measures that were traditionally supposed to make people work have been abolished, but obviously would not work for the Upper House.

Item No. 11 of Orders of the Day, General Business of the Notice Paper is the Chiropractors and Osteopaths (Amendment) Bill standing in my name.
The reason I introduced that Bill was the Government's failure to include an adequate grandfather or grandmother clause in the original Bill. This was a mistake and the Chiropractors and Osteopaths Registration Board of Victoria set up by the Government did not provide adequate assistance, but acted to disadvantage long-standing experienced practitioners. A number of these people were effectively breaking the law in carrying out the functions that they had successfully carried out for many years. The Minister of Health, who is at the table, says, “only if they called themselves chiropractors and osteopaths,” and certainly many of them wished to continue calling themselves chiropractors as they had for many years previously and as many of them, at least in the view of the Labor Party committee, had a right to continue to do. The Labor Party was discontented at the beginning about Parliament not having properly defined what an adequate grandfather clause was, and moved to remedy that deficiency by introducing the Bill that stands in my name.

The New South Wales Government overcame the problem with a provision that stated that if a chiropractor or osteopath had been practising for five of the previous ten years and satisfied the board that he had been practising in a bona fide fashion, the board should register that person. That was the provision adopted in preparing and amending the Labor Party Bill, because by that time a year had gone past since the passage of the Bill through the Parliament, so our Bill provided for nine years rather than ten years.

The Minister has now brought in the Chiropractors and Osteopaths (Registration) Bill, which is virtually identical to the Act that applies in New South Wales and in effect identical to the measure that the Opposition put forward to the Parliament some two years ago. My only regret is that two years ago the Government did not enable this Bill to be debated. Indeed, even in the last sessional period, when asked whether debate could be resumed on some private members' Bills, the Government said it was not ready to proceed. This measure could have been passed through Parliament, even in an amended form if the Government had any criticisms about its provisions, eighteen months ago, if the Government had accepted that as well as Government Bills being amended, private members' Bills can also be amended and get through Parliament as quickly as possible.

This is effectively the third private member's Bill moved by the Parliamentary Labor Party which has been accepted by the Government. In each case the Government introduced a new Bill rather than simply amending our Bill to line up with the way in which it wanted the Bill to go through.

We hope the passage of this Bill will overcome a number of the problems that currently exist. Anyone who suggests that real problems do not exist has only to look at the health insurance system under which only the patients who go to practitioners who are registered have benefit organizations. Some smaller funds have had traditional arrangements concerning particular practitioners, but the larger funds and the funds to which 90 per cent of the people in Victoria who are members of health benefit funds belong recognize only those practitioners who are registered. A number of legitimate practitioners and their patients have been disadvantaged in this way.

The Labor Party still has a number of concerns about the measure. The main one is that the board is still not controlled by members of the professions involved, namely, the chiropractors and osteopaths. Members have the same concern about the dental technicians and the advanced dental technicians.

Mr Whiting—and the Egg Marketing Board.

Mr ROPER—we are not discussing the Egg Marketing Board tonight.

The SPEAKER (the Hon. S. J. Plowman)—Not on this Bill.

Mr ROPER—the National Party is obviously more concerned with eggs than with chiropractors and advanced dental technicians.
Mr Whiting—The principle is the same.

Mr ROPER—The principle is not quite the same; there are very few hens on the Egg Marketing Board, and they are, after all, the producers in that area, although I would not necessarily think that the Deputy Leader of the National Party would understand that.

Firstly, there needs to be a change to these boards, and, secondly, I should like to hear the Minister's response to the letter sent to him by the Australian Natural Therapists Association, Victorian Division, which expressed concern that there could still be prejudice against members of that association.

As I have made clear in two second-reading speeches to Parliament, I do not believe any amendment to the Chiropractors and Osteopaths Act 1978 will ensure that all people currently practising will be registered. There will be, for public health and safety reasons, practitioners who will not be acceptable to the board, no matter who is on the board or how the board operates.

There are people who, for one reason or another in the public interest, have to be prevented from practising, and that becomes a matter of registration. That is why these various practitioners are registered, but there is a concern. I understand that the association has met with the Minister, and the Opposition seeks his assurance that he will do what he can to ensure that the board gives everyone a fair go. Not everyone in this area of activity has had a fair go. People who virtually had no qualifications whatsoever were registered, whereas people with greater qualifications, and with greater experience, and who had trained people who subsequently became registered, were not registered. This kind of accusation is extremely unfortunate, as sometimes it was apparently well founded.

The Opposition commends the Bill to the House because, after all, the Opposition introduced a virtually identical Bill two years ago. It is hoped it will overcome a lot of the problems that have caused people difficulty over the past couple of years.

Mr WHITING (Mildura)—The National Party supports this small Bill which clarifies section 8 (4) of the principal Act, and makes much clearer the discretion of the board in registering a person who wishes to practice as a chiropractor or an osteopath. Such a person can do so provided that he has practised for a continuous period of five years, at any time during the period of ten years prior to the commencement of the Act, or for any periods the aggregate of which is five years. This proposal will obviously make it much easier for the board to distinguish those people who have that kind of experience and, who, therefore, are able to be registered under this provision. It is commonly referred to as a "grandfather" clause. Some Acts of Parliament still do not have the clarification of this proposal. Under the circumstances, the National Party is happy to support the Bill.

Mr Roper—Our two parties have been supporting it for some time.

Mr WHITING—The honourable member for Brunswick is always well to the fore in matters of upgrading legislation where he believes it is necessary, and I have no hesitation in congratulating him on the efforts he has made in these directions, despite the fact I will not be amalgamating with him.

Mr BIRRELL (Geelong West)—The original legislation did not come about as I expected, and as most members expected. An explanation was given on the preparation of the Bill in our own Party committee, and this led us to believe that certain things would happen, but in practice they have not happened. However, this small Bill helps to bridge the gap and to regain lost ground.

Three people in Geelong are affected by the lack of registration in this field. They are well known to the honourable member for Brunswick. It is good to see that two of these people may be able to be registered under the provisions of the Bill. One is Thomas
Bowen, whom I regard as a remarkable gentleman. He is aged 67 years and has 30-plus years of practice behind him. He practises every day of the week, and always has a full waiting room. He is a remarkable natural osteopath, without a great deal of formal training, although he has done some part-time courses over the years. In total, that would add up to a considerable degree of professional training.

One of the other gentlemen is named Andy Fraser, and he has had 19 years experience. Andy Fraser is aged 62 years, and he could qualify for registration under this Bill. However, another young gentleman who is a naturopath with only 4 years and 8 months in practice. There is the old problem of public administration—a person can be just one side of the line or the other side of the line. This young gentleman, whom I know personally, unfortunately does not qualify for registration under the Bill. I do not know how a Bill can be drafted to be totally acceptable to everybody, because no matter what years of practice a person may have put in, there will always be someone who does not quite make the grade.

The Bill is a useful addition to legislation on the subject. The gentlemen I mentioned are not absolutely sure that they will qualify for registration under the Bill, but these people, with a multitude of practice between them, ought to be covered because they have a score on the board in the practice of their craft. These two gentlemen have 49-50 years of practice between them. It is obvious they are competent, otherwise they would not have waiting lists for people to see them. It is necessary to book a couple of weeks in advance to see Tom Bowen for a quarter of an hour. Even though he has had an illness recently, the demand on his services is so great that even after an amputation he is still practising from a wheelchair.

I am sure that these gentlemen ought to be recognized by the board, but I am sorry that the third local representative in these crafts will miss out. It may be that at some stage in the future, after more courses of study, he may also be registered.

Mr BORTHWICK (Minister of Health)—The honourable member for Brunswick raised the question of the approach that the Natural Therapists Association had made to the Government and he said that he would like an assurance from me that I will do what I can to give everyone a fair go. The discretion of the board has been removed by Parliament fixing a time. In my view Parliament should have done it at the beginning. It would have been wise for Parliament to have indicated to the board what is considered to be a fair and reasonable thing. Parliament has now done that. Requirements for registration are straightforward and clear.

The first points are (a) that the applicant has obtained a suitable degree, obtained any other degree, or has carried on the practice of chiropractic and osteopathy for specified periods; (b) is professionally competent; (c) is of good character; (d) has paid the prescribed fee for registration under this section.

In my view the only area where I could do what is inferred is to interfere with the board on the question of competence.

If the Natural Therapists Association believe I will interfere with the operations of the board on the question of professional competence, I assure the association that I have no such intention. No member of this Parliament would ask me to do that, whether in relation to doctors, dentists or any other professionals or health providers. It is not an area for political interference. That is the only section that is in doubt.

It has been said to me and argued with me in the various representations that I have received that I should be prepared to remove from the requirements the question of professional competence. I have always stated that that would be ludicrous, and the Parliament would not support it, even if I was foolish enough to suggest it.
However, I will bring to the attention of the board the comments made by honourable members of this House because it is important that the board understands the sentiments of the House in its interpretation of the Bill. I will ensure that a copy of the Hansard report of the various speeches of honourable members is forwarded to the board. Where people have sought my intervention with the board on that question, where they believe they should not be orally examined or examined in writing, I have consistently refused to take a point with the board.

The motion was agreed to.

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

ADJOURNMENT

Employment of disabled persons—Victorian Crops Research Institute, Horsham—Wendouree High Technical School—Tattersall agencies—Bonang Highway—Parkdale High School—Milk distribution—Cobram—Shepparton railway service

Mr MACLELLAN (Minister of Transport)—I move:

That the House do now adjourn.

Mr ROPER (Brunswick)—I raise a matter concerning the employment of disabled people in Victoria. I am not sure to which Minister it should be directed; so I will direct it to the Leader of the House. Last November I received a press report concerning a new report on the disabled.

It was from the Victorian Employment Committee and dated 21 November. It read:

A major new report, prepared at the direction of the Victorian Government, has made a range of recommendations on the improvement of the position of disabled people in the community. It then set out the details of the report and what should be done to assist disabled people who have difficulty in finding suitable employment.

Being interested in this area, I wrote to Mr Ramsay, the Minister for Labour and Industry, on 12 December, after two unsuccessful telephone calls for a report, asking for a copy of the major report that the Minister had announced on 21 November. I still have not received a copy of this report entitled "Opportunities and Handicaps: Employment Prospects for Disabled People in Victoria". As five months after the announcement and four months after my writing to the Minister, I still had not received a copy, I was somewhat surprised to read in this morning’s Sun that the Government has issued a major new report on employment opportunities for the disabled. I understand that yesterday a new report on employment prospects for disabled people in Victoria was released by Mr Brian Dixon, the Minister for Employment and Training. The report has the same title as the one mentioned in the press release of the Minister for Labour and Industry on 21 November last. The details contained in the reports about recommendations are the same. One wonders whether there are two reports or only one. What is of more concern is the fact that the press release of the Minister last year stated:

We expect the committee to consider the report today and to make recommendations to the Government in the near future.

This is the Victorian Employment Committee to consider the report on 21 November and to make recommendations to the Government in the near future. If one was a handicapped person concerned with this, one would have expected something to be done fairly soon, but virtually nothing has occurred. The press release issued yesterday said:

I expect my Ministry to discuss these recommendations with the appropriate Commonwealth and State departments over the next few weeks.

To put it mildly, one wonders what has happened in the five months since the original decision to consider the report on 21 November, and the fact that it is now to be considered by appropriate Commonwealth and State departments over the next few weeks. The report is still not publicly available. It is not available to members of the Opposition who have asked for it time and again. I will make the correspondence available to the Minister for Employment and Training who is interjecting.

Dr Coghill, a member of the party Bill committee, who asked for a copy on 12 December, still has not received one. Members of the Opposition are
concerned that this important area is not being adequately handled and that although the hopes of disabled people were raised by Government suggestions last November, nothing has occurred.

The SPEAKER (the Hon. S. J. Plowman)—Order! The honourable member's time has expired.

Mr McGrath (Lowan)—I bring to the attention of the Minister of Agriculture the need for the continuous funding of the Victorian Crops Research Institute at Horsham. The Minister was able to visit Horsham last week and to look at the institute. I am sure he would have found that the programme there benefits grain production in Victoria. The institute is undertaking programmes to control diseases in wheat, including stripe rust, septoria and eel worm. Experimental programmes are also being held with legume grains, such as peas, lupins and chick peas and further testing is being carried out for baking qualities and safety of grains.

I ask the Minister to give an assurance that the funding of that extension of the programme will be forthcoming at the beginning of the 1981-82 financial year and that the programme will continue until it is completed. I hope the Minister, through his visit to the institute, is now fully aware of the development programme and the need for that programme and also the importance of that building programme, as it was first planned, being fully carried out and implemented so that all programmes of grain and legume grains can be facilitated and carried out by the Crops Research Institute. This will undoubtedly benefit primary industry in Victoria.

Mr A. T. Evans (Ballarat North)—The matter I raise with the Treasurer concerns the present methods of distributing Tattersall agencies in Victoria. The system is apparently riddled with deficiencies and, rather than being a system that encourages small businesses, it seems to be a system in which large corporations are being encouraged to apply for Tattersall agencies.

It has been brought to my attention in recent months that Safeways, the multi-national supermarket chain, has been given preference over a number of small businesses, both in the Dandenong and Waverley areas. In the Waverley area, one of the applicants for a Tattersall agency undertook a detailed submission at considerable time, effort and money, only to be informed by letter that he would not be granted the application. No reasons were given why Safeways was chosen.

Safeway Stores is a large, well-known organization in the State. I consider that Tattersall agencies are ideally suited for small businesses and should be used to encourage development in the State. Small business is the lifeblood of the State. It is of concern that this process is occurring.

Before the building was completed, the laminations began separating. The Public Works Department gave an assurance that there was no danger and the beams were painted by the department. Apparently, this had no effect and the separation of the laminations has continued. There are now extensive gaps between the laminations and connecting bolts parallel with the laminations. It is feasible to say that some of the laminations will be completely separated. The school council is greatly concerned about this matter. I ask the Minister of Public Works to arrange for an immediate inspection to be held to remedy what could become a dangerous situation in the near future.

Mr Jolly (Dandenong)—The matter I raise with the Treasurer concerns the present methods of distributing Tattersall agencies in Victoria. The system is apparently riddled with deficiencies and, rather than being a system that encourages small businesses, it seems to be a system in which large corporations are being encouraged to apply for Tattersall agencies.
the matter should be investigated for three reasons: Firstly, long delays occur between an application for a Tattersall agency and a decision to grant the agency; secondly, the system seems to be discriminating against small businesses; and thirdly, more importantly, no guidelines or criteria are laid down for people to make applications. That is an unsatisfactory state of affairs.

An honourable member on the Government side of the House asked, by interjection, what is happening in Dandenong. In the Endeavour Hills shopping centre, a Safeway store was granted a Tattersall agency ahead of a number of small businesses in the shopping complex. The issue needs to be investigated, not simply because of the issues I have raised, but also because this matter is adversely affecting some small businesses and the efficiency of the system has an effect on the revenue raised in this State, which is used for a valuable activity in the public sector.

Mr B. J. EVANS (Gippsland East)—I raise a matter for the attention of the Minister of Transport. Yesterday I received a letter from Janette Groves, Secretary of the Bendoc Progress Association. I shall read the first two paragraphs which state:

We are desperately in need of your assistance on a matter we feel is most urgent. That matter being the absolutely disgraceful condition of our link road with the rest of Victoria—The BONANG HIGHWAY.

I do not know whether the Minister of Transport knows the Bonang Highway or Bendoc. However, the Bonang Highway is a main highway in Victoria and links communities such as Lower Bendoc, Bendoc, Hayden's Bog, Delegate River, Cabanandra, Dellicknora, Tubbut, Dedick and Goongerah. I know that with the rest of the State these names are unfamiliar to honourable members, but they are places within Victoria.

I can understand residents of those communities considering that they are not residents of Victoria because of the neglect shown to them. Their telephone numbers do not appear in the telephone directory for that part of the State and they do not receive Victorian radio transmission or television broadcasts.

I acknowledge that those aspects are outside the control of the State Government, but the link for those people with the rest of the State is this road, which is a matter for the State Government. It is many years since I first referred to the standard of this road in the House. Progress in upgrading the road has been slow.

The Bonang Highway runs 70 miles north from Orbost to the New South Wales border, where it links with the road through Delegate River and Bombala to the Australian Capital Territory. Most of it is a narrow winding road of gravel surface, which has undoubtedly deteriorated because of the prolonged dry weather. The major problem is the apparent complete lack of maintenance on the road.

The only equipment available to patrolmen are towed graders. They do not have the benefit of power graders to improve the surface of the road. Patrolmen operate from as far away as Orbost and, with the time at their disposal and the long time required to get from the depot to where the road needs upgrading, I have it on record in the letter that recently they have travelled from Orbost to do the work and by the time they got there, it was time to turn back and go home again. They did not even put the grader blades on to the road. This road is one of some significance. It has been a declared highway for many years and Parliament is being asked to declare much of that area a national park. A degree of timber traffic travels along that highway. It is important that the surface of the road should be upgraded.

Some of the shire councillors in the area are finding it difficult to travel from their area to Orbost to attend to duties as shire councillors and, in general, I consider this highway has suffered from the absolute and total neglect by the Country Roads Board.
I ask the Minister to use his best offices to have improvements made to the highway as a matter of urgency.

Mr Collins (Noble Park)—I refer the Treasurer to the fact that the south eastern metropolitan region of the Education Department this financial year has had to allocate approximately $100,000 from its somewhat limited funds towards repairing storm damage at regional schools caused towards the end of 1980. As a direct result of this money being allocated to storm damage repairs, an item not budgetted for by the region, $100,000 of approved minor works did not proceed to tender as originally outlined to all honourable members at a meeting in early 1980 at the regional office in Frankston. A project I am concerned about which was about to go to tender is the home economics project at Parkdale High School. In a letter to Mr K. Smith, President of the Parkdale High School Council, on 24 November 1980, Mr S. Morton, Assistant Director-General (Buildings), said:

The Regional Office expected that work would proceed at the end of October on the demonstration room conversion. However funding restrictions placed on the Region's Minor Works Programme by Treasury have meant that the start of this project has been delayed until the first quarter of 1981.

One very obvious restriction placed on the region has been the failure of either the Education Department or Treasury to reimburse the $100,000 spent on repairing storm damage. It is difficult enough for regional directors to make funds available for certain works and they do not do a bad job in getting this money to go further each year, but emergencies cannot be foreseen and, when they occur, one penalty is that the Education Department carries its own insurance. It is untenable for the Treasurer not to make funds available to the region in those circumstances. The particular project at the Parkdale High School was very close to going to tender but there is no sign of the moneys being reimbursed and the regional director advises me that the region will not get the money. The south eastern metropolitan region has informed me regarding the home economics project.

It is expected that tenders will be called shortly and a contract let as funds permit.

In line with the Government's new directions policy, I am personally committed to removing uncertainty from planning and development within all Government departments and I suggest to the Treasurer that he and his colleague, the Minister of Educational Services, confer on the issue and that the words, "It is expected" and "As funds permit" are replaced by the words, firstly, that tenders will be called next week, secondly, that funds will be provided as soon as the tender is let to enable the successful contractor to commence works immediately and, thirdly, that $100,000 will be refunded by Treasury to the region as reimbursement of the money required for storm damage. I request a specific reply from the honourable gentleman.

Mr Fogarty (Sunshine)—I raise a matter with the Minister of Agriculture. On 2 December 1980 legislation was passed in South Australia to amend the Metropolitan Milk Supply Act. In his second-reading speech, the South Australian Minister of Industrial Affairs, the Honourable D. C. Brown, said:

If major retail supermarket groups acquire licences under the Act, the likely result is that some of the 420 home delivery vendors will be forced out of business. Milk is a basic food and essential for the health and well-being of sections of the community, notably children. In the Government's view, it is most important that the present system of distribution be preserved, at least for the time being.

I draw to the attention of the Minister the fact that Victoria has a closed shop whereby about four or five processors have complete control of the Melbourne and metropolitan milk supply. The area is closely zoned and guarded by the Victorian Dairy Industry Authority. In a free-enterprise Government, can the Minister state whether that is the correct procedure to be adopted or whether the distribution of whole milk in the Melbourne metropolitan area should be an open market and include processing co-operatives from, for example, Warragul, Drouin and Moe, all situated near Melbourne and a means
whereby farmers will be able to have an active part in this lucrative market through the co-operatives.

I raise also the point that the Victorian Act is categorized for inter-processor sales, processor to deliver dairymen, and dairymen to milk shops. With the knowledge that certain processors in Melbourne more or less have a monopoly on the home-milk trade, I am wondering what the situation would be if the processor, the person who bottles or cartons the milk, is also the wholesaler, semi-wholesaler and retailer and delivers direct to the supermarket outlet. In a breakdown detailed in the Murray Goulburn News, December 1980, the prices paid by the Victorian Dairy Industry Authority to the various processors are 26.90 cents; the processors margin is 10.36 cents; the vendors margin to shops is 7.74 cents; and the household delivery margin is 8 cents, making a total of 53 cents.

It appears that in this modern age, with the advent of supermarkets, the zoning of a defined area in metropolitan and outer Melbourne, which has been in existence for many years, and bringing unfair and unrealistic competition, particularly when a supermarket can be placed on the outside zone of one dairyman and all the trade to the supermarket from that particular area is under the zoning control of another dairyman and in active competition with the processor.

I request the Minister of Agriculture to state whether the Government will take a more realistic approach to the delivery of milk in the Melbourne metropolitan area to ensure that all sections of the milk processing industry, particularly those engaged in cartoning and processing milk for home delivery in either the metropolitan or country areas, can take part in this lucrative business or whether it will remain as it is now, which is a closed shop in which one to four processors have complete control over the processing and distribution of milk in the Melbourne metropolitan area.

Mr JASPER (Murray Valley)—I direct to the attention of the Minister of Transport a matter that I have raised on many occasions concerning the future of the Cobram-Shepparton passenger rail service. I first raised the matter in 1979 to try to get action in upgrading the service. Late last year, following the Lonie report presented to Parliament, the Cobram-Shepparton rail services was one of the rail lines to be closed by the Government. Subsequently, the Shires of Numurkah and Cobram, together with the Rail Action Group, the rail unions and myself, raised the matter with the Minister and I organized a meeting that was held in Numurkah in mid-February which was attended by the Minister, the chairman of VicRail and approximately 350 persons.

At that time, a motion was passed that there be a moratorium on the closure of that rail service for up to two years, that the service be upgraded and a promotional programme be entered into to get people to use that rail service. Further discussion then took place with the Minister who indicated that he would have the matter investigated to see whether there was some alternative to a bus service between Cobram and Shepparton.

Since then I have raised the matter twice in Parliament. Last week the Minister indicated to me that the likely result of a further investigation was that the train would be retained to Numurkah.

Is the Minister aware that, although there have been two services a day running right through to Cobram, both ways, the service proposed is now only one service a day to Numurkah. It appeared as though we might retain half a service, but it now looks as though we are retaining a quarter service.

What does concern me—this is why I have raised this matter in the House—is that another meeting was held at Numurkah last night which was well attended by a large number of people, including the shadow Minister of Transport and union representatives from the railways shire presidents of Cobram and Numurkah, Rail Action Committee and others. Some of the figures presented at that meeting and that I have gleaned over the past weeks
lead me to the conclusion that the Minister is not getting correct information.

It has been indicated to me for instance that the takings at Cobram railway station from July to March this year—nine months—totalled $187,000. The wages for the five people employed at that station—the stationmaster, station officer, station assistant and two conductors—amount to approximately $53,000. I understand other costs are involved, obviously for the locomotive and engine drivers. It appears to me that this service in probably a paying service.

I am concerned, firstly, that the information provided appears to be wrong, and, secondly, that decisions are being taken on the closure of this line without correct information being made available. The information provided at the original meeting indicated that only two people would lose their jobs at Cobram and possibly fewer than that at Numurkah. It now appears that more people will be losing their jobs.

It also appears that what is needed is a meeting between the Minister of Transport, the Chairman of VicRail, other VicRail officials and myself. I would be pleased to attend such a meeting. I hope the Minister of Transport will organize a meeting this week because I think it is necessary for us to ensure that the information obtained by the honourable member is carefully examined before a final decision is made.

The honourable member for Murray Valley asks whether I can arrange a meeting with VicRail officials and myself. I will try to organize that meeting for this week because I think it is necessary for us to ensure that the information obtained by the honourable member is carefully examined before a final decision is made.

Mr MacLellan—The honourable member for Brunswick asks whether I can arrange a meeting with VicRail officials and myself. I will try to organize that meeting this week because it is necessary for us to ensure that the information obtained by the honourable member is carefully examined before a final decision is made.

Mr Dixon (Minister for Employment and Training)—To assist the House, the report which was released yesterday was available to be released only yesterday because the printing had not been completed. It was dated October 1980 but it has taken until now for the report to become available to myself so that it can be released. The fact it took so long is obviously not good.

Apparently the report was commented upon by the Minister of Labour and Industry last year. At that time only one or two roneoed copies of the report were available. As I mentioned at question time, I did not know of that fact. It would have been available to one or two people at that time.
The report is now available. It has been commented on by Dr Bruce Ford the State Chairman of the International Year of Disabled Persons Committee who says that the Ministry has done an excellent job in putting together so much material which highlights the problems of handicapped persons at work. The International Year of Disabled Persons Committee will seriously consider the recommendations to determine those it should press for in the near future.

The other point I make is that the recommendations have been worked upon by the Ministry of Employment and Training. They have been put into 30 categories for the relevant departments, both within the Victorian Government and the Commonwealth Government, and the areas of tertiary institutions and other bodies which are relevant for other organizations, so the Ministry has not been idle.

Work has been taking place on the recommendations and a lot more work is still to be done. I have pleasure in presenting the honourable member for Brunswick with a copy of the report.

Mr AUSTIN (Minister of Agriculture) —The honourable member for Lowan raised a matter relating to the Crops Research Institute at Horsham. I know he has raised this matter in Parliament on many occasions over the past year and a half. In the past, I have announced in this House the programme and time-table for the institute. I repeat that tenders will be called in July which will allow work to start at the institute in October or November of this year.

The Premier has announced categorically that $800 000 will be made available for that construction to commence. That money has been promised by the Treasurer and is not dependent upon anything. From then on the institute will continue in an ongoing programme and the total cost is estimated at somewhere in the vicinity of $2 million.

The institute is very important to the wheat industry of this State and the honourable member for Lowan can be assured that the Government is aware of that importance and, as I have already stated, has committed itself to the commencement.

The honourable member for Sunshine raised a matter relating to the distribution of milk in the metropolitan area. For the information of the House, I state that this matter is one for the Victorian Dairy Industry Authority.

Mr Fogarty —It is still under your control.

Mr AUSTIN — It is under my control—sometimes! There are 24 milk districts and 314 distributors, and it is the responsibility of the Victorian Dairy Industry Authority to zone those milk districts.

Mr Fogarty—I am talking about processors.

Mr AUSTIN—I have to lead up to the total scene. In some zones, there may be more than one distributor—sometimes two, sometimes three—and gentlemen's agreements are reached by which distributors allocate themselves a specified part of the zone. In addition, there is a short-cutting of the system whereby processors deliver direct to supermarkets and other outlets and to the detriment of those distributors.

Honourable members interjecting.

The SPEAKER (the Hon. S. J. Plowman) —The honourable member for Sunshine will cease interjecting.

Mr AUSTIN — That arrangement has created the kind of problem which concerns the Victorian Dairy Industry Authority.

Mr Fogarty—I am concerned, too.

Mr AUSTIN—I know the honourable member is playing a valuable part in assisting the authority to take a responsible attitude to see that this aspect of milk distribution is improved. The Victorian Dairy Industry Authority has asked people interested in the distribution of milk, and especially those involved in it, to make comments and representations to the authority so
that the authority can rethink the scheme and the system of milk distribution.

Those comments were supposed to be submitted by July 1980. However, the authority informs me that it will still receive comments from anybody else who wishes to make a submission. The honourable member for Sunshine may be interested in participating in that process.

Mr Fogarty—No; I have told you to do the job.

The SPEAKER—Order! I have directed the honourable member for Sunshine a number of times to stop interjecting. I would like the Minister to answer the question without a cheer squad from the opposite side of the Chamber. If the Minister directs his remarks directly to the Chair, perhaps the honourable member for Sunshine may be encouraged not to join in the chorus.

Mr AUSTIN—Thank you, Mr Speaker. To summarize, the authority is receptive to any comments that may be made and will reassess the total milk distribution system within a short time. I hope that reassessment will result in a more efficient system in the future.

Mr THOMPSON (Treasurer)—The education-minded honourable member for Noble Park has drawn my attention to the fact that the south-eastern region of the Education Department has had to spend $100 000 of money that would normally have gone to the letting of minor contracts in rectifying storm damage at schools. As a result of that, the $46 000 home economics block at Parkdale has not gone to contract. I will take up his suggestion and confer with the Minister of Educational Services to ascertain the earliest possible date for the advertising of the tender.

The honourable member for Dandenong pointed out that some Tattersall agencies accredited in his area recently have gone to large firms. Under section 9 of the Tattersall Consultations Act, the accreditation of agencies and the location of Tattersall branches are matters for that organization. However, I will refer the question to Tattersall's and obtain an answer for the honourable member.

The SPEAKER (the Hon. S. J. Plowman)—The Minister of Public Works has indicated that he wishes to answer the matter raised by the honourable member for Ballarat North.

Mr WOOD (Minister of Public Works)—The honourable member raised a matter in regard to separating laminated beams at the Wendouree High Technical School. I thank him for bringing the matter to my attention. As he points out, the problem could become a serious safety hazard.

I will arrange a site inspection at the school with the manufacturer and officers of the Public Works Department within the next few weeks, and I further assure the honourable member that the necessary steps will be taken to correct the fault in the beams to ensure the safety and durability of the school.

The motion was agreed to.

The House adjourned at 11.6 p.m.

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

HOUSING COMMISSION HOUSES AND FLATS

(Question No. 89)

Mr CATHIE (Carrum) asked the Minister of Housing:

1. What housing accommodation was vacant at each Housing Commission estate as at 1 January 1980, indicating the number and type of unit?

2. How many commission flats and houses, respectively, were vacant and undergoing maintenance as at 1 January 1980 in each local government area?
Mr KENNETT (Minister of Housing)—The answer is:

1. The following table is derived from the returns of all units vacant for in excess of fourteen days:

**CODE:**
- E.P.—Bed sitter pensioner flat
- D and J—1 bedroom pensioner flat
- 1, 2, 3 and 4 BR—1, 2, 3 and 4 bedroom

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### Warrnambool Region

<table>
<thead>
<tr>
<th>Flats</th>
<th>Houses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colac</td>
<td>1</td>
</tr>
<tr>
<td>Hamilton</td>
<td>1</td>
</tr>
<tr>
<td>Heywood</td>
<td>1</td>
</tr>
<tr>
<td>Warrnambool</td>
<td>4</td>
</tr>
</tbody>
</table>

---

2. The following table is derived from the returns of all units vacant for in excess of fourteen days:

<table>
<thead>
<tr>
<th>City of Broadmeadows</th>
<th>Number of Flats</th>
<th>Number of Houses</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Brunswick</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>City of Collingwood</td>
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<td>2</td>
<td>2</td>
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<tr>
<td>City of Essendon</td>
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</tr>
<tr>
<td>City of Fitzroy</td>
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<td>15</td>
<td>15</td>
</tr>
<tr>
<td>City of Footscray</td>
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<td>1</td>
<td>3</td>
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<tr>
<td>City of Heidelberg</td>
<td>3</td>
<td>3</td>
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<tr>
<td>City of Melbourne</td>
<td>22</td>
<td>1</td>
<td>23</td>
</tr>
<tr>
<td>City of Port Melbourne</td>
<td>7</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>City of Northcote</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>City of Prahran</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>City of Preston</td>
<td>2</td>
<td>1</td>
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</tr>
<tr>
<td>City of Richmond</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>City of St Kilda</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>City of Sunshine</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>City of Williamstown</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>City of Benalla</td>
<td>3</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>City of Bendigo</td>
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<td>1</td>
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</tr>
<tr>
<td>City of Berwick</td>
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<td>1</td>
</tr>
<tr>
<td>City of Dandenong</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>City of Echuca</td>
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</tr>
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<td>City of Morwell</td>
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<td>5</td>
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<td>City of Warrnambool</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>City of Wodonga</td>
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<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Shire of Charlton</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Shire of Cobram</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Shire of Cohuna</td>
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<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Shire of Corbyong</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Shire of Deakin</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Shire of Nathalia</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Shire of Numurkah</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Shire of Seymour</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Shire of Tatura</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Shire of Wangaratta</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Town of Kyabram</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

### HOUSING COMMISSION ALLOCATIONS

(Question No. 90)

**Mr CATHIE (Carrum)** asked the Minister of Housing:

In each of the past 24 months to date, how many Housing Commission allocations for both purchase and tenancy have been made, indicating the waiting period in each case?

**Mr KENNETT (Minister of Housing)** —The answer is:

The sales and tenancy allocations on a monthly basis for the period from March 1978 to February 1980 are as follows:

<table>
<thead>
<tr>
<th>Month</th>
<th>Sales allocations</th>
<th>Tenancy allocations</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 1978</td>
<td>67</td>
<td>544</td>
</tr>
<tr>
<td>April 1978</td>
<td>66</td>
<td>686</td>
</tr>
<tr>
<td>May 1978</td>
<td>103</td>
<td>545</td>
</tr>
<tr>
<td>June 1978</td>
<td>53</td>
<td>468</td>
</tr>
<tr>
<td>July 1978</td>
<td>23</td>
<td>547</td>
</tr>
<tr>
<td>August 1978</td>
<td>26</td>
<td>550</td>
</tr>
<tr>
<td>September 1978</td>
<td>41</td>
<td>498</td>
</tr>
<tr>
<td>October 1978</td>
<td>109</td>
<td>531</td>
</tr>
<tr>
<td>November 1978</td>
<td>88</td>
<td>425</td>
</tr>
<tr>
<td>December 1978</td>
<td>83</td>
<td>572</td>
</tr>
<tr>
<td>January 1979</td>
<td>71</td>
<td>349</td>
</tr>
<tr>
<td>February 1979</td>
<td>54</td>
<td>506</td>
</tr>
<tr>
<td>March 1979</td>
<td>92</td>
<td>615</td>
</tr>
<tr>
<td>April 1979</td>
<td>54</td>
<td>470</td>
</tr>
<tr>
<td>May 1979</td>
<td>64</td>
<td>535</td>
</tr>
<tr>
<td>June 1979</td>
<td>34</td>
<td>586</td>
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<tr>
<td>July 1979</td>
<td>38</td>
<td>531</td>
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<tr>
<td>August 1979</td>
<td>37</td>
<td>508</td>
</tr>
<tr>
<td>September 1979</td>
<td>23</td>
<td>569</td>
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<tr>
<td>October 1979</td>
<td>13</td>
<td>451</td>
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<tr>
<td>November 1979</td>
<td>17</td>
<td>608</td>
</tr>
<tr>
<td>December 1979</td>
<td>20</td>
<td>543</td>
</tr>
<tr>
<td>January 1980</td>
<td>8</td>
<td>330</td>
</tr>
<tr>
<td>February 1980</td>
<td>24</td>
<td>402</td>
</tr>
</tbody>
</table>

**Total** | 1210 | 12369 |

It is not practicable to supply the waiting period for each of the 13,379 cases listed.

### HOUSING COMMISSION TENANCIES

(Question No. 92)

**Mr CATHIE (Carrum)** asked the Minister of Housing:

1. What was the number of tenancies as at 10 February 1980, indicating the percentage variation from the number as at 10 February 1979?
2. What rent increases associated with market related rent policy occurred during the year ended 10 February 1980, showing at the close of that period—(a) the number of tenants in arrears and those more than ten weeks in arrears; (b) the total amount owed; and (c) rent. The percentage variation, indicating in each instance the percentage variation from the corresponding figures as at 10 February 1979?

Mr KENNETT (Minister of Housing)
—The answer is:

1. As the Ministry of Housing's statistics in relation to the number of tenancies are kept on a quarterly basis, it is not practicable to calculate the figures to 10 February 1979. On this basis the relevant figures are:

(a) The number of tenancies as at 31 December 1978—40,819.
(b) The number of tenancies as at 31 December 1979—40,116.
(c) The percentage variation—plus 1.72 per cent.

2. The only rent increases applied during the year ended 10 February 1980 were to units which were not already being charged market related rent. The maximum rent increase applied in these cases was $6.00 a week.

(a) The number of tenants in arrears as at 10 February 1980 was 11,983 and the percentage variation from 10 February 1979 minus 12.5 per cent.

The number of tenants in arrears over 10 weeks as at 10 February 1980 was 15,956 and the percentage variation from 10 February 1979 plus 13.8 per cent.

(b) The total amount owed by tenants in arrears as at 10 February 1980 was $153,348.32 which is a variation of plus 6.1 per cent from 10 February 1979.

(c) The average amount owed as at 10 February 1980 was $128—which is a variation of plus 16.4 per cent from 10 February 1979.

No purchase contracts have been surrendered in the Housing Commission's Laverton estate to date, this financial year.

PRESENTMENTS WITHOUT PRIOR HEARINGS
(Question No. 580)

Mr CAIN (Bundoora) asked the Minister of Transport, for the Attorney-General:

On how many occasions since 1 January 1978 the Attorney-General has filed a presentment without there being a prior hearing, either by way of committal proceedings before a Stipendiary Magistrate, Justices or a Coroner’s Inquest, and what are the names of such accused persons and the nature of the charges upon which they were presented?

Mr MACLELLAN (Minister of Transport)—The answer is:

The following information relates to cases where the Attorney-General has filed a presentment without there being a prior hearing, either by way of committal proceedings before a Stipendiary Magistrate, Justices of the Peace, or a Coronor's Inquest for the period 1 January 1978 to 30 September 1980.

To protect the anonymity of the persons named on each presentment initials only are provided in the answer.

1978

J.E.F. . . Robbery (1 count); theft of a motor car with intent to use in commission of a felony (1 count).

P.H. . . Larceny as a clerk or servant (1 count); theft (1 count).

T.A.H. . . Theft (1 count).

P.J.L. . . Set fire to grass (1 count).

R.E.E. . . Theft (1 count).

K.M. . . Theft (2 counts).

M.C.C. . . Theft (1 count).

M.L.H. . . Theft (2 counts); forgery (14 counts); Uttering (14 counts).

G.J.P. . . Forgery (1 count).

L.P.D. . . Possession of prohibited weapon (1 count).

M.S. . . Obtain financial advantage by deception (1 count).

R.J.L. . . Forgery (4 counts); Uttering (5 counts); handling stolen goods (2 counts); obtain property by deception (6 counts); obtain financial advantage by deception (1 count); attempt to obtain financial advantage by deception (1 count).

D.A.C. . . Theft (4 counts); obtain property by deception (5 counts).

G.J.S. . . Attempted robbery (2 counts); Robbery (24 counts).

M.C.G. . . Indecent assault (1 count).

B.Y. . . Burglary (31 counts); attempted burglary (2 counts); handling stolen goods (2 counts).

J.V.F. . . Burglary (34 counts); attempted burglary (6 counts).
Questions on Notice

ASSEMBLY

D.G.C.  Forgery (2 counts); obtain property by deception (12 counts); uttering (2 counts).

A.R.A.  Robbery (1 count); burglary (1 count).

D.I.W.  Breach of prison (1 count); theft (1 count).

A.S.  Handling stolen goods (1 count).

P.S.  Escape from legal custody (1 count); theft (1 count).

T.C.K.  Theft (21 counts).

P.M.M.  Forgery (2 counts); uttering (2 counts); theft (2 counts); obtain financial advantage by deception (2 counts); obtain property by deception (1 count).

B.J.R.  Theft (22 counts); larceny as a clerk or servant (1 count).

P.G.U.  Theft (1 count); obtain property by deception (1 count).

G.D.K.  Robbery (3 counts); falsely acknowledge a recognizance (1 count).

R.J.T.  Theft (22 counts), fraudulent omission to account for property (1 count); theft (1 count), obtain property by deception (1 count).

R.W.  Theft (35 counts).

L.S.F.  Theft (1 count).

N.I.R.  Obtaining a financial advantage by deception (16 counts).

P.J.K.  Theft (7 counts).

D.L.B.  Burglary (1 count).

L.J.B.  Burglary (1 count).

A.R.D.  Theft (2 counts).

L.P.  Theft (2 counts); altering an order for the payment of monies (2 counts); uttering (2 counts).

E.K.  Conspiracy (1 count).

C.J.L.  Theft (1 count); forgery (8 counts); uttering (7 counts).

J.S.O.  Conspiracy (1 count); false pretences (1 count); larceny as a clerk or servant (6 counts); theft (6 counts).

1979

J.Z.O.  Theft (15 counts).

N.S.A.  Theft (1 count).

R.W.S.  Armed robbery (1 count).

L.A.B.  Damage property at night (1 count).

M.P.H.  Damage property at night (1 count).

D.J.M.  Burglary (1 count).

G.F.H.  Obtaining property by deception (9 counts); false accounts (9 counts).

S.S.  Theft (1 count).

L.K.L.  Embezzlement (4 counts).

I.D.B.  Theft (2 counts).

M.G.C.  Obtaining property by deception (5 counts); obtaining financial advantage by deception (1 count); attempt to obtain property by deception (1 count).

G.A.  Defalcation by a solicitor (1 count); false accounting (6 counts); forgery (2 counts); theft (3 counts); obtain property by deception (1 count).

G.E.H.G.  Theft (1 count).

R.D.B.  Armed robbery (1 count).

D.H.Z.  Forgery (2 counts); uttering (2 counts); theft (8 counts).

R.J.S.  Malicious damage (1 count).

G.C. T  Indecent assault on a male under 16 years (3 counts); gross indecency (8 counts).

D.J.  Obtaining property by deception (21 counts); obtaining financial advantage by deception (11 counts); forgery (2 counts); uttering (2 counts); handling stolen goods (2 counts).

W.T.N.  Handling stolen goods (1 count); burglary (15 counts); theft (5 counts).


A.M.B.  Armed robbery (7 counts).

J.L.  Armed robbery (2 counts).

P.A.S.  Escape from legal custody (1 count); theft (2 counts).

J.H.S.  Larceny as a clerk or servant (1 count); theft (2 counts).

A.P.  Obtain property by deception (1 count); conspiracy (1 count).

M.V.K.  Larceny as a clerk or servant (1 count).

H.R.B.  Fraudulent conversion (10 counts).

S.J.G.  Theft (2 counts); obtain property by deception (1 count); burglary (1 count).

1980

R.J.C.  Burglary (6 counts).

S.M.T.  Theft (1 count); falsify accounts (1 count).

R.F.C.  Defalcation by a solicitor (1 count).

P.R.L.  Theft (5 counts); armed robbery (2 counts); escape from legal custody (2 counts); burglary (2 counts); attempted theft (1 count).

A.J.B.  Indecent assault (4 counts); gross indecency (7 counts).

P.W.M.  Forgery (1 count); handle stolen goods (2 counts); obtain property by deception (1 count).

W.A.B.  Theft (1 count).

G.L.B.  Theft (1 count).

R.C.Y.  Obtain property by deception (6 counts); forgery (3 counts); obtain financial advantage by deception (1 count); theft (1 count); uttering (1 count); conspiracy (1 count).

S.J.D.  Burglary (2 counts); obtain property by deception (5 counts); handling stolen goods (1 count); forgery (2 counts); uttering (1 count); accessory after the fact to a felony (1 count).

H.J.W.  Conspiracy (1 count); burglary (2 counts); handling stolen goods (1 count); obtain property by deception (3 counts); uttering (1 count); forgery (1 count); accessory before the fact to a felony (1 count).

M.F.B.  Obtain property by deception (19 counts).

D.H.C.  Armored robbery (27 counts); forgery (4 counts); uttering (4 counts).

K.D.H.  Blackmail (3 counts).

S.E.W.  Obtaining financial advantage by deception (21 counts); forgery (27 counts); uttering (4 counts).
A.J.L. Buggery (1 count); indecent assault (3 counts).
C.H. Escape from legal custody (1 count); theft (2 counts); burglary (1 count).
P.H.B. Armed robbery (2 counts).
C.M.S.B. Robbery (1 count).
B.G.D. Negligently causing grievous bodily injury (1 count).

Total for period from 1 January 1978 to 30 September 1980 equal 90 persons.

SCHOOL DENTAL PROGRAMME
(Answer No. 999)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the school dental programme how many—(a) dentists; and (b) dental therapists are employed, specifying the number employed outside the metropolitan area?

Mr BORTHWICK (Minister of Health)

(a) 51 (including two part-time on the basis of one day a week each).
(b) 183.

Twelve dentists and 38 dental therapists are employed outside the metropolitan area.

KINDERGARTEN SUBSIDIES
(Answer No. 1018)

Mr HOCKLEY (Bentleigh) asked the Minister of Health:

1. When kindergarten subsidies were last reviewed?
2. When it is intended that subsidies will again be reviewed?

Mr BORTHWICK (Minister of Health)

1. Kindergarten maintenance subsidies, which relate to the salary level of kindergarten teachers and assistants as set out in the determinations under the Labour and Industry Act, are subject to the normal increases in accordance with national wage rises, specific work value adjustments and any other increases relating to the particular awards. There is no review of these subsidies carried out by the Health Commission as any increases are determined by the above-mentioned factors.

The operating expenses subsidy is an amount paid to every subsidized kindergarten in the State intended to meet the average costs incurred by the centres. The level of this subsidy is reviewed annually with the costs concerned being monitored with a view of determining whether the level of the subsidy is still adequate. A few centres are experiencing financial difficulty, while others are able to control their costs well below the level of subsidy.

I am investigating all claims from centres that state they are experiencing difficulties resulting from the erosion of the value of the subsidy. There is no evidence to date to support a general increase in subsidy, but individual applications are being closely examined.

Referring particularly to double unit kindergartens, additional funds have been sought annually to increase this subsidy as it is recognised that these centres would incur greater costs than single unit kindergartens. However, funds have not been made available for this purpose to date.

2. The operating expenses subsidy will continue to be monitored and if it can be seen that a general increase is warranted, funds will be sought for this purpose.

WARNINGS ON ALCOHOL CONTAINERS
(Answer No. 1022)

Mr ROPER (Brunswick) asked the Minister of Health:

Whether action has been or will be taken on the recommendation of the Ninetieth Session of the National Health and Medical Research Council that bottles and cans of drinks containing alcohol should be labelled with the advice that alcohol taken by pregnant women may be dangerous to the unborn child; if so, what action; if not, why?

Mr BORTHWICK (Minister of Health)

In answer to question No. 784 previously asked by the honourable member I advised that:

"The National Health and Medical Research Council, at its 90th session, considered the subject "Alcohol During Pregnancy" as part of the report of its medical advisory committee, which had discussed Dr N. M. Newman's and Professor J. F. Corney's paper, entitled "A Review of the Effects of Alcohol in Pregnancy." This paper has been previously published in the Medical Journal of Australia, and the medical advisory committee believed that the information which the paper contained should be widely circulated. The National Health and Medical Research Council supported this view, but has adopted no resolution or recommendation concerning labelling of bottles or cans containing alcohol.

Under the circumstances, no further action is proposed at present."

The situation remains unchanged and certainly the National Health and Medical Research Council has not recommended labelling of bottles or cans containing alcohol.

The Health Commission would prefer to rely on public education in cases such as this and it was pleasing to note that the potential effects of alcohol in pregnancy received a great deal of publicity in recent times.
**TREATMENT OF HEAD LICE**
(Question No. 1026)

Mr ROPER (Brunswick) asked the Minister of Health:

Whether the recommendation by the National Health and Medical Research Council that children should be no longer excluded from school if suffering from head lice or nits, will be adopted; if so, what arrangements will be made to supervise continuing treatment?

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

The current recommendation by the National Health and Medical Research Council regarding school attendance of children affected by head lice and nits (pediculosis) is that they should not be excluded if undergoing treatment for their infestation.

Victoria's Exclusion from School Regulations 1976 state that a patient suffering from pediculosis shall be excluded from school if so ordered by a school medical officer or the medical officer of health. This power is generally reserved for those few situations where parents have not accepted their responsibility to see to the treatment of their affected child when so advised.

The supervision of continuing treatment is already part of a comprehensive programme supported and financed by the Health Commission.

**OIL-FIRED HEATERS**
(Question No. 1037)

Mr GAVIN (Coburg) asked the Minister of Public Works:

How many of the more than 1000 oil-fired heaters in Government buildings were converted to other forms of heating during 1980?

Mr WOOD (Minister of Public Works) —The answer is:

There were 52 oil burners converted to gas during 1980.

**MY CHILD WAS BORN DISABLED**
REPORT
(Question No. 1080)

Dr COGHILL (Werribee) asked the Minister of Public Works:

Whether the Government has accepted the recommendation contained in the report by the National Women's Advisory Council entitled "My Child Was Born Disabled" to provide such facilities as entrances without steps in public buildings; if not, why?

Mr WOOD (Minister of Public Works) —The answer is:

Yes.

Access for disabled persons and the provision of suitable toilet facilities are provided in all new buildings, with the rare exception of where the properties of the site such as excessive slope make this impossible to provide.

When major alterations are undertaken in an existing building, these facilities are included.

**McDONALD'S FOOD STORES**
(Question No. 1081)

Mr CULPIN (Glenroy) asked the Minister of Health:

Further to the answer to question No. 907 given on 10 March 1981, whether the Health Commission will seek statutory standards for such products in respect of nutritional value and cholesterol content with such standards used for normal testing programmes; if not, why?

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

No nutritional value and cholesterol content standards for "take-away fast foods" of the type sold by the McDonald's company are contemplated at present. Currently there is a committee with representatives of each State Government and the Commonwealth Government considering the introduction of uniform food standards throughout Australia. I have asked that this question be referred to the committee for an opinion.

**HOUSING COMMISSION PURCHASES**
(Question No. 1083)

Mr GAVIN (Coburg) asked the Minister of Housing:

1. What land purchases were made by the Housing Commission during 1980?

2. Whether any purchases were made in excess of the Valuer-General's valuation?

Mr KENNETT (Minister of Housing) —The answer is:

1. During 1980, the Housing Commission made the following land purchases:

<table>
<thead>
<tr>
<th>Location</th>
<th>Purchase price</th>
<th>Purchase price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ballarat East</td>
<td>51 hectares</td>
<td>20 000</td>
</tr>
<tr>
<td>Ballarat East</td>
<td>7 lots</td>
<td>10 000</td>
</tr>
<tr>
<td>Ballarat</td>
<td>97 hectares</td>
<td>9 000</td>
</tr>
<tr>
<td>Ballarat East</td>
<td>26 hectares</td>
<td>3 031</td>
</tr>
<tr>
<td>Broadmeadows</td>
<td>170 hectares</td>
<td>60 000</td>
</tr>
<tr>
<td>Collingwood</td>
<td>1 lot</td>
<td>3 500</td>
</tr>
<tr>
<td>Traralgon</td>
<td>1 lot</td>
<td>9 750</td>
</tr>
<tr>
<td>Yarraville</td>
<td>3 lots</td>
<td>55 000</td>
</tr>
<tr>
<td>Wedderburn</td>
<td>1 lot</td>
<td>3 000</td>
</tr>
<tr>
<td>Noble Park</td>
<td>26 lots</td>
<td>318 500</td>
</tr>
<tr>
<td>St Arnaud</td>
<td>1 lot</td>
<td>2 000</td>
</tr>
<tr>
<td>St Arnaud</td>
<td>1 lot</td>
<td>12 000</td>
</tr>
<tr>
<td>Bendigo</td>
<td>48 hectares</td>
<td>32 500</td>
</tr>
<tr>
<td>Rochester</td>
<td>4 lots</td>
<td>10 000</td>
</tr>
<tr>
<td>Sebastopol</td>
<td>1389 hectares</td>
<td>76 000</td>
</tr>
<tr>
<td>Port Melbourne</td>
<td>29 hectares</td>
<td>270 000</td>
</tr>
<tr>
<td>Eaglehawk</td>
<td>281 hectares</td>
<td>38 500</td>
</tr>
<tr>
<td>Richmond</td>
<td>2 lots</td>
<td>40 000</td>
</tr>
</tbody>
</table>
2. No purchases were made in excess of the Valuer-General's valuation or, in the case of the purchase of four lots in Rochester, in excess of the valuation provided by the State Rivers and Water Supply Commission.

ROYAL SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS
(Question No. 1133)

Dr COGHILL (Werribee) asked the Treasurer:

Whether he has received any submission seeking supplementary funds to maintain the inspection activities of the Royal Society for the Prevention of Cruelty to Animals; if so—(a) on what date he received the submission, indicating its source; and (b) what action has been taken?

Mr THOMPSON (Treasurer)—The answer is:

(a) A written submission was received from the Minister of Agriculture on 13 March 1981.

(b) An additional grant of $43,200 has been approved to allow the Royal Society for the Prevention of Cruelty to Animals to keep the seven inspectors in the field.

FIREARMS TRAINING FUND
(Question No. 1172)

Mr EDMUNDS (Ascot Vale) asked the Treasurer:

1. What amount is currently held in the Firearms Training Fund?

2. When the last distribution of money from this fund was made, indicating the name and address and the amount paid to each club?

Mr THOMPSON (Treasurer)—The answer is:

1. The balance of the Firearms Training Fund at 31 March 1981 was $33,247.70.

2. The last distribution from the fund was $8,380 on 19 November 1980. Clubs involved and the amount paid to each are detailed on the schedule attached.

Victorian Field and Game Association
Bendigo Branch, 236 Carpenter Street, Bendigo
Coleraine Branch, Hamilton Highway, Tarrington
Port Phillip Branch, 28A Aurum Crescent, North Ringwood
Sunraysia Branch, 159 Madden Avenue, Mildura
Geelong Branch, 19 Reigate Road, Highton
Kyabram High School Branch, 40 Fischer Street, Kyabram
Sale Branch, Kilmany via Sale

Gun Clubs
Rochester High School Gun Club, Edwards Street
Alexandra Gun Club, Crystal Park
Birchip Gun Club, 3 Rundle Street
Cobden Gun Club, Browns Road, Elingamite via Cobden
Cohuna Gun Club, 9 Rosalind Street
Colac Gun Club, 44 Chapel Street
Corio Bay Gun Club, 103 Forest Road, Lara
Dimboola Memorial High School and Community Gun Club, 29 Church Street
Donald Gun Club, P.O. Box 11, Dunolly
Echuca Gun Club, Arnolds Lane, Echuca
Euroa Gun Club, R.S.D. 370
Goroke Gun Club, R.M.B. 551
Frankston/Australia Gun Club, 35 Wallace Avenue
Hamilton Gun Club, 74 Fenton Street
Jeparit Gun Club, P.O. Box 83
Kaniva Gun Club, W.S.D., Miram
Macarthur Gun Club, 79 High Street
Mansfield Gun Club, 69 Malcolm Street
Maryborough Gun Club, 22 Hubble Street
Morwell Gun Club, 31 Chenhall Crescent, Traralgon
Mount Bogong Gun Club, 68 Lakeside Avenue, Mount Beauty
Myamyn Gun Club, P.O. Box 117, Heywood
Norans Gun Club, P.O. Box 37, Grey Street, Terang
Robinvale and District Gun Club, Block 36a, P.O. Box 137
Sebastopol Gun Club, 28 Hastings Street Wendouree
Seymour Gun Club, 32 Perrin Street
Toolondo Gun Club, Noradjuha
Wangaratta Gun Club, 24 Younger Street
Warrambool Gun Club, 4 Wildwood Crescent
Wedderburn Gun Club, P.O. Box 48
Questions on Notice

High Schools and Technical Schools

Rainbow High School
Wodonga West High School, P.O. Box 300
Colac High School, P.O. Box 42
Corryong High School Clay Bird Club, P.O. Box 131
Wodonga Technical School, P.O. Box 366

Clay Target Clubs

Bendigo Clay Target Club, 43 Prouses Road
Boort Clay Target Club, 9 Lake view Street
Colbinabbin Clay Target Club
Kerang Clay Target Club, Police Station, Kerang
Metropolitan Clay Target Club, 44 Cooper Street, Essendon
Victorian Clay Target Association, 4 Hugh Street, Knoxfield
Sporting Shooters Association of Australia, P.O. 124, Footscray West
Bairnsdale Field Sportsmens Association, P.O. Box 354, Bairnsdale

HOUSING COMMISSION INTEREST PAYMENTS

(Question No. 1174)

Mr CATHIE (Carrum) asked the Minister of Housing:

What are the current Housing Commission criteria for deferring increased escalating interest repayments, indicating whether the higher interest is waived at some point of time, and in what circumstances?

Mr KENNETT (Minister of Housing)—The answer is:

If a Housing Commission purchaser’s new monthly instalment under the Contract of Sale (where the interest rate is increased by one half per cent) exceeds 25 per cent of the gross monthly income, the higher interest rate will be deferred on application. This means that there is no change in the monthly instalment. The usual period of deferment is 12 months, subject to review. If the deferred monthly instalment is still in excess of 25 per cent of the gross monthly income at the end of that period, a further period of deferment will be granted. Housing Commission purchasers will not be required to pay the increased instalment until it is equal to or less than 25 per cent of the gross monthly income. The Housing Commission will forego the amount not paid because of the deferment of the increased interest rate.

Gross monthly income is defined as meaning a breadwinner’s income if that was the sole income used in assessing capacity to service a loan when the Contract of Sale was signed. If the spouse’s income (where both purchasers were working) was the deciding factor in granting the initial loan, then the combined income of breadwinner and spouse is taken into account in calculating whether the deferment should be granted.

MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY

(Question No. 1193)

Mr ROSS-EDWARDS (Leader of the National Party) asked the Treasurer:

With reference to the imposition of a levy on suburban rail fares to provide funds for the Melbourne Underground Rail Loop Authority:

1. What annual revenue has been raised by the levy?
2. What have been the yearly contributions to the authority by the Victorian Railways Board?

Mr THOMPSON (Treasurer)—The answer is:

1. The revenue raised by the levy on suburban rail fares in each year since its introduction is:

<table>
<thead>
<tr>
<th>Year</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-71</td>
<td>$446,866</td>
</tr>
<tr>
<td>1971-72</td>
<td>$951,975</td>
</tr>
<tr>
<td>1972-73</td>
<td>$899,021</td>
</tr>
<tr>
<td>1973-74</td>
<td>$895,077</td>
</tr>
<tr>
<td>1974-75</td>
<td>$921,876</td>
</tr>
<tr>
<td>1975-76</td>
<td>$1,394,821</td>
</tr>
<tr>
<td>1976-77</td>
<td>$1,833,033</td>
</tr>
<tr>
<td>1977-78</td>
<td>$1,797,580</td>
</tr>
<tr>
<td>1978-79</td>
<td>$2,127,081</td>
</tr>
<tr>
<td>1979-80</td>
<td>$2,054,188</td>
</tr>
<tr>
<td>1980-81</td>
<td>$2,100,000</td>
</tr>
</tbody>
</table>

2. Under funding arrangements for the Melbourne Rail Loop Authority the Victorian Railways Board transmits the whole of this revenue to the authority.

TRAPPING OF NATIVE BIRDS

(Question No. 1196)

Mr HOCKLEY (Bentleigh) asked the Minister of Health:

Whether the Health Commission inspects native birds taken by professional trappers, for psittacosis, a contagious disease that can be communicated to human beings?

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

No.
Legislative Council

Wednesday, 15 April 1981

The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 12.3 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

ENVIRONMENT

The Hon. E. H. WALKER (Melbourne Province)—I refer the Minister for Conservation to an item in this morning's Age newspaper relating to a State Government plan to speed up the approval of development projects and time limits on various planning and conservation approvals. Will the Minister assure the House that, while he holds the portfolio of conservation, he will ensure that procedures which have been developed in Victoria to protect the environment will not be compromised in any way by measures of fast development? Will he also assure the House that public participation in environmental assessments will be maintained.

The Hon. W. V. HOUGHTON (Minister for Conservation)—I did have time to read the article in the Age. It is about the only one that I did not read. Mr Walker asked me for assurances, which I do not intend to give.

The Hon. E. H. Walker—Why not?

The Hon. W. V. HOUGHTON—Mr Walker will understand very well that the Government's views tend to change from time to time, and there is a doctrine of Ministerial responsibility that sometimes needs to be taken account of. Therefore, I do not intend to give assurances, but I intend to say in perfectly good faith that so far as I am concerned, the procedures ought not and will not be changed on environmental assessments, and the procedures that have been adopted by the Hamer Government, in particular for the preservation of the environment.

The article, which is the subject of the question, talks about the proposition that instead of running the planning of conservation approvals for major projects in series, that they be run in parallels so that those who seek approvals are not subject to what may or may not have been in the past some inordinate delays in seeking approval. The Government is not seeking a short cut of what is required in any way, but it seeks to enable those who need Government and local government approval for major or minor projects can get it without having to cut their way through a great deal of bureaucratic red tape.

RIVER MURRAY WATERS AGREEMENT

The Hon. W. R. BAXTER (North Eastern Province)—Is the Minister of Water Supply aware of the consistent opinion in Canberra that Victoria is delaying the signing of the amended River Murray waters agreement? Is the Minister able to give the House a categorical assurance that that is not the case? If he is not able to give that assurance, can he tell the House what Victoria's objections are?

The Hon. F. J. GRANTER (Minister of Water Supply)—It is not Victoria that is holding up the River Murray waters agreement. There is a difference of opinion between New South Wales and South Australia, and I only read in the Age yesterday where the New South Wales Government has introduced legislation to forbid the South Australian Government making submissions to its land board—I think that was the actual wording. It is not the Victorian Government, and I can assure the honourable member that the Victorian Government will sit down and talk. It has offered to do this, and to mediate, if that is necessary, to bring the two governments together. As I have said in this House before, everyone has to give a little.

INTRASEARCH PTY LTD

The Hon. CLIVE BUBB (Ballarat Province)—I direct a question to the Attorney-General representing the Minister of Consumer Affairs. Is the Minister aware of an advertisement which appeared in the Geelong Advertiser of 6 April this year offering small investors, who send cheques for $25, returns
of 30 per cent to 100 per cent per annum on Government instrumentality investments? The advertisement makes reference in a number of places to Government, as though this company has some association with the Government. The company's name is Intrasearch Pty Ltd of 141 High Street, Prahran. I ask the Minister to investigate what risk investors are placing themselves in when investing money with this company.

The Hon. HADDON STOREY (Attorney-General)—I am not aware of the advertisement. I have not seen it, but if the honourable member would make a copy available to me I will see that it is passed on to the Minister of Consumer Affairs with a request that he investigate and take appropriate action, if that seems to be merited.

WAGGING OF SCHOOL

The Hon. R. J. EDDY (Thomastown Province)—I direct my question to the Minister of Education. Did the Minister for Community Welfare Services make a statement in the press that an average of 7000 children wag school each day? What action does the Minister propose to take to correct this serious problem?

The Hon. A. J. HUNT (Minister of Education)—I read the statement carefully, and no such statement was made by the Minister for Community Welfare Services. That was a headline given by the press. I gather that there were 7000 absences that cannot be fully justified, and, furthermore, it is not the same 7000 each day. I will ask the Minister for his figures.

SCHOOL ENROLMENTS

The Hon. B. P. DUNN (North Western Province)—I refer the Minister of Education to a motion that I moved in this House concerning falling enrolments in smaller high and primary schools in Victoria, and the effect that this was having on the schools and the programmes they provided. What action has the Minister taken since that motion was discussed in the House, and what action does he propose to take to assist particularly smaller secondary and primary schools, which find themselves with falling enrolments and therefore a reducing programme due to the decreasing inflexibility that they have? What alterations and improvements in the staffing formula has he taken and does he propose to take and does he propose to take steps to ease the problem in these schools?

The Hon. A. J. HUNT (Minister of Education)—I wish to state categorically that I do not intend to make any staffing formula improvements in secondary schools in advance of improvements in primary schools where the need is the greater. The next advances in staffing will go to primary schools. I state that publicly and for the record and in the hope that it will be recognized by secondary teachers and the public. It is in primary schools that the greater need exists.

On the question of the smaller high schools, I point out that they are already recognized for the formula which grants a more generous allowance for small schools than for large. Where there are declining enrolments the Government recognizes that these decrease flexibility and could reduce educational offerings to the pupils to a degree which ought not to occur. Consequently, sudden reductions in enrolments are taken into account in the allocation of special needs teachers over and above the existing staffing.

COURT CASES BACKLOG

The Hon. N. F. STACEY (Chelsea Province)—The Attorney-General has recently had cause to have published statistics of the backlog of cases awaiting hearing in the courts. I ask the honourable gentleman what remedial action he has already undertaken and whether he foresees a need for further improvements to overcome the backlog that exists in senior divisions of courts in Victoria.

The Hon. HADDON STOREY (Attorney-General)—An article was published in the Age this morning which gave a false impression of the picture of the delays in the courts. It seemed to be a case of focusing attention on old views and hardly bothering to mention up-to-date views, because although
as at 31 January the lists were in excess of what they were at the same time last year, since that time there has been a dramatic improvement in the lists of the County Court, which is the court in which the majority of civil and criminal cases of the higher courts are heard. That is as a direct result of action by the Government last year in increasing the jurisdiction of Magistrates Courts.

Based on figures over the past three months of the summonses issued in the County Court, there has been a falling off of between 50 per cent and 60 per cent in total, and calculations show that if that trend continues there will be the equivalent of about three judge years of work less coming into the County Court, which will relieve a large amount of judicial resources for dealing with the increasing criminal case list.

In addition, in the past three months the County Court has adopted a task force approach towards civil cases which is having the result of disposing of those cases at a quicker rate than that at which they are listed for trial. The net effect is that, if this trend continues, towards the end of this year the County Court list will be in the best position that it has been in for many years. Indeed, one County Court judge said to me recently that if the trend continues, judges will be looking for work next year.

At the same time, the jurisdiction of the County Court was increased, and I am obtaining figures on the effect this has had on matters listed in the Supreme Court. Should the same trends exhibit themselves, there will be the same marked improvement in the Supreme Court lists. While monitoring this whole situation carefully, the Government will take whatever steps it can to improve the position. On the figures available today it looks as though the backlog in the courts will be brought under control in the next few months.

**WILLIAMSTOWN HIGH SCHOOL**

The Hon. JOAN COXSEDGE (Melbourne West Province)—Will the Minister of Education please explain to this House the circumstances leading to the announcement by the principal of the Williamstown High School that the 15 April meeting of the school’s parents teachers and citizens association has been cancelled? Will the Minister explain on the basis of what Education Department legislation or authority such a step was taken; whether the Minister was involved; what steps he took to be informed of the views of the parents teachers and citizens association in this dispute; and, further, whether it is a fact that the council of Williamstown High School has been suspended and, if so, by whose authority this was done?

**The Hon. A. J. HUNT** (Minister of Education)—The advice to me by my officers was that there was an irregularity in the election of office bearers at the Williamstown parents and teachers council. A meeting called for tomorrow was therefore cancelled, pending a proper election to regularize the situation. The Federation of Parents Clubs has put to me a view which I have accepted that, in future cases, procedures ought to be adopted to ensure that the view of the local association is obtained before a Ministerial ruling is given.

The procedures under which I acted are regulations which enable the Minister to resolve any disputes. The principal advised of the existence of a dispute. I resolved it accordingly, in the only way that appeared to be open to me. I know nothing about the alleged suspension of the council which was first alleged to be yesterday evening. As I am informed, there has been no such suspension, and certainly there has been no suspension of a councillor with my authority, and I will ensure that the council is convened at an early date.

**PARKING INFRINGEMENTS**

The Hon. D. M. EVANS (North Eastern Province)—I address a question to the Attorney-General representing the Minister for Police and Emergency Services. I refer to the standard penalties provided for parking infringements under the Road Traffic (Amendment) Act 1980. In view of the fact that restricted time parking areas are at the discretion of municipalities, will the
Minister investigate the wisdom of allowing councils a further discretion of setting a level of penalties to apply within their municipalities for such infringements?

The Hon. HADDON STOREY (Attorney-General)—I will refer the question to the Minister for Police and Emergency Services and ask him to provide an answer.

DRIVERS’ LICENCES

The Hon. D. N. SALTMARSH (Waverley Province)—I address a question to the Attorney-General representing the Minister for Police and Emergency Services. It relates to the use of drivers’ licences as a means of identification and the matter that has been raised from time to time of having a photograph identification on licences. In view of the development which enables direct photographing onto plastic plates, which fact undermines the argument used from time to time by civil libertarians against a licence bearing a photograph of the holder, will the Minister assess whether the Government can take action quickly to introduce such a new process and thus eliminate the fraudulent misuse by people of drivers’ licences to obtain unauthorized credit?

The Hon. HADDON STOREY (Attorney-General)—This matter has been looked at from time to time. I am aware of the improvements in techniques that the honourable member has mentioned, and I will ask the Minister for Police and Emergency Services to give further consideration to the suggestion, to achieve the desirable objectives mentioned.

ISLE OF MAN

The Hon. D. R. WHITE (Doutta Galla Province)—I ask the Minister of Education, representing the Premier: Is it a fact that the Government intends to appoint the former Federal Minister for Industrial Relations, Mr Andrew Peacock, as the Victorian Agent-General to the Isle of Man?

The President (the Hon. F. S. Grimwade)—Order! I rule that question out of order as it is facetious.

MELBOURNE CITY COUNCIL

The Hon. K. J. M. WRIGHT (North Western Province)—My question is directed to the Minister for Local Government. When does he expect to appoint administrators to the Melbourne City Council; secondly, is he embarrassed by the lack of suitably qualified applications; and thirdly, are any former members of this Parliament under consideration?

The Hon. D. G. CROZIER (Minister for Local Government)—The answer to the first part of the question is that I expect that, shortly after the Bill is proclaimed, the Premier will announce the names of the administrators. Secondly, on the question of whether I am embarrassed by the dearth of suitable applications, my reply is that I am almost embarrassed by the opposite situation of a surplus of impressively qualified applicants. In answer to the third part of the question, at this stage I am not encouraging speculation on who the administrators may be.

DAMAGE TO SCHOOLS IN WAVERLEY AREA

The Hon. C. J. KENNEDY (Waverley Province)—My question is directed to the Minister of Education, representing the Minister for Educational Services. In view of correspondence I have recently received from the Mount Waverley High School and the Cooinda Primary School in Glen Waverley, will the Minister ensure that schools in the Knox region are advised of the latest situation of covering payment for damages done by vandals at schools after hours?

The Hon. A. J. HUNT (Minister of Education)—I understand that the answer given by the Minister of Educational Services in another place has already received wide circulation in the region.

NATURAL DISASTER ASSISTANCE

The Hon. R. A. MACKENZIE (Geelong Province)—My question to the Minister for Local Government relates to recompense to local government in the Geelong area. Following the disastrous cyclonic storm in January,
Councils involved in the clean-up operations faced expenditure of large sums. Several of them have made application to the Treasurer for funds to cover these costs. Will the Minister support those local government bodies in an attempt to obtain additional finance to cover the costs incurred by councils as a result of this storm?

The Hon. D. G. CROZIER (Minister for Local Government)—It is always open to any municipality that is unfortunate enough to suffer damage from any natural cause, to apply to the Grants Commission for special consideration for an allocation over and beyond the allocation that would be forthcoming under a normal assessment. I invite the municipalities in the electorate that Mr Mackenzie represents, and which have been affected by the floods to which he referred, to make application and to include those factors in their applications to the Grants Commission, if they have not already done so.

PAPERS

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

Statutory Rules under the following Acts of Parliament:
- Coal Mines Act 1958—No. 121.
- Country Fire Authority Act 1958—No. 111.

COGNATE NOTICES OF MOTION

The Hon. E. H. WALKER (Melbourne Province)—By leave, I move:

That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of social and community need, and related environmental and planning issues, in the Latrobe Valley; the committee to have power to send for persons, papers and records; three to be the quorum.

The series of motions is extremely important. The motions are being moved in the hope that some work can be done about the manner in which the House is supposed to operate when considering critical issues. As the motion I have moved indicates, I intend speaking particularly on the Latrobe Valley. As honourable members will note from other motions, other members of the Opposition will refer to different regions of the State that are of interest to them and to the House in such a fashion that the House will be better informed on social and community problems throughout the State. Members of the Opposition hope that, when the debate is concluded over the next few days of sitting, honourable members will have given real consideration to the possibility of establishing one or more select committees to examine these quite serious problems.

The Latrobe Valley and the lives of persons living there are seriously endangered because of the headlong development which has occurred and which will occur and the almost complete lack of proper planning for that development. Proposed development envisages the massive exploration of brown coal resources based on the conceptual plan of the State Electricity Commission for the development of brown coal mining and power generation to the year 2030.

I refer to a document prepared by the Latrobe Valley Water and Sewerage Board, the First Report on Water Resources Management for the Development of Gippsland Brown Coal Fields.
and I quote from the section that refers to the plans of the State Electricity Commission. The report is succinct in quoting the intention of the State Electricity Commission and it is an acceptable source from which to quote. At page 6, under Chapter 3, “State Electricity Commission power station siting”, it states:

The SECV has established a conceptual plan for the development of brown coal mining and power generation required to meet forecast load requirements during the period 1980–2030.

The present growth in demand for electrical energy rises to a peak annual increase of approximately 7 per cent in the decade 1980–1990 then sharply declines to approximately 4 per cent annual growth during the period 1990–2000 and steadies to about 3 per cent per annum for the next thirty years.

They are the projections on which the remaining predictions of the State Electricity Commission are based. The report continues:

Based upon these growth forecasts the SECV predict load requirements as rising to 29 000 MW per annum by the year 2030.

In order to reliably meet that forecast demand the SECV has planned for an installed capacity for brown coal plants of 35 000 MW by the year 2030.

Assuming an average operating life for a station to be 35 years, it will be necessary to retire some stations during this period and for new ones to be built as replacements.

The nett effect of this retirement and establishment of generating capacity is that 21 power stations would be required to be built during the period 1980–2030 and these would be located within two major fields namely, the Yallourn–Morwell field and the Loy Yang–Flynn field.

The last paragraph reflects the future plans of the State Electricity Commission and on it I have based the bulk of my comments. It means that 21 new power stations will be built, which is a ten-fold increase over the present generating capacity of power stations in Victoria and the use of all the economically winnable brown coal resources.

The estimates on population show more than a doubling of the population of the valley from 93 000 in 1980 to 210 000 in the year 2030. I refer honourable members to page 2 of the report, which is a summary and, as a summary of Chapter 5, states:

Postulates an increase in population of 117 000 above the 1980 level of 93 000 to give a total population in the year 2030 of 210 000 persons.

That is a huge increase in population in the next few decades. The report continues:

This population growth has been broadly assigned to areas within the Latrobe Valley to give the following distribution by the year 2030—

<table>
<thead>
<tr>
<th>Area</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>A—Warragul–Moe</td>
<td>58 600</td>
</tr>
<tr>
<td>B—Churchill–Morwell</td>
<td>28 700</td>
</tr>
<tr>
<td>C—Traralgon–Rosedale</td>
<td>88 700</td>
</tr>
<tr>
<td>D—Sale–Longford</td>
<td>36 000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>210 000</strong></td>
</tr>
</tbody>
</table>

This growth and the predictions are quite carefully based. It is also estimated that more water than the Latrobe River can provide will be used and again I refer to the report at page 1, which states:

The board has assumed that the brown coal resources of the Latrobe Valley will be developed in accordance with SECV concepts but the actual time frame for this development is considered to be flexible. In this initial response, the board clearly demonstrates that the indicated demands for water could not be satisfied alone from the Latrobe River and its tributaries.

The Hon. D. R. White—I draw attention to the state of the House.

A quorum was formed.

The Hon. GLYN JENKINS (Geelong Province)—On a point of order, I draw attention to a matter which is of concern to me. The House is conducting a cognate debate and Mr Walker is leading on behalf of a number of Opposition members, including Mr Mackenzie, Mr Kent, Mrs Coxsedge, Mr Kennedy and Mr Sgro. None of those members is present in the House. A member of the Opposition then draws the attention of the House to the state of the House.

I submit that it is a gross discourtesy to the House, because the Government has accommodated the Opposition in organizing a cognate debate when it did not have to do so, and now all the members in question have left the House.
The President (the Hon. F. S. Grimwade)—Order! I do not uphold the point of order, but I believe it to be discourteous of members concerned not to be present during the lead part of this debate.

The Hon. E. H. Walker (Melbourne Province)—Prior to the rather falsely angry interjection of Mr Jenkins I was endeavouring to lay the basis for my comments in regard to social and community need in the Latrobe Valley, and I had been quoting from the report of the Latrobe Valley Water and Sewerage Board. The quotation which I had begun to read and which I shall read again for continuity related to the situation in which I said that the Latrobe Valley Water and Sewerage Board had estimated that the growth that has occurred in the valley would far exceed the capacity of the Latrobe River to manage. I read again from page 1, where it states:

The Board has assumed that the brown coal resources of the Latrobe Valley will be developed in accordance with SECV concepts but the actual time frame for this development is considered to be flexible. In this initial response,

It refers to the board's report:

the Board clearly demonstrates that the indicated demands for water could not be satisfied alone from the Latrobe River and its tributaries.

The report goes on—I will not read it—to refer to what might be necessary when that projected shortfall occurs, and states that if this development goes ahead, drastic engineering works will be required to keep water running into the valley. On that basis one can say that what is projected is massive development which will virtually dig up the whole of the valley. One can say it will dig up the Garden State.

The Hon. N. F. Stacey—that is a bit of an exaggeration.

The Hon. E. H. Walker—The plans, as we understand them, are that the wealth-producing capacity of the State is related to brown coal in the Latrobe Valley, and in this case, because of the way in which private enterprise and the State Electricity Commission are planning to use the resources of the valley, one might as well buy a can of sardines, lift back the top and pull out as much as one can, as quickly as one can. A vast area of land is involved.

The Hon. N. F. Stacey—not all in the Latrobe Valley.

The Hon. E. H. Walker—No, not all in the Latrobe Valley, but a substantial proportion of the winnable brown coal resources are in the valley, and it is the valley that I am talking about now.

I point out these things not to argue those projections, but simply to use them as a base, and the point I wish to debate is this: Where is the planning to cope with the social and community needs? That is the essence of the motion. What is to happen to the people? This is a serious issue.

I have read, as you, Mr President, may also have read, a document which was prepared for the Portland district and which refers to community services in that district. A similar case exists in the Portland district because of major growth. I use that document only because it contains a quotation that refers to an American report. I read from page 1 of the report compiled by the Portland community, which states:

A report by the Denver Research Institute which examined industrial growth in Sweetwater County, Wyoming, U.S.A., found that rapid development degraded the quality of life, especially in the areas of housing, recreation, education, health and welfare.

That is simply a quotation; one can find quotations of that kind in 101 other documents. It simply points out that rapid development—in this case, in Portland, but in the case I am talking about, in the Latrobe Valley—degrades the quality of life. It does not say that one cannot handle it; it just says that people must be aware that it degrades the quality of life, especially in the areas of housing, recreation, education, health and welfare. I shall read one more paragraph because it explains the point and there appears to be some concern about the report amongst honourable members on the opposite benches. The report further states:

Although planning in Sweetwater County assisted in understanding existing conditions and recognizing problem areas, plans did not effectively respond to growth because they underestimated its magnitude.
It is a good point to make, because, even though one has done one's homework, it is difficult to make plans that meet the requirements. The report continues:

The Research Institute found that even if impacts had been projected accurately, action might not have followed because it is difficult for people to comprehend the magnitude of such growth.

One could call it simply the human factor. Even if one knows what is coming, even without projections and even if one has done the homework on planning, people find it hard to accept what has to be done when rapid growth occurs.

That is not a controversial issue. I am using that simply as a comment on what is coming in the valley, and in my view this is just such a case. Not only the public at large but also the Government has not been able to grasp the magnitude of what is coming or to take the proper steps to account for it, hence my concern about social and community needs now and particularly in the future.

What are we looking at? Let me use an example relating to housing. In the Latrobe Valley there exists a critical shortage of accommodation—shortly I will give figures on that—and an acute shortage of emergency welfare accommodation. Rentals are very high and there is a proliferation of caravans in caravan parks used for housing. Those are four comments on what is now the case in the Latrobe Valley, and I shall put more statistics on that matter in a moment.

In relation to the environment—and I point out that the motion I have moved bases itself on social and community need, but it also refers to related planning and environmental issues—the atmosphere is already polluted, and that has been shown to be dangerous to community health. There is a lack of proper disposal facilities for sewerage and industrial waste. Anybody who has examined the problems that have arisen and which will face the Latrobe Valley Water and Sewerage Board in getting rid of industrial and domestic waste will understand that the board is in serious difficulty.

The Hon. E. H. Walker

The water supply is threatened because of over-use. The Gippsland Lakes system is threatened by pollution. That whole system is important from an environmental and tourism point of view.

On those two examples of housing and the environment, I do not think any member on either side of the House would disagree that the Latrobe Valley faces serious problems, but where is the planning to cope with the problems?

In 1975 the Executive Council adopted Statement of Planning Policy No. 9 entitled “Central Gippsland Brown Coal Deposits in the Context of Over-all Resources—1975”. The policy emphasized the necessity for community participation and the role of Government in planning for the community. The present Minister of Education, the Honourable Alan Hunt, was Minister for Planning at the time of the preparation of this document, and had a good deal to do with the document. The responsibility of the Government and its instrumentalities is outlined fully in the document. I shall refer to the responsibility of Government, and read from paragraph 4.12. To give honourable members an understanding of what these paragraphs mean, the section is headed "The Planning policy to be applied is: ", and then the paragraphs follow. At page 43 it is stated that the planning policy to be applied is:

Development of adequate educational, recreational, health, welfare, housing and other social services and facilities to complement planned urban growth, restrictions on growth, or phasing out of urban areas in order to minimize and alleviate disadvantage to individuals and families and to adequately serve people who reside or desire to reside or to relocate in the Policy Area;

That is a key paragraph in the Government's planning policy. It indicates that the then Minister for Planning, Mr Hunt, placed great emphasis upon public participation. Paragraph 4.20 of that policy document refers to the planning policy to be applied and states:

The institution of adequate programmes to foster public participation in the planning of the area and to enable assessment of the needs and views of the local community and to assist in reconciling State and local interests.
That is an excellent policy of the Government. The then Minister for Planning addressed a seminar at Morwell in June 1975 and placed special emphasis upon the participatory clauses and stated that they had already been adopted. What is the reality today? The Government is in plain contravention of its planning policy as stated because nothing has been done to "foster, enable and assist the process of consultation and involvement with the local community in the Latrobe Valley".

That policy was outlined in the 1975 report. Since then only three public meetings have been held and one discussion paper issued. The high-minded intention of the then Minister and this policy was to ensure that prior work was undertaken so that the planning growth of the Latrobe Valley could be properly handled. What has occurred? Nothing! Precisely three meetings have been held and one discussion paper issued. I have here the discussion paper on the major issues. However, that paper does not adequately cover the issues. That is the sum total of the Government's planning policy on the Latrobe Valley.

Local control has been reduced by the direction of the present Minister for planning, Mr Lieberman, in another place. The Minister has told local committees that were established at the time to "wind up". I refer to a recent document entitled "Planning for Community", which was produced by the Mission of St James and St John, with special reference to housing needs in the Latrobe Valley. That document, dated March 1981, under the heading "Decision making and planning in the Latrobe Valley" at page 8 states:

Local control of the future of the Latrobe Valley has been reduced following the direction of the State Planning Minister, Mr Lieberman, to several local committees to wind down. These committees were the Central Gippsland Regional Planning Authority Interim Committee; the Central Gippsland Brown Coal Resource Working Committee; the Latrobe Valley Coordinating Committee; the Latrobe Valley Development Committee; and various sub-committees. In place of these committees are three State Government initiated committees—the Latrobe Valley Ministerial Council (LMVC), the Latrobe Valley Consultative Committee (LVCC) and the Strategic Planning Advisory Group (SPAG).

The local committees that were established under the Statement of Planning Policy No. 9 have been told by the Minister for Planning to wind down and three committees have replaced them. Of those three committees that have replaced the old ones, only one committee has local representation, and that is the Latrobe Valley Consultative Committee, which also has bureaucratic representation, but—and here is the rub—the Latrobe Valley Consultative Committee voted at its first meeting to conduct its business in camera.

The one committee that has local involvement voted to hold its business in camera. It has instituted no channels of consultation with the residents and, to ensure that there is no media reporting, it has denied coverage to the Latrobe Valley Express.

Local committees established by the Statement of Planning Policy No. 9 in 1975 and fully supported by the then Minister for Planning, who made a marvellous speech about the whole issue, have been told to wind up. Those committees have been replaced by three committees, only one of which has local representation and that committee will not talk to the Latrobe Valley Express and conducts its business in camera. What kind of public process is that?

The Hon. J. A. Taylor—it will not even talk to the local member.

The Hon. E. H. Walker—I thank Mr Taylor. He should be as concerned about the matter as the Opposition is. The Government does not intend and never has intended to plan properly for social and community development in the Latrobe Valley. The Government is simply hell-bent on commercial exploitation of the brown coal resources and the social and community needs do not get a look in. That is the intention conveyed in the documents issued by the Government, especially through the present Minister for Planning, who is not interested in the bothersome business of local consultation and involvement.
Housing is an interesting example of the social and community needs of the Latrobe Valley. I use housing as an example and I do not intend to cover all the issues. However, housing is an extremely important issue. The problem of housing is being exacerbated. More than ever before, people in the Latrobe Valley are falling victims to the absence of planning. The Government's intention to move headlong into its part of the so-called resources boom will drastically worsen the situation.

I refer to a document entitled "Planning for Community". I refer to statistics on page 14 of that document. Those statistics present a horrendous picture. The document states:

1. There are over 1000 families on the Housing Commission waiting list.
2. Emergency accommodation facilities are able to house less than half those in need.
3. 350 youths need emergency accommodation per year.
4. There are over 250 requests per week to real estate agents for places to rent.

That was the situation at the beginning of 1980. If one visits the Latrobe Valley, as I have done on two or three occasions in the past month, one will discover that the number of caravan parks has mushroomed. Hence, if there were 3000 people living in caravans at the beginning of 1980, that number would have increased by at least 1000 now. The document continues:

6. Many people are living in sub-standard and/or overcrowded housing.
7. In the Latrobe Valley the Housing Commission estimates waiting periods are as follows:
   Traralgon—indefinite; Morwell—at least three years; Moe—18 months.

The eighth point in the statistics represents a record in terms of Federal Government funding. It states

8. Decrease in Commonwealth Government funds allocated to Housing in Victoria:
   1977-78—$104 million
   1978-79—$85 million
   1979-80—$64 million

Each year the dollar value of funding has decreased, to say nothing of the loss in terms of inflation. The Federal Government does not care. The document continues:

9. There exists a State-wide housing building slump.
10. Market rents in the Latrobe Valley are as follows

The figures are astounding. The average rent for a three-bedroom house in Traralgon is $100 a week. The rents range from $70 to $120 a week. In Morwell the rent ranges from $65 to $110 a week. In Moe the rent ranges from $65 to $110 a week. The rent for a two-bedroom flat—which is not a major housing unit—in Traralgon ranges from $70 to $90 a week. Those rents are higher than rents in Melbourne. Only in the highest rent areas of Melbourne would one pay more in rent than the figures I have quoted. In Morwell a two-bedroom flat would cost between $60 and $85 a week to rent and the same would apply in Moe. This document is a very critical one and carries on with fact after fact relating to the housing inadequacies in the Latrobe Valley now, but that is nothing to what is coming.

The sitting was suspended at 1.1 p.m. until 2.3 p.m.

The Hon. E. H. Walker—Prior to the suspension of the sitting, I was endeavouring to establish a case for the appointment of a Select Committee to look into the social and community needs of the Latrobe Valley and related planning issues.

I had established the fact that major growth will occur and I had begun to elaborate on some of the particular issues which arise. I had used housing as an example and prior to the suspension of the sitting, I had quoted from an important report, Planning for Community, which is a very recent report produced by the Mission of St James and St John. I referred to ten of the points which elucidate the critical nature of the housing problem in the Latrobe Valley.
To add to that problem the Housing Commission has been selling its housing stock to the State Electricity Commission so that low-income earners are further deprived. I quote from page 15 of the Planning for Community report:

The Special Housing Project is an agreement between the H.C.V. and the S.E.C. concerning the sale of approximately $10 million worth of H.C.V. houses to S.E.C. employees. That is, "welfare housing" is being channelled off for employee accommodation. The quantity of resources available to the H.C.V. for "welfare housing" is already restricted, and therefore should not be directed to middle income people, as is done under this project.

That is a pretty clear-cut statement. It is wrong that the very limited Housing Commission stock should be sold directly to the State Electricity Commission to enable it to house its employees. As has been shown in the report, it is the middle and upper-income groups which are receiving that housing which in the past has been available for the more needy persons. The problem in the Latrobe Valley is worsened because the State Electricity Commission is buying Housing Commission houses.

To sum up on the matter of housing, the recent Green Paper on Housing published by the Ministry of Housing found that:

The Latrobe Valley ... faced a great shortage of rental housing resulting from rapid and unco-ordinated growth.

That quote was repeated in the Age on 26 November last, but the point is that although the Green Paper on Housing, published by the Ministry of Housing, is a discussion paper, not a policy paper as such, that was a pretty broad statement to make.

I submit that that quotation backs up the case I am making, that growth is unco-ordinated and that there are problems in the Latrobe Valley which will only become much worse. There is nothing in the planning process which will help overcome those problems.

As I pointed out before, a real initiative was taken in 1975 by the then Minister for Planning, now the Minister of Education, who produced Statement of Planning Policy No. 9 and put in train consultative procedures to enable the Latrobe Valley to get ahead of the game, to plan for growth, but that plan has been allowed to run down and to be phased out by the Government and the present Minister for Planning has made it clear that he wants no more of that. It is clear that the present strategies of the Government will lead to a position where the strategies will do nothing more than worsen the housing situation in the Latrobe Valley.

I invite Government supporters to examine the recent publication of the Government, the blue book on new directions and inform me how the Government intends to implement a policy, so called, to handle the essential planning issues and essential welfare needs. There is nothing in the Government publication that deals with those aspects.

As I stated earlier, I am using housing as an example and I now move to the second part of my motion which relates to environmental planning because in the motion I refer to related environmental and planning issues.

At the risk of sounding something of a romantic, I want to state in regard to the environment——

The Hon. R. J. Long—That is one thing Mr Walker is not.

The Hon. E. H. WALKER—I only said at the risk of being considered a romantic. This planet Earth is a total environment. If one wants an explanation of that thesis, one need only look at the Government's own comments a year ago on world conservation strategy.

I must concede that the Minister for Conservation was quite eloquent a year ago in introducing that concept when the honourable gentleman referred to the notion of a total environment. The idea of that concept is that each part of the environment reacts with and depends on each other part.

To that degree the major elements of the environment, air, earth, water, and what lives in them, plant or animal life, all depend on each other. The people in the community in the Latrobe Valley are clearly a part of their environment.

If the natural environmental systems are destroyed or seriously damaged, the effect that leaves on people in the
Latrobe Valley is almost impossible to calculate. However, let me examine quickly one element related to the environment.

I refer to land, and the brown coal resources which I have spoken of earlier. In the Latrobe Valley there is a demand by industry for the use of that resource for power and for coal-to-oil products. As I stated earlier, that demand will mean the acquisition of large areas of productive agricultural land. One has only to look at the Gelliondale proposal to see that very productive agricultural land will be handed over and excavated by open-cut mining methods. As honourable members well know, brown coal is most suited to open-cut operation.

The Statement of Planning Policy No. 9 makes comment in this regard, and I refer to page 40 of that document. Paragraph 3.5 of the Statement of Planning Policy states that the planning policy to be applied is of importance to the Latrobe Valley for a variety of agricultural pursuits and particularly for dairying. This planning policy recognizes the value of that arable land, and that is the sort of land that the Government is handing over in large quantities. This handover of land should not be allowed without some concern being expressed.

The Hon. R. J. Long—What area?

The Hon. E. H. Walker—I should have brought the map with me. Surely, as a member who represents the Gippsland Province, Mr Long should know the areas to which I refer. I mentioned Gelliondale, but there are also areas within the valley—particularly the State Electricity Commission controlled areas—that are extremely large. The maps indicate the areas intended for development and show the withdrawal of these areas of good agricultural land.

The Hon. R. J. Long—Are you talking about 4000 or 5000 hectares?

The Hon. E. H. Walker—I do not have the figures. Land is in jeopardy. I am discussing the simple elements of the environment. The second element is air. Power generation and industry in the Latrobe Valley already produce serious air pollution problems. No one can deny that. If one drives into the valley, particularly on a still morning, it is apparent that air pollution problems exist.

The Hon. H. M. Hamilton—Pollution from the cooling towers is evident, too.

The Hon. E. H. Walker—I know the situation, and honourable members would have to agree that there is a serious pollution issue in the valley. The Government has issued a draft air policy dated 1974. The document is only a draft and I shall comment about that later. The proposed standards for the valley were carefully checked. One could hardly say that the policy contained radical standards. On page 40 of the "Draft State Environment Protection Policy" it blandly states:

The population of the valley is expected to remain fairly constant. I do not know where that information came from because, as I mentioned, the population is expected to more than double rapidly.

The Hon. H. M. Hamilton—Perhaps you are using suspect sources of information.

The Hon. E. H. Walker—I assure the honourable member that the sources I have used today are impeccable.

The Hon. H. M. Hamilton—You have cast doubts on that.

The Hon. E. H. Walker—It is a conservative document. If the air standards in this document are based on an area with no future growth one has to agree that the reduction of standards proposed is serious. The policies of the document are not going to be implemented. In its final form the document went before Cabinet on, I think, 7 January this year. On a minor technicality, a decision on the document was postponed for a week.

The technicality was that members of Cabinet were not happy about some of the provisions for days of serious pollution in Melbourne. Members of Cabinet considered that when days of pollution occurred, the outline of activities proposed in the policy was not good enough. When the document was